

Trial Attorney

DEPARTMENT OF LABOR

Office of the Solicitor

Open & closing dates

🕒 09/01/2021 to 09/22/2021

Pay scale & grade

GS 12 - 14

Appointment type

Permanent

Service

Excepted

Salary

\$84,886 to \$172,500 per year

Work schedule

Full-time

Locations

Los Angeles, CA

few vacancies

San Francisco, CA

few vacancies

Seattle, WA

few vacancies

Relocation expenses reimbursed

No

Telework eligible

Yes as determined by agency policy

This job is open to



Federal employees - Excepted service

Current excepted service federal employees.



Career transition (CTAP, ICTAP, RPL)

Federal employees who meet the definition of a "surplus" or "displaced" employee.



The public

U.S. citizens, nationals or those who owe allegiance to the U.S.

Clarification from the agency

U.S. Citizens, CTAP eligible in the local commuting area; Non-Citizens as allowed by law. This is an Excepted Service position. This job will be filled through an alternative hiring process service. Applicants selected for an excepted service position will be subject to a one-year trial period.

Announcement number

EX-21-PHIL-SOL-0020

Control number

612734200

Duties

Summary

This position is located in the San Francisco Regional Office. This is a standard position description and may be used in any of the three San Francisco Region Offices (i.e. San Francisco, Los Angeles, and Seattle).

Note: Practicing lawyers in California must be licensed by the State Bar. If selected for Los Angeles or San Francisco must be or become member of California Bar

Additional selections may be made from this vacancy announcement.

This position is outside the bargaining unit

Responsibilities

Incumbent is responsible for working on cases, under the direction of and often with assistance from more senior attorneys and supervisors, to address legal concerns and issues relating to the Employee Retirement Income Security Act, the Fair Labor Standards Act, the Occupational Safety and Health Act, the Mine Safety and Health Act, the Davis-Bacon and Related Acts, the McNamara-O'Hara Service Contract Act, the Walsh-Healey Public Contracts Act, the Contract Work Hours and Safety Standards Act, Executive Order 11246 and other statutes administered or enforced by the Department. Incumbent also works with more senior attorneys and supervisors in handling internal labor and employment-related litigation involving Department of Labor employees within the Region, including appeals of personnel actions to the Merit Systems Protection Board, claims of discrimination filed with the Equal Employment Opportunity Commission, and cases arising under Executive Order 11491 dealing with Federal union management activities.

At the direction of the Regional Solicitor, Associate Regional Solicitor, Deputy Regional Solicitor, or program counsel, Incumbent advises, counsels, and works with the various Regional Department of Labor agencies in representing the Secretary of Labor. Incumbent is assigned legal cases arising within the Region, sometimes involving complex and difficult factual, procedural, substantive, and administrative issues that potentially have an effect on positions taken by the agency heads on programmatic enforcement both regionally and nationally, and can have an impact on one or more particular industries. The cases sometimes involve extensive research, analysis, and can require the use of expert testimony. The cases also can involve large sums of money, multi-establishment employers with large numbers of employees, important enforcement policies, and novel issues. May present oral argument in court or at administrative hearings.

Incumbent reviews assigned cases to determine whether to recommend litigation. Prepares legal analyses and litigation recommendations for the Regional Solicitor or other supervising attorney, evaluating cases in terms of the factual evidence, the legal and procedural issues involved, and other considerations that bear on the propriety of litigation. If the Regional Solicitor authorizes litigation, Incumbent is expected to handle the case with some supervision and instruction. May also be assigned to work on cases involving delicate matters in which the government has assumed a heavy burden of proof and/or cases where there has been media attention or interest from members of Congress. Many of the cases are vigorously opposed by senior legal counsel employed by labor law sections of national law firms or otherwise highly qualified and very experienced litigation counsel. May be assigned to work on a team and may be given responsibility for overseeing certain tasks for the team.

Travel Required

Occasional travel - This position is subject to 10% travel

Supervisory status

No

Promotion Potential

14 - There is no obligation to provide future promotions if you are selected. Promotions are dependent on your ability to perform the duties at a higher level, meet all the performance requirements, and supervisor's recommendations to the next grade.

Job family (Series)

0905 Attorney

(<https://www.usajobs.gov//Search/Results?j=0905>)

Requirements

Conditions Of Employment

- Appointment to this position may require a background investigation.
- Requires a trial period if the requirement has not been met.
- Must be at least 16 years old and a U.S. Citizen.

