



## **STATE OF COLORADO**

### **CLASS SERIES DESCRIPTION September 1, 1998**

### **COMPLIANCE INVESTIGATOR**

H6K1IX TO H6K4XX

#### **DESCRIPTION OF OCCUPATIONAL WORK**

This class series uses four levels in the Professional Services Occupational Group and describes work conducting field investigations and making determinations pertaining to the enforcement of regulated program activities administered by the state.

Positions in this class conduct internal and external investigations for compliance with regulations and standards, such as suspected misuse of licenses or permits, suspected fraud and consumer complaints by licensed or unlicensed parties, or eligibility and qualifications of applicant firms or individuals for licensure or registration. Work involves identifying, collecting, analyzing, and summarizing evidence to determine if a violation has been, or is being, committed. Positions gather facts by locating and interviewing witnesses and suspects, examine documents for authenticity, observe conditions to verify facts, and evaluate and present facts and evidence to support any recommended administrative sanction that may be necessary. This class series, by agency policy, focuses primarily on compliance of regulated activities as opposed to law enforcement even though some positions may have statutory peace officer authority. A compliance investigation normally results in civil action, administrative sanctions, or hearings in front of a board, commission, or administrative law judge. Investigators are distinguished from compliance reviewers or inspectors in that such occupations conduct compliance reviews using predetermined regulatory criteria and, typically, any enforcement issues found during the review are turned over to compliance investigators for investigation and enforcement action.

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#### **COMPLIANCE INVESTIGATOR INTERN**

H6K1IX

#### **CONCEPT OF CLASS**

This class describes the entry level. Work is designed to train positions for a higher level in the class series. Although tasks are similar to those of the fully-operational level, assignments are structured and performed with direction and assistance from others. Positions carry out established work processes and

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operations by learning to apply and follow procedures, techniques, rules, and regulations. Once training has been completed, the position is to be moved to the next level. Positions should not remain in this class indefinitely.

**COMPLIANCE INVESTIGATOR I**

H6K2TX

**CONCEPT OF CLASS**

This class describes the fully-operational compliance investigator. In this class, work includes analyzing complaints and planning and conducting field investigations, including such activities as determining what evidence is needed and gathering it, locating and interviewing witnesses and suspects, verifying the authenticity of documents, examining financial books and records, drafting affidavits to subpoena records, executing warrants, requesting law enforcement support when needed, and assessing the severity of the violation. As a result of the investigation, positions in this class recommend administrative sanctions, write reports of findings and justifications for recommended actions, create exhibits for hearings, and present cases to a board, commission, or administrative law judge.

**FACTORS**

**Allocation must be based on meeting all of the four factors as described below.**

**Decision Making** -- The decisions regularly made are at the operational level, as described here. Within limits set by the specific process, choices involve deciding what operation is required to carry out the process. This includes determining how the operation will be completed. Positions in this class determine how to conduct an investigation and what action should be taken as a result. For example, positions determine the priority of assigned cases, what witnesses and evidence are needed, if and what outside law enforcement support is needed. By nature, data needed to make decisions are numerous and variable so reasoning is needed to develop the practical course of action within the established process. For example, positions in this class must evaluate evidence to determine if the facts support the allegation and the severity of the violation. Choices are within a range of specified, acceptable standards, alternatives, and technical practices. For example, as a result of the investigation, positions in this class decide whether or not to recommend collecting amounts due, pursuing administrative sanctions, suspending licenses or permits, seizing property, and so on.

**Complexity** -- The nature of, and need for, analysis and judgment is patterned, as described here. Positions study information from complainants, results of an inspection, or witnesses in relation to established rules to determine what it means and how it fits together in order to get practical solutions in the form of an investigation plan. Guidelines in the form of regulations, board or commission rules and precedents, statutes, contracts, and policy interpretations exist for most situations. Judgment is needed in locating and selecting the most appropriate of these guidelines which may change for varying circumstances as the task is repeated. This selection and interpretation of guidelines involves choosing from alternatives where all are correct but one is better than another depending on the given circumstances of the situation. For example, the validity and priority of a case can vary depending on the nature of the complaint, applicable code, and jurisdiction.

