



# HEARING OFFICER II, AGRICULTURAL LABOR RELATIONS BOARD

## OPEN EXAMINATION – STATEWIDE

**Testing Department:** Agricultural Labor Relations Board

**Bulletin Release Date:** September 14, 2015

**FINAL FILING DATE:** **September 28, 2015**

**Monthly Salary Range:** \$8223 - \$10,247

### POSITION DESCRIPTION

Under direction, to preside over quasi-judicial hearings on the most difficult or sensitive representation and unfair labor practice cases as provided under the Agricultural Labor Relations Act; to be responsible for the administrative operation of hearings of the agency; to confer with and assist Hearing Officers on problem cases and provide guidance; and to do other related work.

**Positions exist statewide.**

### WHO SHOULD APPLY

Applicants who meet the minimum qualifications as stated on this bulletin may apply for this examination.

### MINIMUM QUALIFICATIONS

All applicants must meet the experience and/or education requirements for this examination **by the final filing date.**

#### EDUCATIONAL REQUIREMENT:

Admission to practice law in any state in the United States or the District of Columbia for at least five years immediately preceding application for appointment. **AND**

#### EITHER I

One year of experience performing the duties of a Hearing Officer I, Agricultural Labor Relations Board.

#### OR II

1. Two years of experience in the conduct of judicial or quasi-judicial hearings in the capacity of presiding officer. **or**
2. Two years of labor relations work performing one or a combination of the following:
  - a. Negotiation and preparation of labor agreements. **or**
  - b. Conciliation, mediation, or arbitration of labor disputes. **or**
3. Two years of work with the Agricultural Labor Relations Board involving the investigation and trial preparation of unfair labor practice prosecutions; investigation, research and preparation of Agricultural Labor Relations Board decisions; or the administrative screening and processing of representation and unfair labor practice cases. (Applicants who have completed 18 months of the required experience will be admitted to the examination, but must complete two years of such experience before they will be eligible for appointment.)

## MINIMUM QUALIFICATIONS CONTINUED

### OR III

Five years of experience in the practice of law (experience in the "practice of law" is defined as only that legal experience acquired after admission to The Bar), which shall have included at least three years of labor-related experience which shall have included the presentation of evidence and examination of witnesses before a trial court of quasi-judicial administrative body.

## SPECIAL PERSONAL CHARACTERISTICS

Willingness to travel; tact; judicial temperament; and normal hearing.

## CROSS FILING INFORMATION

A **DEPARTMENTAL OPEN** examination is also being administered for the class of **HEARING OFFICER I**. Applicants who meet the minimum qualifications and wish to participate in both examinations may file **one application** for both examinations; however, submitted applications **MUST** include each class title for which the applicant wishes to participate. Applicants will be considered only for the examination(s) specified on their application.

## FILING INSTRUCTIONS

Examination Applications (STD. 678) are available at the California Department of Human Resources Careers page at <http://jobs.ca.gov/pdf/std678.pdf>.

All Examination Applications must be **POSTMARKED** no later than the final filing date in order to be considered for the examination. Submit applications directly to:

### MAILING ADDRESS:

Employment Development Department  
Human Resource Services Division, MIC 54  
Attention: **HO II EXAM**  
P.O. Box 826880  
Sacramento, CA 94280-0001

**NOTE:** All applicants **MUST** provide a current, valid email address on their application. The Qualifications Assessment (QA) examination link will be sent to the email address provided. Failure to provide a current and valid email address may result in non-receipt of examination information, in a timely manner, which could result in disqualification from the examination. All examination notifications (except the QA link) will be sent by USPS mail.

Applications must also contain the following information: "to" and "from" dates (month/day/year) of employment, time base, civil service class title(s), and range, if applicable. In addition, college course information **MUST** include: title, semester or quarter credits, name of institution, completion dates, and degree (if applicable). Applications received without this information may be rejected.

## SPECIAL TESTING ARRANGEMENTS

If you have a disability and need special assistance or special testing arrangements, contact EDD at [EDDExaminations@edd.ca.gov](mailto:EDDExaminations@edd.ca.gov) or via the California Relay Service for the Deaf or Hard of Hearing at (800)735-2929 from TTY phones and (800) 735-2922 from voice phones.

