Member

Regulatory and Adjudicative Agencies

Position Description

PURPOSE

Within the [area of agency expertise, regulation, sector], the Member is responsible for the resolution of disputes among parties appearing before the agency pursuant to the governing Act by using a variety of dispute resolution methods including mediation and adjudication of disputes by rendering written / oral decisions.

KEY DUTIES

Law and Procedure

The Member may carry out this responsibility alone as a single adjudicator or as part of a panel.
A Member:

- Prepares for and conducts hearings or reviews, and makes rulings and / or writes decisions.
- Conducts hearings and reviews, or other duties as assigned by the Chair, in accordance with the governing statute and other applicable laws as well as within the policies, procedures and rules of practice developed by the agency.
- Hears submissions and evidence presented by appellants / parties to a dispute, and ensures that all issues are dealt with at the hearing or review.
- Actively listens to comprehend interests and positions, which are sometimes difficult to ascertain.
- Makes rulings necessary for the proper and expeditious conduct, control and completion of the hearing or review.
- Reviews and analyzes all evidence and submissions thoroughly and makes decisions based on the evidence and consideration and application of relevant law.
- Makes rulings and issues written decisions that are independent and free of outside influence.
- Issues decisions in a timely manner, within the time frames established by the agency.
- Issues clear, well-written, soundly reasoned decisions, which are understandable and can be implemented by the appellants / parties to a dispute.
- Where the parties agree or where the law permits, acts as a mediator among parties by listening to the parties' positions, defining underlying issues and interests, focusing the parties' attention on what a workable settlement would be and facilitating a resolution between the parties.
- Participates in pre-hearing dispute resolution procedures to define and clarify issues in dispute.
- Identifies opportunities to resolve the dispute or specific issues in the dispute before moving on to a hearing.

Agency Logo
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- Participates in initial training and stays current in the field by engaging in ongoing professional development, participating in scheduled and ad-hoc meetings of the agency and its Members, as well as participating on committees and work groups related to the work of the agency.
- Participates in meetings of the agency, and when requested to do so by the Chair or the Chair's designate, in training and mentoring sessions and in committees established for the administration of the Board's role.
- Complies with policies and practices set out by the agency to meet financial accountability and administrative requirements.
- Works constructively and contributes to a collegial atmosphere at the agency by sharing knowledge, time and experience with other agency appointees.
- Maintains positive, productive and appropriate relationships with stakeholders and all parties appearing before the agency.

Integrity and Fair Practices

- Ensures equal access, fair treatment and due process in dispute resolution and hearing and review practices.
- Deals with conflict and diverging interests while maintaining decorum, due process, and professional and respectful interactions among all participants.
- Recognizes and deals appropriately with situations that may involve an issue of bias or conflict of interest in accordance with the agency's Code of Conduct and Conflict of Interest rules.
- Acts with integrity and honesty. Actions are guided by the best interests of the agency and the public.

QUALIFICATIONS

Members are required to have the following abilities, skills and knowledge in order to carry out their responsibilities effectively:

- Experience in interpreting and applying legislation with specific knowledge of the agency's governing Act and related law.
- Understanding of the professional, institutional and community context within which the agency operates.
- Understanding of the justice system and administrative law and the concepts of fairness / natural justice.
- Demonstrated analytical, conceptual, problem-solving, decision-making and writing skills.
- Ability to listen and communicate clearly and effectively.
- Ability to formulate reasoned decisions and communicate them orally and in writing in a timely manner.
- Well-developed dispute resolution skills.

- Impartiality and sound judgement to fairly assess cases involving issues regarding conflicting verbal / written evidence and the assessment of credibility.
- Commitment to ongoing professional development to enhance expertise and remain current in the field.
- Good organizational skills to manage a heavy workload with complex, ongoing processes.
- Self-confidence / self-control and sensitivity to the diverse interests of appellants in order to maintain effective control in confrontational and stressful situations.
- Commitment to respect diversity, and to maintain fair, transparent processes that meet high professional standards.
- Computer literacy.
- Ability and willingness to travel.