This is an Excepted Service position and is open as well to Non-Citizens as allowed by law. This position will be filled through an alternative hiring process and is not in the competitive civil service.

Qualifications

To qualify for an attorney position, applicants must possess a professional law degree (LL.B. or J.D.); be a member in good standing of the bar of a court of general jurisdiction of a state, territory or possession of the U.S.; and have acquired the amount of experience indicated below for each grade level.

GS-12, one (1) year of progressively responsible legal experience of a professional nature which demonstrates the ability to perform the work at this level.

GS-13, two (2) years of progressively responsible legal experience of a professional nature which demonstrates the ability to perform the work at this level.

GS-14, three (3) years of progressively responsible legal experience of a professional nature which demonstrates the ability to perform the work at this level. **At least one year of qualifying experience, at this level, must be specialized experience as defined below.**

Specialized experience, for this grade level, is experience that conducting federal court or administrative litigation (involving federal laws), which includes developing case strategy, drafting initial pleadings discovery and deposition practice; preparing for trial and trial.

Note: An LL.M may be substituted for a maximum of one year experience.

Education

Any applicant falsely claiming an academic degree from an accredited school will be subject to actions ranging from disqualification from federal employment to removal from federal service. If your education was completed at a foreign college or university, you must show comparability to education received in accredited educational institutions in the United States and comparability to applicable minimum course work requirements for this position. Click [Evaluation of Foreign Education](https://www.dol.gov/general/jobs/vacancy-information#eva-foreign) (<https://www.dol.gov/general/jobs/vacancy-information#eva-foreign>) for more information.

To be eligible for a DOL Pathways internship, you must be currently enrolled or accepted for enrollment on at least a half-time basis at a [qualifying educational institution](https://www.dol.gov/general/jobs/vacancy-information#Qualifying-Educational-Institution) (<https://www.dol.gov/general/jobs/vacancy-information#Qualifying-Educational-Institution>),

for the purpose of obtaining a diploma, degree, or certificate. Current students must have a grade-point average of 2.0 or higher on a 4.0 scale. Interns must maintain a 2.0 or higher grade point average on a 4.0 scale throughout the duration of the internship. You must submit with your application a current academic transcript and/or other official documentation from your academic institution demonstrating your eligibility for appointment. See the "Required Documents" section of this announcement.

In addition, if you wish to use your education as a basis for meeting the minimum qualification requirements for this position, you must submit academic transcripts demonstrating that you meet the qualifying educational requirements. If specific course work is required to fulfill the minimum qualification requirements, you must supply transcripts from each academic institution in which the

required courses were taken in order to receive credit for that course work. See the "Qualifications and Evaluations" section of this announcement for more details.

If you do not submit sufficient academic documentation necessary to demonstrate that you meet the eligibility and minimum qualification requirements described in this announcement, your application will be deemed incomplete and you will be ineligible for further consideration for this vacancy.

Additional information

DOL seeks to attract and retain a high performing and diverse workforce in which employees' differences are respected and valued to better meet the varying needs of the diverse customers we serve. DOL fosters a diverse and inclusive work environment that promotes collaboration, flexibility and fairness so that all individuals are able to participate and contribute to their full potential.

Refer to these links for more information: [GENERAL INFORMATION](#)

(<https://www.dol.gov/general/jobs/vacancy-information#gen-info>).

, [ADDITIONAL DOCUMENTATION](#)

(<https://www.dol.gov/general/jobs/vacancy-information#add-docu>).

, [FORMER FEDERAL EMPLOYEES](#)

(<https://www.dol.gov/general/jobs/vacancy-information#former-fed>).

Ability to speak Chinese, Korean or Spanish is not required, but preferred.

How You Will Be Evaluated

Applicants meeting the minimum qualification requirements for this position will be further evaluated against the following evaluation factors. Current and/or past supervisors may be contacted unless specified otherwise. A panel and/or the selecting official or his/her designee may interview applicants.

Evaluation Factors:

1. Demonstrated skill in researching and preparing well-written, organized, and persuasive legal documents.
2. Ability to make effective oral presentations in a clear and concise manner.
3. Ability to plan and organize litigation defending Department's actions related to FOIA(Freedom Of Information Act) and information sharing issues. Litigation experience a plus.
4. Ability to establish and maintain effective liaison with high-level departmental officials, regional program officials, supervisors, agency staff, and the general public.
5. Ability to multi-task in a complex and fast-paced inter-disciplinary legal environment, entailing timely collections of facts, identification and resolution of issues, enumeration of options, and formulation of recommendations.