Additionally, please select the "Reasonable Accommodations" box when filling out the application

## ELIGIBLE LIST INFORMATION

A Departmental Open list will be established for use by the **Agricultural Labor Relations Board**. Eligibility expires **24** months after it is established unless the needs of the services and conditions of list warrant a change in this period.

**COMPETITORS MAY COMPETE ONLY ONCE IN ANY CONSECUTIVE 24-MONTH PERIOD.**

## EXAMINATION INFORMATION

This examination will consist of a **Qualifications Assessment** weighted 100%. In order to obtain a position on the eligible list, a minimum rating of 70% must be attained.

### QUALIFICATIONS ASSESSMENT – WEIGHTED 100%

It is anticipated that candidates who meet the minimum qualifications for this examination will be sent an email the week of **October 12, 2015** to the email address provided on their application. The email will contain the instructions and the link to complete the online Qualifications Assessment (QA) examination.

**It is the candidate's responsibility** to contact the Human Resource Services Division at [EDDExaminations@edd.ca.gov](mailto:EDDExaminations@edd.ca.gov) if they have not received an email with the QA link by **October 15, 2015**. Please monitor your email account's SPAM, Junk, Bulk, etc. folder(s) as the examination email may be filtered depending on your specific account settings.

**COMPETITORS WHO DO NOT COMPLETE THE QUALIFICATIONS ASSESSMENT OR DO NOT SUBMIT IT BY THE DUE DATE WILL BE DISQUALIFIED FROM THE EXAMINATION PROCESS.**

## SCOPE OF THE EXAMINATION

### A. KNOWLEDGE OF:

1. Legal principles and their application.
2. Conduct of hearings under the Agricultural Labor Relations Act.
3. Rules of evidence governing such procedure and the laws relating to serving notices, taking depositions, and issuing subpoenas.
4. Legal research.
5. Relevant court and Board decisions interpreting the Agricultural Labor Relations Act.
6. Relevant court and Board decisions interpreting the National Labor Relations Act as it relates to the Agricultural Labor Relations Act.
7. Court decisions interpreting the powers of administrative law and the judicial review of administrative actions.
8. Board's Equal Employment Opportunity (EEO) program objectives.
9. A manager's role in the Equal Employment Opportunity (EEO) program and the processes available to meet Equal Employment Opportunity (EEO) objectives.

### B. ABILITY TO:

1. Perform research.
2. Analyze, appraise, and apply legal principles, evidence, and precedents to legal problems.

## SCOPE OF THE EXAMINATION CONTINUED

3. Make accurate summaries of evidence and prepare appropriate findings and conclusions of law and make recommendations based on such facts.
4. Conduct fair and impartial hearings in a manner that will obtain all pertinent evidence and secure confidence and respect.
5. Maintain a fair and impartial attitude of mind without bias or prejudice.
6. Speak and write effectively.
7. Establish and maintain cooperative relations with those contacted in the course of the work.
8. Effectively contribute to the Department's Equal Employment Opportunity objectives.

## VETERANS' PREFERENCE

Veterans' Preference will be granted for this examination. Effective January 1, 2014, in accordance with Government Codes 18973.1 and 18973.5, whenever any veteran, widow or widower of a veteran, or spouse of a 100 percent-disabled veteran achieves a passing score on an open examination, he or she shall be ranked in the top rank of the resulting eligibility list. This section shall not apply to any veteran who has been dishonorably discharged or released.

## HOW TO APPLY FOR VETERANS' PREFERENCE

The California Department of Human Resources (CalHR) has information on how to apply for Veterans' Preference on their website at [www.jobs.ca.gov](http://www.jobs.ca.gov) and on the Application for Veterans' Preference form (CalHR 1093). Additional information is also available at the Department of Veterans Affairs website at [www.cdva.ca.gov](http://www.cdva.ca.gov).

## CAREER CREDITS

Career Credits will not be added to the final score of this examination as it **does not** meet the requirements to qualify for Career Credits.

