

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

MEMORANDUM: Human Resources\Vacancy #19

DATE: July 19, 2022

TO: ALL EMPLOYEES
National Headquarters and District Offices

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

SUBJECT: Vacancy Announcement – Associate General Counsel/Liaison to the U.S. Department of Labor Specialist for Constitutions, Elections, and Internal Standards of Conduct, G-11A/12A/13A (Confidential; Non-Bargaining Unit)

The purpose of this memorandum is to advise you that a vacancy now exists for the position of Associate General Counsel/Liaison to the U.S. Department of Labor Specialist for Constitutions, Elections, and Internal Standards of Conduct, G-11A/12A/13A (Confidential; Non-Bargaining Unit) Office of the General Counsel.

Selection to fill the vacancy will be made according to the National Executive Council's policy on hiring.

Official Station: Washington, D.C.

All interested applicants **must submit resume to:** jobs@afge.org, Attention: Associated General Counsel/Liaison to the U.S. Department of Labor Specialist #19 to the Human Resources Department. Expressions of interest from (**internal candidates**) must be received by the close of business on Wednesday, July 27, 2022.

CC: National Executive Council
Finance Director

FOR BULLETIN BOARD POSTING
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AFGE WEBSITE)

POSITION DESCRIPTION

American Federation of Government Employees (AFGE)

Department: General Counsel Office

Location: National Office

FSLA Classification: Exempt

Position Title: Associate General Counsel/Liaison to the U.S. Department of Labor Specialist for Constitutions, Elections, and Internal Standards of Conduct

I. INTRODUCTION

This position is located in the Office of the General Counsel. The work of the General Counsel's Office (GCO) involves the areas of administrative and court litigation, general legal counsel and advice, legal and legislative analysis and interpretation, legal negotiations, legal drafting, and the provision of general legal services. The subject matter includes labor-management relations, civil service and personnel administration, pay and fringe benefits administration, internal labor union affairs, business and commercial matters, aspects of criminal law, and general legal practice. The GCO provides legal counsel and service, as appropriate, to the officers, staff, members, and organizational components of the union.

The incumbent of this position, under the general supervision of the General Counsel and the Deputy General Counsel, will perform difficult and responsible legal work of a highly confidential nature, requiring a high level of discretion, legal analytical skill, writing proficiency, and familiarity with jurisprudence. This position is excluded from all bargaining units.

II. MAJOR DUTIES AND RESPONSIBILITIES

- 1. Elections:** In accordance with Department of Labor Standards of Conduct regulation 29 CFR §458.29, Department of Labor election regulation 29 CFR §452, Appendix A, Part III of the AFGE National Constitution, and the affiliate constitution or *District Caucus Rules*, the incumbent investigates, analyzes the facts and the law/rules at issue, and prepares draft decisions for the National President in local, district, and council election appeals. The incumbent offers informal guidance to affiliate election committees daily. The incumbent conducts council and other affiliate elections, and assists in the conduct of district caucus elections, upon direction of the National President. The incumbent maintains, updates, and interprets AFGE's *Election Manual* to Federation staff, affiliates, and the Department of Labor, and serves as the union's primary liaison with the office of the Assistant Secretary of Labor, Employment Standards Administration, Office of Labor-Management Standards, in election complaints filed with the Secretary.
- 2. Disciplinary Actions:** In accordance with Department of Labor Standards of Conduct regulation 29 CFR §458.2(a)(5), the AFGE National Constitution and the local or council's constitution, and AFGE's *Committee of Investigation Guidelines and Procedures Manual* and

AFGE's *Hearing Manual for Internal Disciplinary Trials*, the incumbent investigates, analyzes the facts and the law/rules at issue, and prepares draft decisions of the Legal Rights Committee in appeals to the National Executive Council. The incumbent offers informal guidance to independent and affiliate committees of investigation and trial committees daily. The incumbent prepares the documentation for the appointment of independent committees of investigation, trial committees, and arbitrators by the National President and the notification of the time, date, and place of the trials, and tracks the disciplinary proceedings of each. The incumbent presents the Federation case in hearings. The incumbent prepares the documentation for the appointment of the Ad Hoc Committee and its report for appeals to the National Convention. The incumbent maintains, updates, and interprets AFGE's *Investigation and Hearing Manuals* to Federation staff, affiliates, and the Department of Labor, and serves as the union's primary liaison with the office of the Assistant Secretary of Labor, Employment Standards Administration, Office of Labor-Management Standards, in Title I complaints filed with the Secretary.