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**Purpose of Contact** -- Regular work contacts with others outside the supervisory chain, regardless of the method of communication, are for the purpose of any of the following:

Detecting, discovering, exposing information, problems, violations or failures by interviewing or investigating where the issues or results of the contact are not known ahead of time. The primary responsibility of positions in this class series is to conduct investigations to expose or prevent problems or violations.

Securing regulatory compliance by issuing or revoking licenses and persuading or training others to correct problems. Regardless of the methods used to attempt to obtain compliance, the position can ultimately rely on legal authority to impose sanctions and penalties. For example, in performing investigations of regulated activities, positions train those regulated in order to persuade them to comply. However, positions have the authority to recommend administrative sanctions to boards, commissions, or administrative law judges.

Clarifying underlying rationale, intent, and motive by educating others on unfamiliar concepts and theories or marketing a product or service. This goes beyond what has been learned in training or repeating information that is available in another format. For example, positions in this class train others in investigative concepts and techniques.

**Line/Staff Authority** -- The direct field of influence the work of a position has on the organization is as an individual contributor. The individual contributor may explain work processes and train others. The individual contributor may serve as a resource or guide by advising others on how to use processes within a system or as a member of a collaborative problem-solving team. This level may include positions performing supervisory elements that do not fully meet the criteria for the next level in this factor.

**COMPLIANCE INVESTIGATOR II**

H6K3XX

**CONCEPT OF CLASS**

This class describes the unit supervisor, team leader, or staff authority. Supervisory positions are responsible for the daily operation of a work unit, including decisions that directly impact the pay, status, or tenure of at least three full-time equivalent positions. In operating a unit, positions set production levels, performance standards, and time frames for completion; determine how to accommodate work pattern changes by shifting staff; assign and monitor caseloads; and, approve operating expenditures. Team leaders are responsible for directing field investigations on a continuing basis, including determining and using the resources needed to complete an investigation, assigning tasks to other investigative personnel (agency or local investigative personnel), reviewing findings and writing the content of the final report, and training other field investigators. Also included in this class is a position functioning as the agency's expert in an investigative field. Such expertise is essential to the agency's mission and is utilized on an ongoing basis as part of the position's assignment. This class differs from the Criminal Investigator I on Complexity and possibly Purpose of Contact and Line/Staff Authority.

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**FACTORS**

**Allocation must be based on meeting all of the four factors as described below.**

**Decision Making** -- The decisions regularly made are at the operational level, as described here. Within limits set by the specific process, choices involve deciding what operation is required to carry out the process. This includes determining how the operation will be completed. Positions in this class determine how to conduct an investigation and what action should be taken as a result. For example, positions determine complaint intake procedures, determine the priority of assigned cases, what witnesses and evidence are needed, if and what outside law enforcement support is needed, what staff to shift to other locations or investigative teams, and approve operating expenditures. By nature, data needed to make decisions are numerous and variable so reasoning is needed to develop the practical course of action within the established process. For example, positions in this class must evaluate evidence to determine if the facts support the allegation and the severity of the violation. Choices are within a range of specified, acceptable standards, alternatives, and technical practices. For example, as a result of the investigation, positions in this class decide whether or not to recommend collecting amounts due, pursuing administrative sanctions, suspending licenses or permits, seizing property, and so on.

**Complexity** -- The nature of, and need for, analysis and judgment is formulative, as described here. Positions evaluate the relevance and importance of investigative and subject matter theories, concepts, and principles in order to tailor them to develop a different approach or tactical plan to fit specific circumstances. For example, positions in this class determine how to operate an investigative unit, including determining standard operating procedure and designing forms. As another illustration, the expert applies the theories, principles, and professional standards, and concepts of the professional field when advising or guiding peers and agency management on investigations in the field of expertise. While general policy, precedent, or non-specific practices exist, they are inadequate so they are relevant only through approximation or analogy. For example, positions in this class draw analogies to decide what recommended action to approve for cases where the law, regulations, or policy is unclear. In conjunction with theories, concepts, and principles, positions use judgment and resourcefulness in tailoring the existing guidelines so they can be applied to particular circumstances and to deal with emergencies. For example, positions in this class develop different kinds of investigations and write standard operating procedures to govern their conduct.

