

AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES
Affiliated with the AFL-CIO
80 F St NW, Washington, DC 20001-1583

MEMORANDUM: Human Resources/Vacancy #25

DATE: April 2, 2024

TO: ALL EMPLOYEES
National Headquarters and District Offices

FROM: Everett B. Kelley *Everett B. Kelley CB/DC*
National President

SUBJECT: Vacancy Announcement – EEO Specialist (Attorney), Grade –
11A/12A/13A/14A Women’s and Fair Practices Department.

A vacancy exists for the position of EEO Specialist (Attorney) in the Women’s and Fair Practices Department, effective immediately.

Selection to fill the vacancy will be made according to the AFGE/OPEIU #2 Contract and the National Executive Council's policy on hiring.

Official Station: National Office

The attached position description outlines the duties, qualifications, and responsibilities of the position.

All interested applicants **must submit resume to:** jobs@afge.org. Attention: Vacancy Announcement #25 to the Human Resources Department. Expressions of interest from (**internal candidates**) must be received by the close of business on Wednesday, April 10, 2024.

cc: National Executive Council
Chief Steward, OPEIU #2

FOR BULLETIN BOARD POSTING
NOT TO BE REMOVED
(ADDITIONAL COPIES OF THIS POSTING MAY BE OBTAINED FROM
THE AFGE CAREER WEBSITE)

POSITION DESCRIPTION

American Federation of Government Employees (AFGE)

Department: Women's and Fair Practices Department
Location: National Office
FSLA Classification: Exempt
Position Title: EEO Specialist (Attorney)
Date of Revision/Creations:

CLASSIFICATION: EEO SPECIALIST (ATTORNEY)

I. INTRODUCTION

This position is located in the Office of the Women's and Fair Practices. The Women's and Fair Practices Departments provide advice, guidance, consultation, representation, training and the otherwise general support of the civil, human, women's and workers' rights program and activities for the members of the Federation.

The incumbent provides professional legal representation, counsel, assistance, and services of an EEO nature to the National President, National Vice President, National Secretary-Treasurer, Human Rights Committee (composed of the Fair Practices Affirmative Action Coordinators (FPAAC's) and National Women's Advisory Coordinator (NWAC's)), District National Vice Presidents, Council Presidents, Local Presidents, National Representatives, National Office Department Directors, AFGE members and others.

The Office of Women's and Fair Practices provides legal representation, counsel, assistance, and services, in the areas of equal employment opportunity (e.g. civil, human, women's and workers' rights), with particular emphasis on the enforcement of such rights in administrative proceedings before the EEOC, the Merit Systems Protection Board, arbitrators, other administrative tribunals and Federal Courts.

II. SPECIFIC DUTIES AND RESPONSIBILITIES

1. Legal Representation During Administrative Proceedings and in Court Litigation

As requested by the NVP, represents employees in administrative proceedings under the provisions of:

- 29 CFR 1614, i.e., complaint processing for allegations of discrimination based on race, color, religion, national origin, sex, age and handicap.
- 5 U.S.C. and 7701 and 7702, i.e., statutory appeals to MSPB, and petitions to EEOC, concerning adverse actions involving discrimination.

- 5 U.S.C. 1206 and 2302 (b) (1), i.e., allegations to the Special Counsel of prohibited personnel practices involving discrimination.
- 5 U.S.C. 7121 (d), i.e., grievances, involving discrimination, going to arbitration under negotiated grievance procedures.
- 5 U.S.C. 7116 (a) (1) and (4) and 5 U.S.C. 7118, i.e., unfair labor practice charges to the General Counsel of FLRA involving either the discriminatory denial of a right to an employee or the reprisal against such employee for exercising the right to complain against such discrimination.

Such representation shall include: direct representation at the investigatory stage, hearing or appellate stage by reviewing the prior administrative record at the agency level; interviewing the complainant and Local union officials involved to establish the facts and the key issues; researching such issues (legislation, administrative regulations, case law, etc.); recommending the most appropriate forum for review; drafting and filing the required brief, appeal, petition, complaint allegation, charge, or grievance; attending pre-hearing conferences; preparing and making opening remarks at the hearing; selecting, calling, and interrogating witnesses; cross-examining opposition witnesses; screening proposed evidence; raising objections when necessary; and presenting closing arguments.

