

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

Civil Service Title: Executive Agency Counsel	Level: M4
Title Code No: 95005	Salary: \$80,931.00 / \$87,277.00* - \$133,200.00 <i>*Minimum with two years of continuous city service</i>
Office Title: Litigation Director	Work location: 42 Broadway, New York, NY <i>*Job location is on site</i>
Division/Work Unit: Office of Labor Policy and Standards	Number of Positions: 1
Job ID: 576519	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 & 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, including the Paid Safe and Sick Leave Law, Fair Workweek scheduling predictability laws in fast food and retail, and the Delivery Worker Laws, which create rights for app-based restaurant delivery workers classified as independent contractors, including a minimum pay rate that will go into effect in 2023. OLPS’ enforcement work includes obtaining monetary relief for workers and injunctive measures to prevent future violations. 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 is seeking an attorney with significant affirmative litigation experience to lead OLPS’ Litigation Team. The Litigation Team brings enforcement actions under municipal worker protection laws to bring employers into compliance and recover monetary relief for working New Yorkers to remedy violations. The team prioritizes litigation that will have a meaningful impact on workers’ lives, in particular workplace-wide enforcement actions in high-violation industries with low rates of compliance. The team includes three litigation supervisors, nine staff attorneys, and two legal support staff. Key responsibilities will include:

- Advise litigation supervisors on all aspects of litigation, including analyzing claims and evidence, drafting pleadings, editing briefs, evaluating settlement opportunities, crafting injunctive measures, and developing trial strategy.
- Plan and lead complex litigation in support of OLPS’ strategic enforcement initiatives. Current initiatives include app-based restaurant delivery workers’ rights and fast-food workers’ rights under the Fair Workweek Law. Examples of OLPS’ recent strategic enforcement work are [here](#) and [here](#).
- Develop and litigate complex pattern and practice enforcement actions with the NYC Law Department and

other government partner agencies.

- Oversee OLPS' litigation docket before the Office of Administrative Trials and Hearings, including a high volume Earned Safe and Sick Time Act caseload, in collaboration with OLPS' litigation supervisors. Monitor and ensure efficient handling of litigation to ensure timely resolutions for workers.
- Set goals and strategic priorities for the Litigation Team. Ensure resource allocation is aligned with these goals and priorities. Develop and refine procedures and best practices for case development and case staffing.
- Review litigation documents to conduct quality control and ensure the professionalism of OLPS' litigation practice.
- As a member of OLPS' Senior Leadership Team, contribute to OLPS-wide strategic planning, vision, and enforcement-related policy development and implementation.
- Recommend changes to laws, rules, and procedures as needed to improve effective enforcement.
- Coordinate with directors of the Investigations and Research Teams on case development, special initiatives, and policy and legal issues.
- Supervise the legal work of OLPS' Paid Care Division, which offers a unique mediation program for domestic workers to resolve employment disputes and brings enforcement actions for Paid Safe and Sick Leave violations in the home healthcare industry.
- Oversee other initiatives and programs within the Litigation Team, such as the Freelance Isn't Free court navigation program.
- Provide exceptional supervision and mentorship to OLPS' team of litigators; foster their professional growth and ensure they develop meaningful, wide-ranging litigation experience.
- Foster collaboration, communication, and knowledge-sharing among members of the Litigation Team.
- Oversee recruitment of Litigation Team staff.
- As needed, coordinate with other local, state, and federal labor law enforcement agencies, as well as community organizations and worker groups, to promote effective working relationships.

This position is an exciting opportunity to be involved with a growing office litigating the next generation of labor laws. The ideal candidate is a leader who enjoys the challenge of complex litigation, collaborating with diverse teams, and tackling unique legal and procedural questions creatively.

Minimum Qualification Requirements

Admission to the New York State Bar; and four years of recent full-time responsible, relevant, satisfactory legal experience subsequent to admission to any bar, eighteen months of which must have been in the supervision of other attorneys, in an administrative, managerial, or executive capacity, or performing highly complex and significant legal work.

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

Preferred Skills

- Ten or more years of litigation experience.
- Experience in class action litigation or affirmative impact litigation.
- Expertise in employment law or a related field.
- Strong legal writing and editing skills.
- Management and supervision experience.

- Leadership skills, including the ability to think and plan strategically and supporting high-performing, diverse work teams.
- The ability to establish rapport and interact effectively and respectfully with multi-functional teams comprised of attorney and non-attorney staff.
- The ability to problem-solve creatively.
- Ability to thrive in a fast-paced work environment and to adapt to shifting priorities and strategies.
- Excellent project management and organizational skills.
- Excellent analytical and problem-solving skills.

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.

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@dcwp.nyc.gov.

If interested in being sent our job postings on a monthly basis, please email your resume at dcwpjobs@dcwp.nyc.gov. Make sure to include your personal contact information and the civil service title you are currently serving and civil service exams you have taken.

Additional Information

In addition, the NYC Department of Consumer and Worker Protection (DCWP) offers competitive salaries and the following benefits:

Paid Time Off and Holidays

- Paid time off for vacation and personal leave
- Paid time off for sick leave
- A generous holiday package of up to 13 days

Health Benefits

- Medical insurance plans
- Dental and vision insurance plans
- Employee assistance program

Financial and Savings Benefits

- 529 college savings plan
- Direct deposit
- Flexible spending account programs
- New York City Municipal Credit Union savings program
- Transit benefit programs
- Loan forgiveness

Retirement and Pension Plans

- New York City Employee Retirement System (NYCERS) pension plan
- New York City Deferred Compensation Plan (DCP) 401(k) and 457 plan

Additional Benefits for Union Members

- Disability insurance
- Health club reimbursements
- Life insurance
- Supplemental hospital coverage
- Tuition reimbursement

*Please note only employees represented by a labor union may qualify for additional benefits provided by the union welfare fund.

Employee Discounts

- Apple and Dell products
- Cell phones and plans
- Gym memberships
- Special pricing on event tickets through Barclay Center, Plum Benefits and Working Advantage
- And more!

Post Date: 02/28/2023

Post Until: 04/28/2023

JVN: 576519

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