The CIVIL RIGHTS INVESTIGATOR investigates state and federal claims of discrimination in employment, housing, public accommodation and vocational schools to determine jurisdiction. Employees obtain and analyze evidence and prepare written Administrative Determinations. Complaints investigated are filed under multiple Oregon statutory chapters and may be co-filed under contract with city, state and federal agencies including but not limited to the U.S. Equal Employment Opportunity Commission (EEOC), the City of Portland, and Oregon OSHA. Employees investigate allegations under statutes that must be construed to the extent possible in a manner that is consistent with any similar provisions of the federal Occupational Safety and Health Act (OSHA), the federal Americans with Disabilities Act (ADA), the federal Family and Medical Leave Act (FMLA), and the federal Uniformed Services Employment and Reemployment Rights Act (USERRA).

Investigation Responsibilities. Analyzes complaints to determine specific investigative issues and applicable laws, rules and regulations; amends complaints as necessary and appropriate; drafts additional complaints if investigation identifies a new cause of action; reviews settlement agreements between employees and employers to determine whether or not the terms are unconscionable; obtains evidence through interviews of complainants, responding parties, witnesses and comparators; obtains evidence through written request, collection of documentation, on-site observation and examination of documents, records and physical evidence; drafts and serves subpoenas as necessary and appropriate; evaluates and analyzes facts and applicable legal theories in order to determine if substantial evidence of unlawful discrimination is present; submits a written Administrative Determination of the investigative findings; and provides testimony in courts, at depositions and at agency administrative hearings.

Complaint Drafting Responsibilities. Conducts detailed questioning of the complaining individual's account of the facts and collects relevant available documentation to determine if a prima facie case exists under any of the myriad laws enforced by the Division, and drafts a formal complaint sufficient for statutory tolling if a prima facie case is established.

Miscellaneous Responsibilities. 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.

DISTINGUISHING FEATURES

This is a two level classification series.

Level 1

The CIVIL RIGHTS INVESTIGATOR 1 is the first of this two level series. Employees at this level assess claimant allegations by telephone, letter or in-person to determine agency jurisdiction and draft formal complaints in accordance with State and Federal civil rights statutes and Oregon administrative rules.

The Civil Rights Investigator 1 is distinguished from the higher level by its primary focus on intake processing and is assigned a lower caseload with less complex cases. Employees at this level have readily available professional leadership or managerial supervisor. Employees at this level apply clear and diversified procedures, precedents and professional standards.
Level 2

The CIVIL RIGHTS INVESTIGATOR 2 is the second of this two level series. Employees at this level effect Pre-Determination Settlements through negotiation and mediation and conduct Fact Finding conferences to define and resolve investigative issues.

The Civil Rights Investigator 2 negotiate Pre-Determination Settlements (PDS) between complainants and respondents by initiating settlement discussions to ascertain damages and liability. Act as a mediator/facilitator between the parties while maintaining an impartial position. Develop settlement proposals to assist the process if the parties reach an impasse. Draft and prepare legally binding agreement enforceable by the Division and detailing the substantive terms agreed upon.

The Civil Rights Investigator 2 determine the suitability of a case for fact finding conference and conducts fact finding conferences utilizing a quasi-hearing format. They govern the fact finding conference by regulating the format and rules of conduct. Obtain evidentiary statements from all parties/witnesses through questioning and document analysis. Maintain order under situations which are often adversarial and emotional between the parties and/or their legal representatives. Analyze legal status and probable outcome of the complaint for both parties after all evidence has been presented. Attempt to negotiate PDS based on the evidence presented to the Factfinder.

The Civil Rights Investigator 2 is distinguished from the lower level by maintaining an ongoing large volume caseload and more complex cases. Employees at this level receive a lesser degree of supervision and are guided by general principals and guidelines. Situations differ and require research to find available answers. Conditions and elements of issues must be identified and analyzed to figure out interrelationships.

The responsibilities within the Concept and Distinguishing Features are characteristic of the type and level of work associated with these classes. Individual positions may do all or some combination of the responsibilities listed as well as other related responsibilities.

MINIMUM QUALIFICATIONS AND SKILLS

Civil Rights Investigator 1:

Two years of experience (or equivalent combination of education and experience) related to the class concept that includes the collection and analysis of facts and making recommendations based on such.

Knowledge and Skills:
Knowledge of principles and processes for providing customer service, including customer needs assessment.
Knowledge of the structure and content of the English language including the meaning and spelling of words, rules of composition, and grammar.
Knowledge of related laws, legal concepts and precedents, and government regulations.
Knowledge of principles and methods for training, teaching and instruction for individuals and groups.
Knowledge of administrative procedures and systems such as managing files and records, and other office procedures.
Skill in communicating effectively orally and in writing as appropriate for the needs of the audience to convey information.
Skill in giving full attention to what other people are saying, taking time to understand the points being made, asking questions as appropriate, and not interrupting at inappropriate times.
Knowledge and Skills (level 1 continued):
Skill in eliciting information from and work effectively with persons of various backgrounds, including those who may be reluctant or hostile.
Skill in analyzing, interpreting and applying statutes, rules, and regulations to fact situations.

Civil Rights Investigator 2:

Four years of experience related to the class concept that includes specialized experience where the primary duties consisted of: 1) collection of information, gathering and analysis of facts, and making conclusions and recommendations; OR 2) gathering, developing, and presenting information for the purpose of education or training.

OR

A Bachelor’s degree in Business Administration, Public Administration, Law or other related field and one year of experience described above.

Knowledge and Skills: (in addition to those listed in level 1)
Skill in identifying complex problems and reviewing related information to develop and evaluate options and recommend solutions.
Skill in using logic and reasoning to identify the strengths and weaknesses of alternative solutions, conclusions or approaches to problems.
Skill in considering the relative costs and benefits of potential actions to choose the most appropriate one.
Skill in understanding the implications of new information for both current and future problem-solving and decision-making.
Skill in being aware of others' reactions and understanding why they react as they do.
Skill in bringing others together and trying to reconcile differences.
Skill in comparing conflicting statements and making credibility determinations.

NOTE: The KNOWLEDGE and SKILLS (KS) are required for initial consideration. Some duties performed by positions in this class may require different KS. No attempt is made to describe every KS required for all positions in these classes. Additional KS requirements will be explained on the recruiting announcement.

Adopted/Revised: 8/2017