

POSITION SUMMARY:

Under the general direction of the ETF Secretary, this position performs duties as an attorney and legal advisor for the Department and manages the Office of Legal Services. Oversees and manages the provision of all legal services to the agency including the identification and mitigation of legal risks. Provides strategic guidance, consultation, and support to executive leadership and other members of management on a comprehensive range of legal issues involved in carrying out the mission of the agency.

Responsibilities include: (a) serve as Agency Chief Legal Counsel by providing legal counsel and assistance to the Department's Secretary, staff, and ; (b) providing comprehensive legal representation for the Department; (c) drafting, negotiating and interpreting Department contracts with insurance, pension, and administrative service providers; (d) formulating and drafting various proposed legislative and rule changes relating to retirement and insurance programs; (e) responding to legal issues concerning the Wisconsin Retirement System (WRS) or Chapter 40 benefits from courts, attorneys, legislators, participants and other interested persons as required; and (f) supervising other Department attorneys.

The legal and factual issues involved in this position's general assignments are frequently complex and the decisions made with this position's assistance may set administrative precedents. The position is required to interpret complex and often ambiguous laws. The individual must have detailed knowledge not only of state and federal laws and rules relevant to Department programs, but also the manner in which the courts and administrative tribunals have interpreted these laws and rules.

This position involves handling personal information about participants and employees of the Department and requires knowledge of the appropriate state laws concerning confidentiality of employee personnel records and of participant files of the Department. This position also has access to Federal Tax Information.

This position requires conduct consistent with the highest ethical standards and a constant awareness of the fiduciary duty owed by the trustees to those having a beneficial interest in the Public Employee Trust Fund. It also requires well developed oral, written, and interpersonal skills, the ability to adapt to, support, and influence changing management strategies and priorities, the ability to critically evaluate information and complete assignments in a timely manner while presenting viable alternatives for management's consideration, the ability to manage diverse assignments in a responsible and professional manner, and the ability to secure cooperation and consensus in situations where conflicting objectives exist. This position requires commitment to creating a diverse and inclusive work force.

GOALS AND WORKER ACTIVITIES:

40% GOAL A. Provision of legal advice on existing and proposed Departmental policies, procedures, rules, state and federal laws, contracts and other legal documents affecting Department programs

A1. Provide legal advice and counsel on the application of federal and state court and administrative tribunal decisions, statutes, regulations, and rules as they relate to

- Department policies, powers, duties, precedents and procedures to the Secretary, Boards, Division Administrators, and other Department staff.
- A2. Propose, review, and assist in drafting policies, administrative rules, and statutes.
 - A3. Prepare and communicate oral and written legal opinions for use by the Department.
 - A4. Review, analyze, draft, negotiate and advise on contract language between the Department, private service agencies, and businesses to meet the needs of the Department and comply with federal and state statutes, regulations, and rules.
 - A5. Respond to public records requests and advise staff on requests to release public records and personal identifying information.
 - A6. Render opinions regarding federal and state tax laws as they affect ETF programs. Work closely with Department Compliance Officer and outside tax counsel, as appropriate.
 - A7. Prepare and present training to the Boards and agency personnel.
 - A8. Assist in maintaining and updating Department Statutory Reference Guide to provide codified interpretations of law and rules for operational use of staff.
 - A9. Represent the Department Secretary and Boards in negotiations with contractors/potential contractors to finalize contract agreements and in the interpretation of those agreements.
 - A10. Perform other legal duties as assigned.
 - A11. Monitor the legal landscape related to employee benefit programs and advise on potential impact to agency programs.

25% GOAL B. Management and supervision of Office staff

- B1. Oversee and/or direct the management of office operations, including the effective use of staff resources.
- B2. Administer performance management system (e.g., appraisal, disciplinary action, termination, etc.).
- B3. Participate in the hiring process to select new employees.
- B4. Develop, administer, and communicate legal office policies (e.g., policy and procedures manuals).
- B5. Address employee grievances, conduct investigations, and mediate disputes.
- B6. Develop and monitor routine information sharing processes with office leadership, clients, and other agencies.

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- B7. Represent the legal office at meetings and workgroups with internal and external agencies.
- B8. Monitor the quality of legal staff performance (e.g., quality control, etc.).
- B9. Develop, implement, and monitor operational procedures and policies.
- B10. Facilitate a collegial environment and staff development.
- B11. Demonstrate proficiency in the ETF Core and Leadership competencies.

