

City of New York
DEPARTMENT OF CONSUMER AND WORKER PROTECTION
Job Vacancy Notice

Civil Service Title: Agency Attorney	Level: 02
Title Code No: 30087	Salary: \$71,423 - \$82,137* <i>*Minimum with two years of continuous city service</i>
Office Title: Senior Staff Counsel	Work location: 42 Broadway, New York, NY
Division/Work Unit: Office of Labor Policy and Standards	Number of Positions: 1
Job ID: 548847	Hours/Shift: 9:00 AM – 5:00 PM

Job Description

The NYC Department of Consumer and Worker Protection (“DCWP”) protects and enhances the daily economic lives of New Yorkers to create thriving communities. DCWP licenses more than 51,000 businesses in more than 40 industries and enforces key consumer protection, licensing, and workplace laws that apply to countless more. By supporting businesses through equitable enforcement and access to resources and, by helping to resolve complaints, DCWP protects the marketplace from predatory practices and strives to create a culture of compliance. Through its community outreach and the work of its offices of Financial Empowerment and Labor Policy and Standards, DCWP empowers consumers and working families by providing the tools and resources they need to be educated consumers and to achieve financial health and work-life balance. DCWP also conducts research and advocates for public policy that furthers its work to support New York City’s communities. For more information about DCWP and its work, call 311 or visit DCWP at nyc.gov/dcwp or on its social media sites, Twitter, Facebook, Instagram and YouTube.

The Office of Labor Policy and Standards (“OLPS”) enforces the City’s worker protection laws, such as the Earned Safe and Sick Time Act, the Freelance Isn’t Free Act, and the Fair Workweek Laws, including “just cause” protections against wrongful firings for fast food workers, and the recently-passed Delivery Workers Law creating new rights for app-based food delivery workers. Working closely with outside stakeholders, OLPS also advocates for new laws, performs research and data analysis to make policy recommendations, and conducts outreach and education to workers, employers, and the general public. OLPS also houses the Paid Care Division, which is devoted to raising workplace standards for nannies, housecleaners, home health aides, and other paid care workers. More information about our office is available at nyc.gov/workers.

OLPS is seeking an attorney with at least two years of experience and a commitment to social justice and workers’ rights to enforce NYC worker protections. The attorney will:

- Work on complex investigations to develop evidence suited to litigation, including reviewing investigators’ reports to evaluate the strength of evidence for litigation;
- Lead strategic workplace-wide enforcement initiatives, which target industries with low rates of compliance, and which employ people who face barriers to reporting violations. OLPS has previously undertaken such initiatives in the home healthcare industry, for paid sick time, and in fast food, to enforce fair scheduling laws. In collaboration with the OLPS senior management team, the attorney will write investigation plans and tools, analyzing facts gathered in the investigation to identify the applicable charges, drafting correspondence explaining OLPS findings and settlement proposals, and leading

settlement negotiations with employers and their representatives;

- Litigate enforcement actions before the City's Office of Administrative Trials and Hearings to obtain monetary relief for employees who experience workplace violations. This includes interviewing witnesses, drafting pleadings and legal briefs, preparing witnesses to testify, developing damages calculations, and trying cases;
- Advise OLPS investigators on legal questions that arise during OLPS investigations, with a focus on investigations that focus on wrongful termination and large workplace-wide investigations. This may involve deciding which charges to apply to novel or complicated facts, responding to an employer's legal arguments, explaining OLPS' interpretations of the law, or advising on case strategy;
- Negotiate the terms of Consent Orders with employers to settle enforcement matters; and
- In collaboration with OLPS data scientists, attorneys, and investigators, develop office-wide tools to bring OLPS' enforcement practices to scale and contribute to enforcement-related policy development and implementation..

This position is an exciting opportunity to be involved with a growing office working on the next generation of labor laws. The ideal candidate is interested in labor and employment law and in developing litigation skills.