3. **Constitutional Matters:** The incumbent reviews the AFGE National Constitution and all local and council constitutions and bylaws, and amendments, for adherence to proper notice and vote by the affiliate to amend and for adherence to provisions of Department of Labor Standards of Conduct regulations and policy, the AFGE National Constitution, and Federation policy. The incumbent revises constitutions and bylaws when necessary to meet the relevant standards and prepares the constitutions and related letters for approval by the General Counsel and the National President on behalf of the AFGE National Executive Council (NEC). The incumbent maintains the constitution files, a record of all locals governed under the standard local constitution, and a record of the status of all constitutions submitted for review in council and local numeric order. Incumbent communicates by telephone, email, and letter with National Vice Presidents and council and local officers to resolve questions and issues raised by documents submitted for review or by a local's conversion to the standard local constitution.
4. **Conventions:** The incumbent reviews the AFGE National Constitution and prepares constitutional and internal policy resolutions to the NEC for submission to the National Convention, analyzes and discusses resolutions submitted by affiliates for background, impact, and legal/policy considerations for inclusion in the Workshop Manual for Constitutional and Internal Policy, and creates charts of the resolutions for the use of the Convention delegates. The incumbent attends the National Convention and records and tracks the actions of the Committee on Constitution and Rules, the Constitution and Internal Policy Workshop, and the National Convention on the resolutions through the adoption process. The incumbent assists in the preparations for and conduct of the election of the national officers, and assists in the training of new delegates classes at the Convention. Following the Convention, the incumbent revises the Constitution, AFGE's *Election Manual*, AFGE's *Committee of Investigation Guidelines and Procedures Manual*, AFGE's *Hearing Manual for Internal Disciplinary Trials*, and AFGE's *Trusteeship Hearing Manual* and *Manual and Guide for Trustees*, consistent with amendments adopted by the National Convention, and reviews proof printings prior to publication.
5. **Caucuses:** In accord with Department of Labor Standards of Conduct regulation 29 CFR §458.29, the incumbent reviews and updates the *District Caucus Rules* for consistency with Department of Labor election regulation 29 CFR §452 and actions of the previous National Convention, prior to submission to the NEC for approval of the *Rules* for the triennial district caucus elections. The incumbent serves as a resource to the National Secretary-Treasurer and National Vice Presidents staff and to constituent locals in the election of delegates to the respective caucus, both prior to and during the caucus elections. The incumbent reviews, investigates, and prepares draft decisions in caucus election appeals to the National President, and in the event of an ordered new or rerun election, assists in the preparation and conduct of the election. The incumbent is the union's primary liaison with the office of the Assistant Secretary of Labor, ESA, OLMS in election complaints filed with the Secretary.

6. **Training:** The incumbent conducts training of new local officers for the Education Department, training for districts when requested, and training of local election committees, based upon the Labor-Management Reporting and Disclosure Act of 1959, Department of Labor Standards of Conduct regulation 29 CFR §458, Department of Labor election regulation 29 CFR §452, the AFGE National Constitution, policies of the NEC, Robert's Rules of Order, and relevant AFGE manuals.
7. **Trusteeships:** Consistent with Department of Labor Standards of Conduct regulation 29 CFR §458.26, et sec, the incumbent reviews requests for the imposition of trusteeship, prepares the documentation for such imposition, and coordinates the appointment of the trusteeship hearing panel, date, and notice to the membership of the affiliate. The incumbent maintains, updates, and interprets AFGE's *Trusteeship Hearing Manual* and *Manual and Guide for Trustees*, to Federation staff, affiliates, and the Department of Labor, and serves as the union's primary liaison with the office of the Assistant Secretary of Labor, Employment Standards Administration, Office of Labor-Management Standards, in trusteeship complaints filed with the Secretary. The incumbent presents the Federation case in hearings.

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.

CONTROLS OVER WORK

The incumbent is under the general supervision of the General Counsel and the Deputy General Counsel. The General Counsel and the Deputy General Counsel assign responsibilities, outline applicable policies and objectives, may give general instructions, reviews and approves finished work, and makes final decisions. The incumbent is expected to be fully competent on the basis of education, experience, knowledge, and skills, to accomplish these assignments with maximum initiative, resourcefulness, and good judgment, and with minimum supervision.

REQUIREMENTS

1. Applicants must have experience in appropriate work in a legal office and in law office procedures.
2. Applicants must have the specific education, experience, knowledge, and skills necessary to carry out, with a minimum of supervision, the assignments described in this position description, including a law degree and a Bachelor of Arts/Science degree and admission to the Bar. Preference will be given to applicants who also have experience in law office practice, particularly if the experience includes familiarity with the LMRDA and unions.
3. Must have an interest in and loyalty to the Labor Movement.

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.