It is the responsibility of the applicant to supply sufficient information to provide a basis for rating each of the evaluation factors listed above.

INFORMATION FOR CTAP/ICTAP ELIGIBLE(S) ONLY: If you are eligible for special priority selection under CTAP or ICTAP, you must be well-qualified for the position to receive consideration. CTAP/ICTAP eligible(s) who are placed into Category A or higher will be considered "well-qualified." Be sure to review DOL Account Eligibility Questions #24 to reflect that you are applying as an ICTAP or CTAP eligible and submit supporting documentation.

The information you provide may be verified by a review of your work experience and/or education, by checking references, and through other means (ex. interview).

To preview questions please [click here](#)

(<https://jobs.monstergovt.com/dol/vacancy/previewVacancyQuestions.hms?orgId=1&jnum=136289>).

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Background checks and security clearance

Security clearance

[Not Required](#)

(<https://www.usajobs.gov//Help/faq/job-announcement/security-clearances/>).

Drug test required

No

Position sensitivity and risk

[Noncritical-Sensitive \(NCS\)/Moderate Risk](#)

Trust determination process

[Credentialing](#)

[\(https://www.usajobs.gov/Help/faq/job-announcement/security-clearances/\)](https://www.usajobs.gov/Help/faq/job-announcement/security-clearances/)

[\(https://www.usajobs.gov/Help/faq/job-announcement/security-clearances/\)](https://www.usajobs.gov/Help/faq/job-announcement/security-clearances/)

Required Documents

The following documents must be submitted by 11:59 p.m. (ET) on the vacancy closing date. **Warning: If you submit a document using the same document title, the 2nd submission will OVERWRITE the 1st submission.** You are not required to submit a document if it does not apply to you.

- **Resumes** are required - provide a resume either by creating one in USAJOBS or uploading one from your profile. To receive full consideration for relevant and specialized experience, please list the month, year, and the number of work hours worked for the experience listed on your resume. We also suggest that you preview the vacancy questions, and confirm that your resume supports your question responses.

- **Bar Certification:** Should you be selected for this position, you will be required to submit documentation verifying that you are an active member of the Bar in Good Standing of any State, District of Columbia, Puerto Rico, or any Territorial Court under the U.S. Constitution. This letter and/or certificate should be dated within the last six months of the closing date of this job announcement.

- **Transcript(s):** Should you be selected for this position, you will be required to submit documentation verifying that you have completed your first professional law degree. Applicants who claim substitution of education for experience with an LL.M must submit a copy of their transcripts for verification.

- **Veterans Documents (if applicable):** Attorney appointments within the Department of Labor are positions in the excepted service, not the competitive service. There is no formal rating system for applying veterans' preference in attorney appointments; however, the Department of Labor considers veterans' preference eligibility as a positive factor in attorney hiring. In order to receive positive consideration, you must indicate your eligibility, in response to the appropriate item on the vacancy questionnaire. Additionally, you must submit a copy of your Certificate of Release or Discharge from Active Duty, DD214 showing the type of discharge and dates of active duty and, if applicable, a VA letter certifying the present existence of the service-connected disability which indicates the percentage of your disability. (For active duty service members expecting to be honorably discharged or released within 120 days, click [Active Duty](#)

[\(https://www.dol.gov/general/jobs/vacancy-information#act-duty\)](https://www.dol.gov/general/jobs/vacancy-information#act-duty)

) Without this documentation, you will not receive veteran's consideration. Additional information is available in the [Vet's Guide](#) [\(http://www.fedshirevets.gov/hire/hrp/vetguide/index.aspx\)](http://www.fedshirevets.gov/hire/hrp/vetguide/index.aspx)

You may also find more information on positive consideration for [attorney hiring](#) [\(https://www.dol.gov/general/jobs/vacancy-information#Veterans-Preference\)](https://www.dol.gov/general/jobs/vacancy-information#Veterans-Preference)

- **Displaced Employee Placement Documents:** These documents are only required if you are requesting priority consideration under ICTAP/CTAP Eligibility. Applicants with disabilities (SCHEDULE A) applying under the area of consideration must submit proof of certification by counselors, State vocational rehabilitation agencies, or the Veterans Administration.

- **Cover Letter(s)** are not mandatory and will not be used to verify experience, but may be submitted.