**Purpose of Contact** -- Regular work contacts with others outside the supervisory chain, regardless of the method of communication, are for the purpose of any of the following:

Detecting, discovering, exposing information, problems, violations or failures by interviewing or investigating where the issues or results of the contact are not known ahead of time. The primary responsibility of positions in this class series is to conduct investigations to expose or prevent problems or violations.

Securing regulatory compliance by issuing or revoking licenses and persuading or training others to correct problems. Regardless of the methods used to attempt to obtain compliance, the position can ultimately rely on legal authority to impose sanctions and penalties. For example, in performing investigations of regulated activities, positions train those regulated in order to persuade them to comply.

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However, positions have the authority to recommend administrative sanctions to boards, commissions, or administrative law judges.

Clarifying underlying rationale, intent, and motive by educating others on unfamiliar concepts and theories or marketing a product or service. This goes beyond what has been learned in training or repeating information that is available in another format. For example, positions in this class train others in investigative concepts and techniques.

**Line/Staff Authority** -- The direct field of influence the work of a position has on the organization is as a team leader (individual contributor or work leader), staff authority, or unit supervisor. The work leader is partially accountable for the work product of two or more full-time equivalent positions, including timeliness, correctness, and soundness. At least one of the subordinate positions must be in the same series or at a comparable conceptual level in the Compliance Investigator series. Typical elements of direct control over other positions by a work leader include assigning tasks, monitoring progress and work flow, checking the product, scheduling work, and establishing work standards. The work leader provides input into supervisory decisions made at higher levels, including signing leave requests and approving work hours. The team leader (individual contributor) exercises many of the same responsibilities when directing field investigations, such as assigning and monitoring work, approving the product, and training and advising team members. However, the team leader does not have the employees and attendant input into supervisory decisions.

**OR**

The staff authority is a pacesetter who has a unique level of technical expertise in a field or profession that, as part of the assignment, is critical to the success of an agency's mission. It is an essential component of the work assignment that has been delegated by management to the position. This authority directly influences management decisions within an agency. For example, management relies on such a position when making decisions regarding the direction that an agency's service, policy, or program should take in the staff authority's field of expertise. Managers and peers recognize and seek this level of technical guidance and direction for the development of an agency-wide system or regarding the application of a program or system within the agency or to its clients. An agency relies on the pacesetter when making management decisions regarding services in a specific field.

**OR**

The unit supervisor is accountable, including signature authority, for actions and decisions that directly impact the pay, status, and tenure of three or more full-time equivalent positions. At least one of the subordinate positions must be in the same series or at a comparable conceptual level in the Criminal Investigator class series. The elements of formal supervision must include providing documentation to support recommended corrective and disciplinary actions, signing performance plans and appraisals, and resolving informal grievances. Positions start the hiring process, interview applicants, and recommend hire, promotion, or transfer.

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**COMPLIANCE INVESTIGATOR III**

H6K4XX

**CONCEPT OF CLASS**

This class describes positions responsible for directing a specific investigative program for an agency. In addition to accountability for at least three full-time equivalent positions, work involves overseeing the case management system, developing procedures and writing internal manuals, designing forms, monitoring the use of program resources, and speaking to various groups on program functions and regulations. This class differs from the Compliance Investigator II on Decision Making and possibly on Purpose of Contact and Line/Staff Authority.

**FACTORS**

**Allocation must be based on meeting all of the four factors as described below.**

**Decision Making** -- The decisions regularly made are at the process level, as described here. Within limits set by professional standards, the agency's available technology and resources, and program objectives and regulations established by a higher management level, choices involve determining the process, including designing the set of operations. The general pattern, program, or system exists but must be individualized. For example, positions in this class determine procedures for the section, determine the ultimate disposition of cases, and develop informal settlements for eligible cases. This individualization requires analysis of data that is complicated. Analysis is breaking the problem or case into parts, examining these parts, and reaching conclusions that result in processes. This examination requires the application of known and established theory, principles, conceptual models, professional standards, and precedents in order to determine their relationship to the problem. For example, positions analyze trends and determine which types of cases have the highest priority. New processes or objectives require approval of higher management or the agency with authority and accountability for the program or system.

