CIVIL RIGHTS FIELD REPRESENTATIVE 2 5241

GENERAL DESCRIPTION OF CLASS

The CIVIL RIGHTS FIELD REPRESENTATIVE 2 plans and conducts investigations of complaints of discrimination; mediates/negotiates case settlements prior to Determination; conducts Fact Finding Conferences to resolve/define investigative issues; analyzes investigative data; prepares written Administrative Determinations; screens civil rights complaint inquiries to determine jurisdiction; and prepares State and Federal complaints of discrimination in employment, housing, public accommodation and vocational schools.

DISTINGUISHING FEATURES

The Civil Rights Field Representative 2 is the second level of a two-level series. This class is distinguished from the first level by its responsibility for effecting Pre-Determination Settlements through negotiation and mediation and the conducting of Fact Finding conferences to define and resolve investigative issues. Employees in this class receive a lesser degree of supervision and guidance than employees at the lower level.

DUTIES AND RESPONSIBILITIES

1.**Mediation/Negotiation.** Typical tasks: negotiates Pre-Determination Settlements (PDS) between Complainant and Respondent by initiating settlement discussions to ascertain Complainant damages and Respondent potential liability; obtains settlement proposals from both parties, acts as a mediator/facilitator between the parties while maintaining an impartial position; develops creative settlement proposals to assist the process if the parties reach an impasse; drafts and prepares a legal agreement (PDS) detailing the substantive terms agreed upon and secures the signatures of all parties.

2.**Fact Finding/Negotiation.** Typical tasks: conducts Fact Finding Conferences (FFC) utilizing a quasi-hearing format; determines the suitability of a case for factfinding; notifies the Complainant and Respondent of the evidence and parties required to be present; governs the Fact Finding Conference by regulating the format and rules of conduct; restricts attending parties to responding to questions and examination directed by the Factfinder; obtains evidentiary statements from all parties/witnesses through questioning and document analysis; maintains order under situations which are often adversarial and emotional between the parties and/or their legal representatives; analyzes legal status and probable outcome of the complaint for both parties after all evidence has been presented; attempts to negotiate PDS based on the evidence presented to the Factfinder.

3.**Investigation.** Typical tasks: analyzes the formal complaint and accompanying documentation to determine specific investigative issues and applicable civil rights laws and administrative rules; develops and implements an investigation; prepares an amended complaint if the investigation identifies an additional protected class; prepares an additional complaint if the investigation identifies a new cause of action; obtains evidence through interviews of complainant, responding parties, witnesses and comparators; obtains evidence through written request, subpoena, collection of documentation, on-site observation and examination of documents, records and physical evidence; organizes investigative data into a case file structured in accordance with Division standard operating procedures; evaluates and analyzes investigative data in order to determine if substantial evidence of

discrimination is present; submits a written Administrative Determination of the investigative findings; and provides testimony in courts, at depositions or at agency administrative hearings.

4.**Complaint Intake.** Typical tasks: conducts careful questioning of the complaining individual's account of the facts and collects relevant available documentation to determine if a prima facie case exists; provides an explanation of the law and its application to the fact situation; drafts a formal complaint if a **prima facie** case is established; and provides an explanation of the Division's investigative and administrative processes.

5.**Jurisdiction Screening.** Typical tasks: responds to public inquiries made by telephone, letter or in-person regarding agency jurisdiction in accordance with State and Federal civil rights statutes and Oregon Administrative Rules.

6.**Miscellaneous.** Typical tasks: participates in public education/awareness through speeches and other public presentations; participates in Division and inter/intra-agency special projects, training sessions and task forces.

RELATIONSHIPS WITH OTHERS

Employees in this class obtain information relevant to the investigation of complaints of discrimination through in-person, telephone and written contact on a daily basis with complainants, responding parties, attorneys, corporate officers, consultants and witnesses and through occasional contact with union representatives, law-enforcement agencies, other governmental entities and private businesses.

SUPERVISION RECEIVED

Employees in this class receive general supervision from unit supervisors. Unit supervisors assign work, meet the employee occasionally to review/problem-solve the work in progress and review completed work products for timeliness, accuracy, completeness and appropriateness of recommendations/actions. State and Federal laws, administrative rules and agency operational procedures provide guidelines for the intake and investigation of complaints of discrimination.

GENERAL INFORMATION

Positions require the willingness to travel, including occasional overnight trips.

KNOWLEDGE, SKILLS, AND ABILITIES (KSA)

Basic knowledge of State and Federal civil rights laws.
Basic knowledge of mediation/negotiations/facilitation theory and principles.
Basic knowledge of interpersonal relations and problem solving.

Skill in eliciting information from and working effectively with persons of various socio-economic backgrounds, including those who may be reluctant or hostile.
Skill in conducting negotiation/mediation between adversaries; being sensitive to problems but objective in approach.
Skill in the analysis and interpretation of statutes or rules or regulations and their application to complex fact situations.
Skill in objectively analyzing conflicting allegations, testimony and/or documentary records.
Skill in communicating complex information regarding statutes or rules or regulations, both in writing and in-person, to people of diverse socio-economic backgrounds.
Skill in eliciting information from persons who may be emotionally upset, reluctant or hostile.
Skill in basic investigative procedures: interviewing, comparison and analysis of documents, facts and statistics.
Skill in preparing clear, concise yet comprehensive written reports based upon careful analysis of complex information.
Skill in exercising independent judgement, problem solving, decision making and working under minimal supervision.
Skill in getting along with people, maintaining good working relationships, and acting as an effective team member.
Skill in the organization/prioritization of a large volume of work with competing deadlines and the maintenance of effective time management.
Skill in making presentations to diverse groups.

Ability to preside over divisional Fact Finding Conferences; a frequently antagonistic meeting of complainant, responding parties, corporate offices and/or representing attorneys for the purpose of clarifying the investigative issues, attempting resolution or defining the continuing investigative process.
Ability to remain neutral and ojective while providing an environment conducive to the Pre-Determination Settlement process; a negotiated, legally binding, no-fault resolution acceptable to both parties.
Ability to learn the principles and methods of effective field investigation.
Ability to formulate an investigative plan and adapt the plan to changing circumstances as the investigation proceeds.
Ability to testify effectively in administrative hearings, depositions and State and Federal courts.

NOTE: The KNOWLEDGE and SKILLS are required for initial consideration. ABILITIES may be required for initial consideration, at any time during the selection process, or during a trial service period as a final stage of the selection process. Some duties performed by positions in this class may require different KSA's. No attempt is made to describe every KSA required for **all** positions in this class. Additional KSA requirements will be explained on the recruiting announcement.

Adopted 4/90

Revised

Examples of work are typical of duties assigned to this class. No attempt is made to describe every duty performed by all positions in this class.