

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

MEMORANDUM: Human Resources/ Vacancy #52

DATE: October 24, 2017

TO: ALL EMPLOYEES  
National Headquarters and District Offices

FROM: J. David Cox, Sr.  
National President



SUBJECT: Vacancy Announcement – Legal Rights Attorney, G-11A/12A/13A, 10<sup>th</sup> District

The purpose of this memorandum is to advise you that a vacancy now exist for the position of Legal Rights Attorney, Office of General Counsel, effective immediately.

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

Official Station: 10<sup>th</sup> District

10<sup>th</sup> District covers: (Louisiana, Mississippi, Texas, New Mexico, Panama)

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

All interested applicants **must submit resume to: [jobs@afge.org](mailto:jobs@afge.org)**. Attention: Legal Rights Attorney #52 to the Human Resources Department. Expressions of interest must be received by the close of business on Wednesday, November 1, 2017.

cc: National Executive Council  
Finance Director  
Chief Steward, OPEIU

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NOT TO BE REMOVED

(ADDITIONAL COPIES OF THIS POSTING MAY BE OBTAINED FROM  
AFGE WEBSITE)

## POSITION DESCRIPTION

**American Federation of Government Employees**  
**80 F Street, NW**  
**Washington, D.C. 20001**  
**Exempt**

**CLASSIFICATION:** Legal Rights Attorney, Office of the General Counsel

### **I. INTRODUCTION**

The 10<sup>th</sup> District of the American Federation of Government Employees (AFGE) provides a broad range of assistance to government employees. The Legal Rights Attorney position is focused on affirmative administrative litigation and contract negotiations aimed at protecting the employment and union rights of bargaining unit employees.

This position is FLSA-exempt, and is located within AFGE 10th District.

### **II. MAJOR DUTIES AND RESPONSIBILITIES**

The incumbent of the Legal Rights Attorney position is primarily responsible for providing first-chair representation in affirmative administrative litigation that may lead to the recovery of back pay, and to the recovery of prevailing party attorney's fees for deposit into the AFGE Legal Representation Fund or other litigation as assigned. The incumbent is regularly called upon to exercise independent judgment and discretion when evaluating and litigating assigned matters.

Assignments may include, but are not limited to, contract negotiations, deciding negotiability issues for the local and uses a full range of collective bargaining techniques such as impasse and mediation and conciliation services, the independent and competent handling of all aspects of grievance and arbitration litigation, as well as all aspects of litigation before administrative agencies such as the U.S. Merit Systems Protection Board (MSPB), the U.S. Federal Labor Relations Authority (FLRA), and the U.S. Equal Opportunity Employment Commission (EEOC). This work often entails, without limitation, engaging in discovery or making information requests, evaluating and organizing evidence and/or exhibits, preparing witnesses, and researching, drafting and submitting motions, memoranda, and/or legal briefs, and putting on the union's case or the case of an individual bargaining unit member or members. Assignments may also include providing legal advice and guidance to AFGE, its officers, members, and employees, conducting training or legal clinics, and providing such other assistance as may be necessary.

### **III. CONTROLS OVER THE POSITION**

The incumbent reports to and works under the day-to-day direction of the District National Vice President. The incumbent will receive legal supervision from the General Counsel, Deputy General Counsel, or Assistant General Counsel.

When handling matters that are capable of generating an award of prevailing party attorney's fees, the incumbent is responsible for: maintaining contemporaneous time records using a system approved by GCO; performing legal work in a manner consistent with the ethical and other requirements for an award of market rate attorney's fees; seeking market rates fees for deposit into the AFGE Legal Representation Fund, whenever feasible; and for assisting GCO with maintaining accurate records of fees deposited in the AFGE Legal Representation Fund. When attorney's fees are deposited into the Fund, the incumbent shall be paid a bonus according to the OPEIU contract guidelines. Expenses incurred in cases approved in advance by the General Counsel will be eligible for payment from the AFGE Legal Representation Fund.

### **IV. QUALIFICATIONS**

The incumbent must have a J.D. degree from a validly accredited law school. The incumbent must also be a member in good standing of all bars to which the incumbent is admitted. At all grade levels, the incumbent must possess the judgment and ability necessary to meet and deal appropriately with government officials of varying levels of authority, Congressional staff, AFGE officers, members and staff, including members of AFGE's National Executive Council, and officials of other unions.

#### ***Grade 11A Level:***

- Basic knowledge of federal-sector personnel and labor-relations law, including grievance arbitration, unfair labor practice complaints, and MSPB appeals.
- One year or less of litigation experience in contested matters.
- Ability to work with minor supervision and technical assistance on cases that present conventional issues for which clear-cut precedent exists. The incumbent is expected to regularly handle arbitrations, MSPB hearings, EEO matters and other administrative cases with little assistance and with a high level of independence.
- Incumbent must be admitted or eligible for admission by waiver, within 6 months, to the Court of Appeals for the District of Columbia.

#### ***Grade 12A Level:***

- Working knowledge of federal sector labor-relations, including grievance arbitration, unfair labor practice cases, negotiability appeals, and MSPB appeals.
- At least one year of experience at the Grade 11A level or equivalent.
- Demonstrated litigation experience as a first or second-chair attorney in federal-sector administrative hearings.
- Ability to work independently, and with minimal technical assistance, on cases that present conventional issues for which clear-cut precedent exists. Incumbent is proficient

at handling simple arbitrations, MSPB hearings, EEO matters, and is able to handle more difficult matters with minor assistance.

- Incumbent must be admitted or immediately eligible for admission by waiver to the Court of Appeals for the District of Columbia.

***Grade 13A Level:***

- Advanced knowledge of federal sector labor-relations, including grievance arbitration, unfair labor practice cases, negotiability appeals, and MSPB Appeals.
- At least 2 years' experience as an attorney at Grade 12A or equivalent.
- Demonstrated and significant litigation experience as a first chair attorney in federal-sector administrative hearings or court hearings.
- Ability to work independently, and with minimal technical assistance, on all but the most difficult cases, including a demonstrated ability to work independently on moderately complex issues for which precedent may not be clear cut or may not exist.
- Incumbent is proficient at handling a wide range of arbitrations, MSPB appeals, EEO matters, and other administrative cases.
- Incumbent must be admitted to the Court of Appeals for the District of Columbia.