**Complexity** -- The nature of, and need for, analysis and judgment is formulative, as described here. Positions evaluate the relevance and importance of investigative and subject matter theories, concepts, and principles in order to tailor them to develop a different approach or tactical plan to fit specific circumstances. For example, positions in this class determine how to operate an investigative program, including determining standard operating procedure and designing forms. While general policy, precedent, or non-specific practices exist, they are inadequate so they are relevant only through approximation or analogy. For example, positions in this class draw analogies to decide what recommended action to approve for cases where the law, regulations, or policy is unclear. In conjunction with theories, concepts, and principles, positions use judgment and resourcefulness in tailoring the existing guidelines so they can be applied to particular circumstances and to deal with emergencies. For example, positions in this class develop different kinds of investigations and write standard operating procedures to govern their conduct.

**Purpose of Contact** -- Regular work contacts with others outside the supervisory chain, regardless of the method of communication, are for the purpose of any of the following:

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Securing regulatory compliance by issuing or revoking licenses and persuading or training others to correct problems. Regardless of the methods used to attempt to obtain compliance, the position can ultimately rely on legal authority to impose sanctions and penalties. For example, in performing investigations of regulated activities, positions train those regulated in regulations in order to persuade them to comply. However, positions have the authority to recommend administrative sanctions to boards, commissions, or administrative law judges.

Clarifying underlying rationale, intent, and motive by educating others on unfamiliar concepts and theories or marketing a product or service. This goes beyond what has been learned in training or repeating information that is available in another format. For example, positions in this class train others in investigative concepts and techniques.

**Line/Staff Authority** -- The direct field of influence the work of a position has on the organization is as a program supervisor (unit supervisor or manager). The program supervisor is accountable, including signature authority, for actions and decisions that directly impact the pay, status, and tenure of three or more full-time equivalent positions. At least one of the subordinate positions must be in this class series, with at least one Compliance Investigator II, or at a comparable conceptual level in the Criminal Investigator class series. The elements of formal supervision must include providing documentation to support recommended corrective and disciplinary actions, signing performance plans and appraisals, and resolving informal grievances. Positions start the hiring process, interview applicants, and recommend hire, promotion, or transfer. The program supervisor may also be accountable for multiple units through the direct supervision of at least two subordinate Unit Supervisors; and, have second-level signature on performance plans and appraisals in addition to the supervisory elements described above.

**ENTRANCE REQUIREMENTS**

Minimum entry requirements and general competencies for classes in this series are contained in the State of Colorado Department of Personnel web site.

For purposes of the Americans with Disabilities Act, the essential functions of specific positions are identified in the position description questionnaires and job analyses.

**CLASS SERIES HISTORY**

Revised 9/1/98 (CVC). Change class code due to PS Consolidation Study.

Revised 8/1/94 (KKF). Adjustments to factors due to class placement results.

Effective 9/1/93 (KKF). Job Evaluation System Revision project. Published as proposed 5/10/93.

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**SUMMARY OF FACTOR RATINGS**

<b>Class Level</b>	<b>Decision Making</b>	<b>Complexity</b>	<b>Purpose of Contact</b>	<b>Line/Staff Authority</b>
Compliance Investigator Intern	na	na	na	na
Compliance Investigator I	Operational	Patterned	Detect, Secure, or Clarify	Indiv. Contributor
Compliance Investigator II	Operational	Formulative	Detect, Secure, or Clarify	Team Leader*, Work Leader, Staff Authority, or Unit Supervisor
Compliance Investigator III	Process	Formulative	Detect, Secure, or Clarify	Unit Supervisor or Manager

\* For definition of Team Leader, see Line/Staff Authority in the description.

ISSUING AUTHORITY: Colorado Department of Personnel/General Support Services