Applicants selected for employment that are not current DOL employees will be required to provide proof of citizenship, or non-citizenship as allowable in Excepted Service hiring through P.L. 112-10, and the E-Verify system will be used to confirm the employment eligibility of all new hires.

If you are relying on your education to meet qualification requirements:

Education must be accredited by an accrediting institution recognized by the U.S. Department of Education in order for it to be credited towards qualifications. Therefore, provide only the attendance and/or degrees from [schools accredited by accrediting institutions recognized by the U.S. Department of Education](#) [\(http://www.ed.gov/admins/finaid/accred/\)](http://www.ed.gov/admins/finaid/accred/)

Failure to provide all of the required information as stated in this vacancy announcement may result in an ineligible rating or may affect the overall rating.

Benefits

A career with the U.S. Government provides employees with a comprehensive benefits package. As a federal employee, you and your family will have access to a range of benefits that are designed to make your federal career very rewarding.

- [Benefits for federal employees](#)

(<https://www.usa.gov/benefits-for-federal-employees#item-36407>)

- [Healthcare insurance](https://www.opm.gov/healthcare-insurance/)
(<https://www.opm.gov/healthcare-insurance/>)
- [Pay and leave](https://www.usajobs.gov/Help/working-in-government/pay-and-leave/)
(<https://www.usajobs.gov/Help/working-in-government/pay-and-leave/>)

<https://www.dol.gov/general/jobs/vacancy-information#ben-perm>

Eligibility for benefits depends on the type of position you hold and whether your position is full-time, part-time, or intermittent. Contact the hiring agency for more information on the specific benefits offered.

How to Apply

To apply for this position, you must complete the initial online application, including submission of the required documentation specified in the "Required Documents" section.

Follow the steps below to apply. **Your application and ALL required supplemental documents MUST be received by 11:59 pm Eastern Time (ET) on the vacancy closing date to receive consideration.** Paper applications and supplemental documents submitted in any other manner without prior approval from the vacancy contact will not be considered. Click [here](https://www.dol.gov/general/jobs/vacancy-information#Reasonable-Accommodations) (<https://www.dol.gov/general/jobs/vacancy-information#Reasonable-Accommodations>) for information on Reasonable Accommodations.

SAVE your information before the 30 MINUTE TIMEOUT! For help, go to [USAJOBS Help Center](https://www.usajobs.gov/Help/) (<https://www.usajobs.gov/Help/>).

STEP 1 - Create USAJOBS Account on www.usajobs.gov
(<https://www.usajobs.gov/>)

, **including Resume and Saved Documents** Your resume must provide sufficient information to substantiate your responses to the self-assessment vacancy questions. If not, HR may amend your responses to more accurately reflect the competency indicated by resume content. **FOR EACH EMPLOYMENT PERIOD, include: start/end month & year and note full-time or part-time (if part-time, include # of hours worked per week); otherwise, your application may be considered incomplete.**

STEP 2 - Complete the 1st part of the application process (USAJOBS) Once you have identified a job on [USAJOBS](https://www.usajobs.gov/) (<https://www.usajobs.gov/>)

that you wish to apply for, click on the title and click the "**Apply**" button. For questions about the vacancy, contact the Agency Contact at the bottom of the announcement. Click "Start Application" and proceed through the 5 steps noted at the top of the USAJOBS page. You will be able to select a resume and documents from your USAJOBS Account that you can submit as a package as part of your DOL application. At Step 5, click "Continue to Agency Site".

STEP 3 - Complete the 2nd part of the application process (DOL) On the Department of Labor (DOL) page, create a DOL Account if you have not already and click "APPLY TO THIS VACANCY". Continue through the 7 progress steps indicated by circles at the top of the DOL page. The 3rd progress step is where you answer the vacancy specific questions. The 4th progress step "Documents" is where you submit required documents (**only if applicable to you**) specified in the "Required Documents" section of this vacancy. **If you submit a document using the same document title, the 2nd submission will OVERWRITE the 1st submission.**

STEP 4 - On the "Review and Submit" step, click "Submit Application" The last "Confirmation" step will turn green noting that your application was submitted successfully.

STEP 5 - Edit Application as needed by 11:59 pm ET of Closing Date by returning to USAJOBS, clicking the vacancy, then "Update Application".

