

**MEMORANDUM:** Human Resources/Vacancy #39

**DATE:** September 13, 2023

**TO:** ALL EMPLOYEES  
National Headquarters and District Offices

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

**SUBJECT:** Vacancy Announcement – Staff Counsel, Assistant General Counsel,  
G-12A/13A/14A

A vacancy exists for the position of Staff Counsel/Assistant General Counsel in the General Counsel's Office, 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 Headquarters

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

All interested applicants **must submit resumes to:** [jobs@afge.org](mailto:jobs@afge.org), Attention: Vacancy Announcement #39 to the Human Resources Department. Expressions of interest from (**internal candidates**) must be received by the close of business on Thursday, September 21, 2023

cc: National Executive Council  
Director, Finance  
Chief Steward, OPEIU #2

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

## POSITION DESCRIPTION

### American Federation of Government Employees (AFGE)

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**Department:** General Counsel's Office  
**Location:** National Office  
**FSLA Classification:** Exempt  
**Position Title:** Staff Counsel, Assistant General Counsel

**Date of Revision/Creations:**

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#### I. INTRODUCTION:

The Office of General Counsel (GCO) provides legal assistance to all affiliates of the American Federation of Government Employees (AFGE) with regard to legal questions, federal sector arbitration, arbitration awards appeals, requests for policy guidance from the Federal Labor Relations Authority, agency rules and regulations implementing the Civil Service Reform Act (CSRA), rules and regulations of the Merit Systems Protection Board, rules and regulations of the Office of Special Counsel, proposed legislation on labor-management relations and federal personnel matters, unit determinations, election protests, standards of conduct rules and regulations of the Assistant Secretary of Labor, unfair labor practice proceedings, AFL-CIO Articles XX and XXI proceedings, negotiability appeals, the review and analysis of proposed agency regulations, court litigation, litigation pursuant to the standards of conduct under the CSRA and Labor Management Reporting and Disclosure Act of 1959, internal AFGE disputes, trusteeship proceedings, issues concerning the AFGE Constitution, and all other advice and guidance that is necessary concerning the CSRA, all regulations implementing that Act, and all other legal matters pertaining to AFGE's operations.

GCO represents AFGE and its members in state courts, U.S. District Courts, U.S. Courts of Appeals, U.S. Claims Court, and U.S. Supreme Court, as well as in administrative litigation at all levels.

#### II. MAJOR DUTIES AND RESPONSIBILITIES

At the G 12–13 levels, the incumbent performs legal research, litigates in judicial and administrative proceedings, and advises AFGE officials regarding the interpretation and application of the laws, regulations, constitutions, and other legal matters referenced in Part I above, under a level of supervision from the General Counsel and Deputy General Counsel appropriate to the incumbent's experience and grade level. The incumbent also acts as a spokesperson for AFGE and its affiliates in meetings with agency officials, administrative judges, state and federal judges, Congressional staff, and officials of AFGE affiliates and other unions.

At the G 14 level, the incumbent serves as a primary assistant to the General Counsel in the handling of complex and multi-party litigation. In addition, the incumbent is assigned the highest level of responsibility for, and has attained stature in, specified areas of work, which include litigation, internal operations, legislation, labor-management matters, and appeals.

Also at the G 14 level, the incumbent personally manages and conducts the trial of important cases in the trial and appellate courts. The cases or problems assigned are most difficult and, as such, they have the effect of broadening the activities of employees and/or restricting Federal agency employers. Cases assigned often have nationwide applications and are of such importance that they frequently involve matching professional skills against some of the most distinguished legal practitioners in the country. Clearly applicable precedents are normally absent at this level due to the newness of a program or novelty of an issue, or it is highly arguable which precedents are applicable due to the complexity of the laws and precedents involved.

Attorneys at the G 14 level are expected to conduct complex and precedential assignments with little or no preliminary instruction. The incumbent independently conducts all investigation, research, planning, litigation strategy, and litigating documents and presents the same to the General Counsel effectively in final form. Where a hearing or trial is involved, the General Counsel/ Deputy GC is to be briefed on the overall approach and argument to be pursued. Incumbents are responsible for recognizing when the matter assigned is of such importance or delicacy that their advice must be cleared with the General Counsel.

Incumbents at all grade levels represent AFGE indirect negotiations and conferences with senior government officials, including Department of Justice lawyers and agency General Counsel, National union offices, retained co-counsel who may be from any state or federal jurisdiction, members of the United States Attorney's staff, opposing counsel and court and agency personnel.

Performance of assigned duties requires experience in appellate arguments and briefing techniques and expert knowledge of federal sector labor law precedents, as well as a thorough knowledge of AFGE policies, structure and procedures, and union objectives.

### **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. The employee will periodically be required to do some lifting and/or move items over ten pounds.

### **IV. CONTROLS OVER WORK**

The incumbent reports to the General Counsel, who sets overall objectives and policies, specify resources, and provides administrative and litigation direction, and to the Deputy General Counsel, who coordinates office operations and acts in the absence of the General Counsel. Independently plans and conducts litigation functions; resolves most conflicts; coordinates work with others as necessary and interprets policy on own initiative in terms of established union

objectives. Discusses emerging policy, and major changes with the General Counsel, National President, and Members of the Executive Council.

## **V. OTHER SIGNIFICANT FACTS:**

Qualifications for this position are:

### At the G 11 level:

- B.A. or B.S. degree and LL.B. or J.D. degree.
- Admitted practicing in one of the jurisdictions of the United States.
- Admitted practicing or eligible to practice in the bar of the U.S. District Court for the District of Columbia.
- Possess the ability to meet and deal appropriately with government officials at the Departmental level, staff for members of Congress, AFGE staff, members of AFGE's National Executive Council, National Representatives, AFGE affiliates' officials, and officials of other unions.

### At the G 13 level:

- A minimum of 2 years experience as an attorney litigating extensively at the administrative and judicial levels.
- A minimum of 2 years experience in labor law and 2 years experience in federal personnel law.
- A minimum of 1 year at the G 12 or equivalent level.

### At the G 14 level:

- A minimum of 2 years at the G 13 or equivalent level.
- Significant court experience and a demonstrated capability to perform with minimal supervision at various judicial levels.

## **VI. 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. The policy applies to all terms and conditions of employment, including recruiting, hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation, and training.