



Workplace Safety and Insurance
Appeals Tribunal

Tribunal d'appel de la sécurité professionnelle et
de l'assurance contre les accidents du travail

Chair, Position Description

Purpose

The Chair is responsible for the overall strategic direction and performance of the Tribunal, as the final level of appeal in the workplace safety and insurance system. The Chair provides leadership to the Tribunal to ensure that the Tribunal operates in keeping with its mandate, as defined in the *Workplace Safety and Insurance Act*, and within approved governance and accountability requirements of the government.

Key Functions

Law and Procedure

- Establishes and monitors regulatory and adjudicative processes including the efficient assignment of cases and effective case-management practices.
- Leads the process of setting the Tribunal's goals, designing and establishing the Tribunal's adjudicative process, and establishing and reporting on measures of service quality and performance.
- Oversees that the establishment of Tribunal policies and procedures are within the Tribunal's legal mandate and any applicable governance and accountability requirements of the government.
- Provides oversight to internal processes and procedures that ensure efficiency, quality and timeliness in the resolution of disputes and rendering of decisions.
- Supervises the Tribunal's decision-making processes, ensuring effective decisions that communicate the reasons for the decision.
- Arranges for and chairs meetings of the Vice-Chairs and Members to discuss emerging issues, build support for policy and process change, engage in professional sharing and development, and promote clarity and predictability in the exercise of independent decision-making.
- Provides oversight in assignment, or may personally assume cases or assignments that are complex or high profile, which involve new or novel considerations of law, multiple parties or stakeholders, or that have significant public interest.

Strategic Leadership

- Mentors and develops Vice-Chairs and Members by providing oversight and advice, and discussing and encouraging professional development of and among appointees.
- Represents the Tribunal and is the key liaison / spokesperson in dealings with the government, the public and sector stakeholders to maintain constructive relationships with each group.

- Ensures independence in adjudicative functions by setting standards of interaction and acting as the liaison to the public, stakeholders and government.
- Remains current in developments in administrative law and related matters in Ontario, Canada and other jurisdictions.
- Responds to changes in demand for services, public expectations, legislative or regulatory change and government directives.
- Liaises with government (Minister, Deputy Minister) and stakeholders (groups and individuals) and participates in Tribunal-related organizations (Bar Associations, federal and provincial counterparts, professional groups and associations).
- Maintains open, effective and regular communication with the Executive Director of the Tribunal so that plans and initiatives are understood and effectively executed.
- Where appropriate, makes recommendations to government / Minister regarding impact of proposed policies.
- Ensures strategic plans are fiscally prudent, reflect the Tribunal's mandate, and take into account protection of the public interest, risk identification and mitigation, and opportunities to implement needed change.
- Acts with integrity and honesty. Actions are guided by the best interests of the Tribunal and the public.

Tribunal Governance

- Establishes and monitors controls to ensure the Tribunal has sound governance practices.
- Participates in the preparation and execution, and complies with, the Memorandum of Understanding with the Minister of Labour.
- Where appropriate, provides input to government policy development and recommends legislative changes to the government.
- Attends or makes presentations to legislative committees as requested and appropriate.
- Establishes Tribunal operational policy and procedures within the Tribunal's legal mandate and applicable governance and accountability requirements of the government.
- Notifies the Minister of Tribunal vacancies and makes recommendations for appointments or re-appointments that respect and promote the principles of equity, diversity, quality, merit and regional representation.
- Ensures the Minister is provided with the Tribunal's Annual Report and brings it forward for approval and tabling before the Legislature.
- Keeps the Minister informed in a timely fashion of issues affecting the Tribunal and its stakeholders.
- Oversees and reviews the preparation of budgets and the allocation of resources.
- Ensures that public funds are used within approved financial controllership parameters.
- Oversees and develops, monitors and reports on the Tribunal's annual budget and business plan to ensure plans are within approved expenditures and expected results are on target. Explains any variance and makes appropriate adjustments.

- Directs the preparation of reports on business, operational and performance measurement plans.
- Establishes performance measures and targets for the Tribunal that are both realistic and challenging.
- When necessary, directs corrective action be taken, arranges for audits as needed, and cooperates with any periodic review directed by the Minister.
- Ensures appointees are aware of their obligations and that they act in compliance with the Tribunal's Code of Conduct, including Conflict of Interest rules. Ensures a process is in place to allow disclosure in keeping with the requirements set out in the *Public Service of Ontario Act, 2006*.
- Oversees the development of Tribunal service complaint-handling procedures.

Qualifications

The Chair will typically have all the qualifications of a Vice-Chair plus the following:

- An experienced leader with ability to set strategic direction, articulate and work towards a vision and oversee the implementation of plans and strategies to deliver efficient, effective and high quality services.
- Thorough understanding of the administrative justice system, including the relevant legal principles.
- Comprehensive knowledge of the *Workplace Safety and Insurance Act* and related law and policy and legal processes, or the ability to acquire such knowledge.
- In-depth understanding of the professional, institutional, policy and community context in which the Tribunal operates, or the ability to acquire such understanding.
- Understanding of the Tribunal's Practice Directions and supporting procedures.
- Knowledge of the continuum of dispute resolution practices to design new or change existing processes.
- Superior dispute resolution and analytical skills to resolve complex matters involving multiple interests, under public scrutiny.
- Effective communication and interpersonal skills to positively influence and communicate with staff, stakeholders and the public.
- Understanding of government values and a commitment to working within government's agency accountability structure.
- Understanding of sound financial and operational business processes and practices.
- Commitment to the protection of the public interest within the mandate of the Tribunal.
- Commitment to respect diversity and to maintain fair, transparent processes that meet the highest professional standards of the Tribunal's Code of Conduct.
- Knowledge of and commitment to sound governance practices.