Agency contact information

 Troy Summers

Phone

[000-000-0000](tel:000-000-0000)
(<tel:000-000-0000>)

Fax

215-861-5089

Address

Labor, Office of the Solicitor
1835 Market Street
Suite 2100
Philadelphia, Pennsylvania 19103
United States

Email

summers.troy@dol.gov
(mailto:summers.troy@dol.gov)

[Learn more about this agency.](#)
(#agency-modal-trigger)

Visit our careers page

Learn more about what it's like to work at Office of the Solicitor, what the agency does, and about the types of careers this agency offers.

<https://www.dol.gov/general/jobs/vacancy-information#marketing-statement/>
(<https://www.dol.gov/general/jobs/vacancy-information#marketing-statement/>)

Next steps

Once your complete application is received, we will conduct an evaluation of your qualifications and refer candidates for selection consideration. Candidates will be referred to the hiring manager for further consideration and possible interview. You will be notified of the outcome. A selection is expected to be made within 30 calendar days from the issuance date of the certificate.

For instructions on how to check the status of your application, go to: [USAJOBS Help Guide](#).
(<https://www.usajobs.gov/Help/how-to/application/status/>)

USAJOBS will no longer send status email notifications. You can check your application status in the TAS by logging into USAJOBS and in the Applicant Dashboard, click the hiring agency Talent Acquisition System (TAS). If the TAS does not provide application tracking information, contact the agency point of contact on the job announcement.

Fair & Transparent

The Federal hiring process is setup to be fair and transparent. Please read the following guidance.

Equal Employment Opportunity Policy

The United States Government does not discriminate in employment on the basis of race, color, religion, sex (including pregnancy and gender identity), national origin, political affiliation, sexual orientation, marital status, disability, genetic information, age, membership in an employee organization, retaliation, parental status, military service, or other non-merit factor.

- [Equal Employment Opportunity \(EEO\) for federal employees & job applicants](#)
(https://www.eeoc.gov/federal/fed_employees/index.cfm)

Reasonable Accommodation Policy

Federal agencies must provide reasonable accommodation to applicants with disabilities where appropriate. Applicants requiring reasonable accommodation for any part of the application process should follow the instructions in the job opportunity announcement. For any part of the remaining hiring process, applicants should contact the hiring agency directly. Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

A reasonable accommodation is any change to a job, the work environment, or the way things are usually done that enables an individual with a disability to apply for a job, perform job duties or receive equal access to job benefits.

Under the Rehabilitation Act of 1973, federal agencies must provide reasonable accommodations when:

- An applicant with a disability needs an accommodation to have an equal opportunity to apply for a job.
- An employee with a disability needs an accommodation to perform the essential job duties or to gain access to the workplace.
- An employee with a disability needs an accommodation to receive equal access to benefits, such as details, training, and office-sponsored events.

You can request a reasonable accommodation at any time during the application or hiring process or while on the job. Requests are considered on a case-by-case basis.

Learn more about [disability employment and reasonable accommodations](#)
(<https://www.opm.gov/policy-data-oversight/disability-employment/reasonable-accommodations/>)
or [how to contact an agency](#).

[\(https://www.usajobs.gov/Help/how-to/application/agency/contact/\)](https://www.usajobs.gov/Help/how-to/application/agency/contact/)

Legal and regulatory guidance

Financial suitability

[\(https://www.usajobs.gov/Help/working-in-government/fair-and-transparent/financial-suitability/\)](https://www.usajobs.gov/Help/working-in-government/fair-and-transparent/financial-suitability/)

Privacy Act

[\(https://www.usajobs.gov/Help/working-in-government/fair-and-transparent/privacy-act/\)](https://www.usajobs.gov/Help/working-in-government/fair-and-transparent/privacy-act/)

Selective Service

[\(https://www.usajobs.gov/Help/working-in-government/fair-and-transparent/selective-service/\)](https://www.usajobs.gov/Help/working-in-government/fair-and-transparent/selective-service/)

Social security number request

[\(https://www.usajobs.gov/Help/working-in-government/fair-and-transparent/social-security-number/\)](https://www.usajobs.gov/Help/working-in-government/fair-and-transparent/social-security-number/)

Signature & False statements

[\(https://www.usajobs.gov/Help/working-in-government/fair-and-transparent/signature-false-statements/\)](https://www.usajobs.gov/Help/working-in-government/fair-and-transparent/signature-false-statements/)

New employee probationary period

[\(https://www.usajobs.gov/Help/working-in-government/fair-and-transparent/probationary-period/\)](https://www.usajobs.gov/Help/working-in-government/fair-and-transparent/probationary-period/)