## EQUAL EMPLOYMENT OPPORTUNITY

The State of California is an equal opportunity employer to all, regardless of age, ancestry, color, disability (mental and physical), exercising the right to family care and medical leave, gender, gender expression, gender identity, genetic information, marital status, medical condition, military or veteran status, national origin, political affiliation, race, religious creed, sex (includes pregnancy, childbirth, breastfeeding and related medical conditions), and sexual orientation.

## DRUG FREE STATEMENT

It is an objective of the State of California to achieve a drug-free state work place. Any applicant for state employment will be expected to behave in accordance with this objective because the use of illegal drugs is inconsistent with the law of the State, the rules governing civil service and the special trust placed in public servants.

## CONTACT INFORMATION

Potential applicants are encouraged to read this entire bulletin. All inquiries about this examination should be directed to [EDDExaminations@edd.ca.gov](mailto:EDDExaminations@edd.ca.gov). Please include the examination title, **HEARING OFFICER II**, in the subject line. Also, you may contact the Exam Analyst, Venus King, at (916) 654-8983.

## GENERAL INFORMATION

**THE EMPLOYMENT DEVELOPMENT DEPARTMENT** reserves the right to revise the examination plan to better meet the needs of the service if the circumstances change under which this examination was planned. Such revision will be in accordance with civil service laws and rules and all candidates will be notified.

**IT IS THE CANDIDATE'S RESPONSIBILITY** to contact the Employment Development Department, Human Resource Services Division at (916) 654-6869 or (916) 654-8634, three weeks after the FINAL FILING DATE if he/she has not received a notice via email or U.S. mail.

If you meet the requirements stated on this bulletin you may take this examination, which is competitive. Possession of the entrance requirement(s) does not ensure a place on the eligible list. Your performance in the examination described on this bulletin will be compared with the performance of the other candidates who take this examination, and all candidates who pass will be ranked according to their scores.

**EXAM APPLICATIONS (STD 678)** are available on the Internet at <http://jobs.ca.gov/pdf/std678.pdf>

**GENERAL QUALIFICATIONS:** Candidates must possess essential personal qualifications including integrity, initiative, dependability, good judgment, an ability to work cooperatively with others, and a state of health consistent with the ability to perform the assigned duties of the class.

**ELIGIBLE LISTS:** Eligible lists established by competitive examination, regardless of date, must be used in the following order: 1) subdivisional promotional, 2) departmental promotional, 3) multi-departmental promotional, 4) servicewide promotional, 5) departmental open, 6) open eligible list. When there are two lists of the same kind, the older must be used first. Eligible lists will expire in one to four years unless otherwise stated on this bulletin. In the case of continuous testing examinations, names are merged into the appropriate eligible lists in order of final examination scores regardless of the date of the examination and the resulting eligible lists will be used only to fill vacancies in the area shown on the bulletin.

**COLLEGE EDUCATION:** The qualifications meeting the requirement "Equivalent to graduation from college" means satisfaction of the requirements for the bachelor's degree from an accredited, recognized institution of higher education. This means the applicant must show receipt of a bachelor's degree. Acceptable college course work must be from an accredited, recognized institution approved by the California Superintendent.

**VETERANS' PREFERENCE:** Effective January 1, 2014, in accordance with Government Code 18973.1 and 18973.5, Veterans' Preference will be awarded as follows: 1.) Any veteran, widow or widower of a veteran, or spouse of a 100 percent disabled veteran, who achieves a passing score in an entrance examination, shall be ranked in the top rank of the resulting eligibility list. Any veteran who has been dishonorably discharged or released is not eligible for Veterans' Preference. 2.) An entrance examination is defined, under the law, as any open competitive examination. And 3.) Veterans' Preference is not granted once a person achieves permanent civil service status.

**EMPLOYMENT DEVELOPMENT DEPARTMENT**  
Human Resource Services Division, MIC 54  
P.O. Box 826880  
Sacramento, CA 94280-0001  
Telephone: (916) 654-7827  
Website: [www.edd.ca.gov](http://www.edd.ca.gov)

**California Relay Service for Hearing Impaired:**  
From TDD Phone: (800) 735-2929  
From Voice Phone: (800) 735-2922

*TDD is a Telecommunications Device for the Deaf and is reachable only from telephones equipped with a TDD device.*