20% GOAL C. Representation of the Department in administrative and judicial proceedings

- C1. Draft pleadings, briefs, motions and other legal correspondence and documents.
- C2. Conduct investigations, interview, and prepare witnesses.
- C3. Develop and implement litigation strategies.
- C4. Conduct discovery, depositions, and interrogatories.
- C5. Appear at hearings; examine witnesses and make oral arguments.
- C6. Negotiate settlements.
- C7. Interpret court and agency decisions and consult with client as to advisability of appeal under Chapter 40.
- C8. Act as liaison with Department of Justice and other attorneys in court litigation.
- C9. Advise Bureau Directors in the preparation of "Final Determinations" and development of language regarding appeal rights of participants.
- C10. Manage all aspects of the case including: coordinating with paralegals, scheduling and tracking hearings, meeting filing deadlines, scheduling witnesses, marshalling evidence and monitoring appeals.

15% GOAL D. Development of proposed legislation and administrative rules and interpret proposed and enacted state and federal laws affecting or necessary to implement Department programs

- D1. Identify developing problem areas, trends, patterns and issues and anticipate developments in the law which will impact the Department or WRS members.
- D2. Review and research, on a continuing basis, the specific need for new or amendments to laws, administrative rules and regulations. Draft, review and recommend implementation of such new or amended rules and/or legislation to the Secretary and Administrators.
- D3. Present the agency position on issues of importance to the agency and to the

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- agency's constituency to individual legislators, legislative study committees, and task forces.
- D4. Assist in presenting Department position on pending state and federal legislation before committees, task forces, etc., as requested.
 - D5. Consult with and provide technical legal assistance to staff and other state agencies relative to drafting laws, rules and regulations affecting the Department and members.
 - D6. Determine how current or proposed programs of the Department could be structured to comply with state and federal law; develop alternatives for structure and present recommendations and opinions to the Secretary and Administrators.

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Knowledge, Skills and Abilities

1. Knowledge of court appeals processes and procedures.
2. Knowledge of the principles of administrative law, practices, and rules.
3. Knowledge of methods used to research applicable law and precedent.
4. Ability to make persuasive written and oral presentations.
5. Knowledge of principles of government office administration and management.
6. Ability to provide legal advice and support.
7. Knowledge of methods to develop policies and procedures to enhance work processes and workflow.
8. Excellent oral and written communication skills to deliver public presentations, develop legal correspondence, and facilitate meetings and investigations.
9. Strong intrapersonal skills to interact positively and effectively with a variety of persons at different levels within and outside the organization.
10. Knowledge of the administrative rule making process, particularly drafting of proposed rules.
11. Knowledge of public records requirements.
12. Ability to draft statutes, rules, and other documents supporting the legislative and rulemaking process.
13. Knowledge of principles and techniques for provisions of legal advice and consultation services to agency program staff, executive staff and governing bodies.
14. Knowledge of principles and techniques of litigation, including affirmative presentation of case, defense representation, intervention, negotiations, and those discovery techniques and evidentiary rules applicable to administrative proceedings.
15. Knowledge of government retirement, insurance, and other benefit programs.
16. Knowledge of administrative and managerial principles and techniques, including budget and personnel.
17. Knowledge of contract law, insurance law and techniques of negotiation.
18. Knowledge of workers compensation procedure and law and employment relations, including whistle-blower, employment discrimination and equal rights laws affecting employers.
19. Knowledge of federal tax law as applicable to public pension and employee fringe benefits.
20. Knowledge of applicable procedures of the Employee Trust Funds, Group Insurance, Wisconsin Retirement, Teachers Retirement and Deferred Compensation Boards.
21. Ability to analyze facts and problems, infer and decide on potential and appropriate solutions.
22. Ability to work effectively in team environments and to secure cooperation and agreement in situations where conflicting objectives exist.
23. Ability to approach problems with flexibility and propose innovative and original solutions.
24. Ability to recommend alternative approaches to existing processes and procedures while maintaining cooperation from all parties involved.
25. Knowledge of strategic planning and goal setting techniques.
26. Leadership skills.

Special Requirements

Candidate must be licensed to practice law in the state of Wisconsin at the time of hire.