Preferred Skills

- Commitment to social justice and interest in advocating for the labor and employment rights of workers.
- Three more years of experience investigating and/or litigating labor or employment cases, or similarly advocating for the labor and employment rights of workers.
- Experience with investigations, managing discovery and/or negotiating settlements.
- Leadership skills, including the ability to think and plan strategically and to support high-performing, diverse teams.
- The ability to effectively manage multiple priorities with competing deadlines.
- The ability to establish rapport and interact effectively and respectfully with multi-functional teams comprised of attorney and non-attorney staff.
- Excellent verbal, written, interpersonal, analytical, and problem-solving skills.
- Fluency in a language other than English.

Minimum Qualification Requirements

1. Admission to the New York State Bar; and either "2" or "3" below.
2. One year of satisfactory United States legal experience subsequent to admission to any state bar; or
3. Six months of satisfactory service as an Agency Attorney Interne (30086).

Incumbents must remain Members of the New York State Bar in good standing for the duration of this employment.

In addition to meeting the minimum Qualification Requirements:

To be assigned to Assignment Level (AL) II, candidates must have one year of experience at Assignment Level I or two years of comparable legal experience subsequent to admission to the bar, in the areas of law related to the assignment. To be assigned to AL III candidates must have two years of experience in Assignment Levels I and/or II or three years of comparable legal experience subsequent to admission to the bar, in the areas of law related to the

assignment.

To Apply

For Non-City/External Candidates: Visit the [External Applicant NYC Careers site](#) and type “Consumer and Worker Protection” on the search line. Then locate the Job ID number.

For Current City Employees: Visit [Employee Self Service](#) (ESS) to view and click on Recruiting Activities, Careers, and search by Job ID number.

A RESUME AND COVER LETTER ARE REQUIRED.

PLEASE INDICATE IN YOUR COVER LETTER HOW YOU HEARD ABOUT THIS POSITION.

INCOMPLETE APPLICATIONS WILL NOT BE CONSIDERED.

NO PHONE CALLS, FAXES, E-MAILS, OR PERSONAL INQUIRIES PERMITTED.

NOTE: ONLY THOSE CANDIDATES UNDER CONSIDERATION WILL BE CONTACTED.

***Appointments are subject to Office of Management and Budget (OMB) approval.**

***55-a Candidates:** NYC Department of Consumer and Worker Protection is committed to recruiting and retaining a diverse and culturally responsive workforce. We strongly encourage 55-A candidates to apply to our positions in order to be given the opportunity.

****The City of New York is an inclusive equal opportunity employer committed to recruiting and retaining a diverse workforce and providing a work environment that is free from discrimination and harassment based upon any legally protected status or protected characteristic, including but not limited to an individual's sex, race, color, ethnicity, national origin, age, religion, disability, sexual orientation, veteran status, gender identity, or pregnancy.**

*****LOAN FORGIVENESS:** The federal government provides student loan forgiveness through its Public Service Loan Forgiveness Program (PSLF) to all qualifying public service employees. Working with DCWP qualifies you as a public service employee and you may be able to take advantage of this program while working full-time and meeting the program's other requirements. Please visit the Public Service Loan Forgiveness Program site to view the eligibility requirements: <https://studentaid.ed.gov/sa/repay-loans/forgiveness-cancellation/public-service>

***Drug Screening:** A drug screening may be required prior to being appointed.

As of August 2, 2021, all new hires must be vaccinated against the COVID-19 virus, unless they have been granted a reasonable accommodation for religion or disability. If you are offered city employment, this requirement must be met by your date of hire, unless a reasonable accommodation for exemption is received and approved by the hiring agency.

We are committed to providing reasonable accommodations that enable people with disabilities to enjoy equal benefits and privileges of employment as are enjoyed by others. If you are contacted to attend an interview for one of our open vacancies and would like to request an accommodation for that date, please send an email to

ReasonableAccommodationRequests@dca.nyc.gov.

Post Date: 09/01/2022

Post Until: 11/06/2022

JVN: 548847

DCWP and the City of New York is an equal employment opportunity employer.