Duties shall also include:

(a) Providing advice on appealing unfavorable decisions to higher levels of the administrative process, i.e., to the Board, Authority, or Commission, and the preparation and conduct of such appeals, if approved by the Department's procedure for accepting cases, including the development and making of oral and written arguments.

(b) Discussions with the AFGE General Counsel on possible litigation in court, either in lieu of certain administrative hearings or after the exhaustion of administrative remedies, under the judicial review provisions of 7702 (discriminatory actions), 7703 (MSPB final decisions), 7123 (FLRA final decisions), or other appropriate provisions of law. Occasionally handles appeals from administrative decisions in court litigation; and may handle all EEO related cases in federal court after the exhaustion of administrative remedies.

2. Legal Counsel and Advisory Services

Provides legal counsel and/or advice, as requested by the NVP, in support of activities and other organizations, including matters such as interpretation of provisions of existing statutes and administrative regulations; analysis of the effect of new court decisions; determination of the compliance of agency affirmative action plans with applicable law; and development of provisions of proposed legislation intended to correct problems in current law:

- Develop educational materials for the Federation on matters involving civil, human, women's and workers' rights. Train members and representatives on the administrative contracts complaint process, the substantive law, and appropriate remedies in civil, human, women's and workers' rights actions.
- Develop and update instruction manuals.
- Write articles and newsletters for the departments.
- Write and design pamphlets, posters and other departmental materials on civil, human, women's and workers' rights issues.
- Participate and advise locals in negotiation process for collective bargaining agreements and serves as a technical advisor on EEO issues.
- Position requires travel, sometimes on short notice, with possible extended temporary duty assignments outside the metropolitan D.C. area.

III. WORK ENVIRONMENT

This job operates in a professional environment working to establish Federation and Departmental goals. The incumbent will routinely use standard office equipment such as computers, fax machines, scanners and phones. Long hours are periodically required. Travel is required. The employee will periodically be required to do some lifting and/or move items over 10 pounds.

IV. CONTROLS OVER WORK

The incumbent of this position works under the day-to-day supervision of the Supervisory Attorney and under the general supervision of the National Vice President who assigns work, issues instructions and provides guidance, assigns priorities, evaluates performance, approves travel, leave, issues commendations, administers discipline when warranted. Incumbent is expected to work independently and innovatively through all assignments, including those which involve new, precedent, novel and unusually difficult issues.

V. QUALIFICATION REQUIREMENTS

1. Must be lawfully eligible to work in the United States.
2. Juris Doctorate Degree from an accredited law school.
3. Must have knowledge of Personnel and EEO laws, the collective bargaining process, administrative complaint and appeals process.
4. Must be admitted to practice law in one of the jurisdictions of the United States.

5. Must have a demonstrated commitment to civil, human, women's and workers' rights on policy issues.
6. Must have an interest and loyalty to the American labor movement.

VI. STATEMENT OF DIFFERENCES

The G12A level is identical to the G11A position except that it reflects one-year successful completion and the demonstrated ability to perform at a higher level of independence. The G13A level is identical to the G12A position except that it reflects assignments of increased complexity, performance of increased activity, and development of greater expertise. The G13A level is considered the "journeyman level" of this EEO Specialist position. The incumbent at this level will perform with minimal supervision, develop complex legal analysis, and pursue a developed docket of litigation consistent with responsibilities of the G13A Staff Attorney position, except that the legal activity will be confined to the EEO area of expertise. Incumbent at this level will be capable of preparing statements for AFGE in the area of EEO and women's issues and will represent AFGE's interest in the Department's area of expertise at agency meetings, union meetings and other appearances. The top grade for the practicing attorneys in WFP will be Grade 14A. The incumbent at this level must have two years' experience at the Grade 13A level and appropriate certification of performance by the Supervisory Attorney and National Vice President for Women's and Fair Practices departments.

VII. EEO STATEMENT

AFGE provides equal employment opportunities (EEO) to all employees and applicants for employment without regard to race, color, religion, sex, national origin, age, disability, genetic information, pregnancy, marital status, sexual orientation, personal appearance, gender identity and/or gender expression. In addition to federal law requirements, AFGE complies with applicable state and local laws governing nondiscrimination in employment in every location in which the company has facilities. This policy applies to all terms and conditions of employment, including recruiting, hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation and training.