

Washington State Department of Personnel
Class Specification

CIVIL RIGHTS INVESTIGATOR/SPECIALIST 4

122D

Job class officially abolished effective August 17, 2007 per Marisa McKay.

Definition:

Within the Human Rights Commission, serves as an expert in State and Federal Civil Rights Law; provides technical assistance and interpretation of the application and enforcement of Civil Rights Law, Commission policy and procedural development, declaratory rulings and formal opinions of the Executive Director, regulations and guidelines. Develops and presents education and training materials and programs on state and federal civil rights laws. Participates actively in outreach to employers, businesses, human resource professionals and other organizations, groups and individuals, using a variety of social marketing techniques and practices. Provides expert guidance and leadership to Human Rights Commission staff in the area of civil rights case investigation and analysis. Develops and implements procedures and conducts Alternative Dispute Resolution for respondents, complainants and staff. Works independently, with minimal supervision, in precedent-setting areas and subjects of first impression.

Incumbents at this level are recognized and accepted experts in the Washington State Law Against Discrimination (RCW 49.60) and other State and Federal Civil Rights laws. The incumbents understand, interpret and apply legal theory and case law pertinent to discrimination based on all protected classes under RCW 49.60. This position may be a leader of a special policy development task team. Work is generally performed under the Operations Manager, but special projects may be performed under the direction of the Executive Director or Deputy Director. Incumbents function independently with minimal guidance, and may be required to travel frequently.

There are three areas of expertise or tracks for Level 4: Expert, Investigator; Expert, Education and Outreach; and Expert, Alternative Dispute Resolution. The following includes examples of work that apply to all three tracks, as well as examples of general work performed at this level.

Typical Work:

Assists Operations Manager, as needed with the implementation of daily unit operations;

May be called upon to develop and implement projects or programs that have short deadlines, direct state-wide programs or projects, and/or function as a leader of a special policy or regulatory development task team;

Develops and conducts training on rights and responsibilities and compliance under the state and federal civil rights laws; may also participate in outreach activities such as staffing information booths or tables to provide information about anti-discrimination laws;

Consults with and provides expert advice to legal counsel, public and private employers, special interest groups, owners, managers, public officials, union officials, real estate brokers, personnel managers, and others to explain and interpret state and federal laws against discrimination;

Conducts conciliations; reviews, analyzes and makes recommendations on petitions for reconsideration of investigative findings; monitors settlement agreements for compliance with terms and conditions;

Provides highly specialized technical assistance and interpretation of application to enforcement of civil rights law and related laws, Commission policy and procedural development, regulations and guidelines, Bona Fide Occupational Qualifications (BFOQs) and formal Opinions of the Executive Director;

Functions as intergovernmental liaison for the Commission with Federal, State and local agencies, boards, commissions, and committees; may represent the Commission before high-level officials;

If needed, may function as the agency legislative liaison to monitor proposed legislation, conduct legislative bill analysis, and/or assist in the preparation of fiscal notes; may provide expert testimony at legislative hearings; may participate in the agency's rulemaking process; may draft testimony for use before legislative bodies;

Develops and maintains expert knowledge by conducting appropriate research on Commission policies, procedures, and regulations, State and Federal discrimination laws, and civil rights issues of particular concern;

Receives, analyzes, and responds to telephone and written inquiries on the Washington State Law Against Discrimination (RCW 49.60);

Examples of Work: Track 1 – Expert Investigator

Leads or provides technical assistance to agency investigative teams for systemic and/or industry-wide review of potential discriminatory patterns or practices;

Functions as an expert advisor and provides technical guidance to entry-, journey- and senior-level investigators; leads investigations of extreme complexity, sensitivity or controversy;

Negotiates settlements in cases in which violations of the Washington State Law Against Discrimination (RCW 49.60) have been found; conducts conciliations under State Affirmative Action Law (RCW 49.74), where State agencies or institutions are found to be in violation;

Researches records and develops case files on precedent-setting cases, cases of first impression and controversial cases; provides expert advice on what constitutes acceptable evidence; makes credibility determinations;

Conducts research and drafts formal Commission precedent interpretations of the laws under Commission jurisdiction;

Where determinations of jurisdiction are difficult during the complaint intake process, may receive, analyze, and respond to inquiries by telephone, in writing and by e-mail with regard to the state and federal discrimination laws and make appropriate referrals to other relevant agencies or advocacy organizations.

Examples of Work: Track 2 – Expert, Education and Outreach

Leads the development of a state-wide education and outreach plan and related materials; monitors plan to assure successful implementation; familiar with social marketing principles and techniques;

Conducts public and private sector educational programs, including seminars, workshops and other presentations; may conduct Human Rights Commission staff training and develop related materials;

Reviews and analyzes data related to agency jurisdictional areas in cases and issues of unusual difficulty, and makes recommendations as to resolution of the questions;

Develops and negotiates legally binding settlement agreements and reviews and monitors Commission-approved settlement agreements to ensure compliance; if necessary, takes action to recommend initiating enforcement.

Examples of Work: Track 3 – Expert, Alternative Dispute Resolution

As part of the alternative dispute resolution process, consults with and persuades legal counsel, public and private employers, owners, managers, public officials, union officials, real estate brokers, personnel managers, and others;

Conducts conciliations on cases in which violations of the Washington State Law Against Discrimination (RCW 49.60) and any statutes under the jurisdiction of the Commission have been found;

Provides expert guidance and assistance to entry, journey and senior level investigators who are initiating pre-finding settlement negotiations to attempt early case resolution; engages directly in mediation/negotiation efforts to resolve complex cases by initiating innovative alternative proposals intended to meet the individual needs and mutual interests and acceptance of the parties involved, and the requirements of the law;

Develops and provides peer conflict coaching; may assist in the resolution of internal disputes.

Legal Requirement(s):

There may be instances where individual positions must have additional licenses or certification. It is the employer's responsibility to ensure the appropriate licenses/certifications are obtained for each position.

Desirable Qualifications:

A Bachelor's degree in public or business administration, personnel management, industrial relations, political science or an allied field

AND

Four years of experience with major work assignments emphasizing Civil Rights Law enforcement, equal employment opportunity, investigation, Alternative Dispute Resolution, policy development, legal research or legislative analysis

A Master's degree in one of the above fields or a law degree will substitute for two years of experience.

Additional qualifying experience will substitute, year for year, for education.

OR

One year of experience as a Civil Rights Investigator 3.

Class Specification History

New class, replaces 49080 Equal Opportunity Compliance Specialist effective January 1, 2006.

Abolished class; adopted August 16, 2009, effective August 17, 2007. At the time of the proposed abolishments to this series, 24 incumbents filled positions in this series but were reallocated into the generic Investigator series.