



## **Environment and Land Tribunals Ontario Associate Chair Position Description**

### **Overview**

Associate Chairs lead, and are a Member of, one or more of Environment and Land Tribunals Ontario's (ELTO) constituent tribunals (Assessment Review Board, Board of Negotiation, Conservation Review Board, Environmental Review Tribunal, and Ontario Municipal Board) and also have Vice-chair duties and responsibilities.

Reporting to the Executive Chair and acting in accordance with ELTO's strategic framework and governance and accountability documents, the Associate Chair:

- assists in building and leading the ELTO cluster;
- provides jurisprudential leadership for one or more of ELTO's constituent tribunals;
- provides day-to-day oversight of one or more of ELTO's constituent tribunals, and plays a key leadership role in the strategic assignment of cases and in ensuring access to justice and high quality resolutions and decisions; and
- provides oversight of any specific or ELTO-wide responsibilities delegated by the Executive Chair.

An Associate Chair may be appointed as an Alternate Executive Chair of ELTO.

### **Key Duties of an Associate Chair**

An Associate Chair will perform the following duties, as assigned by the Executive Chair:

#### **Strategic Leadership**

- Provides inclusive leadership in the ELTO cluster, and establishes and reports on measures of service quality and performance.
- Leads the implementation of specified cluster-wide initiatives and constituent tribunal initiatives.
- Provides the best service to Ontarians through working to identify ways to enhance adjudicative services to meet the changing needs of our diverse communities.
- Enhances the role and reputation of the clustered tribunals within Ontario's justice system, and accelerates their development as leaders in access to justice and the full recognition and integration of diversity in their work.
- Works collaboratively with the Executive Chair to identify opportunities to develop procedural or subject-matter connections and alignments among the tribunals in the

cluster and to develop the efficiency and subject matter effectiveness that flows from the clustering of the ELTO tribunals.

- Identifies and develops cluster-wide professional development opportunities.
- Seeks opportunities for cross-appointments across ELTO and participates in scheduling of cross-appointees.
- Mentors and develops Vice-chairs and Members by providing oversight and advice, and discussing and encouraging professional development.
- Provides leadership in continuing to develop mediation practices.
- Develops and participates in meaningful and ongoing stakeholder engagement.
- Acts with integrity to advance the best interests of ELTO and the public.

### **Operational Leadership**

- Manages and directs the caseload and leads the assignment of adjudicators to significant matters.
- Assigns to Vice-chairs and Members such duties and responsibilities as necessary to support the efficient operation of the tribunal and cluster, to support the provision of day-to-day guidance, assistance and mentorship to members, to participate in the peer review of decisions drafted by Members, to participate in improving tribunal processes, to lead committees and undertake special projects and such other duties that are required from time to time.
- Leads the performance assessment of the Vice-chairs and Members and creates development opportunities as a result of the performance assessments.
- Maintains open, effective and regular communication with Members and staff.
- Keeps current of changes in demand for services, public expectations, legislative or regulatory change and government directives and provides the Executive Chair with recommendations.
- Responds to changes in demand for services, public expectations, legislative or regulatory change and government directives.

### **Law and Procedure**

- Continuously assesses tribunal rules and procedures for opportunities to improve efficiency and access to justice, and works with the Executive Chair to develop and implement innovative processes and procedures to enhance the fair, effective and timely resolution of matters coming before the tribunals within the applicable legal and policy frameworks.
- Along with the Executive Chair and the other Associate Chairs, provides jurisprudential leadership on issues affecting the ELTO cluster as a whole.
- Provides leadership in day-to-day operations of one or more of ELTO's constituent tribunals, and in this role ensures: the efficient and effective deployment of adjudicative resources; high quality, consistent, principled resolutions and well-written decisions; and effective professional development, training and performance assessment of adjudicators.

- Working with the tribunal registrar and senior management, ensures efficient, integrated case management processes.
- Participates with the Executive Chair in 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 consistency in the exercise of independent decision-making.
- Ensures independence in adjudicative functions by implementing ELTO standards of interaction.
- Regularly briefs the Executive Chair and provides recommendations on cases and issues arising in a tribunal which are of major significance, have a high public impact, a significant impact on procedural or substantive jurisprudence or the resources required from a tribunal or the parties, affect the jurisdiction of the tribunal or raise issues of cluster-wide relevance, including the assignment of particular adjudicative expertise or the utilization of cross-appointees, or involve complaints or requests for reconsideration or review.
- Remains current in developments in administrative law and related matters in Ontario, Canada and other jurisdictions.

### **Adjudication and Mediation**

- Provides oversight, or may personally assume cases or assignments that are of major significance, have a high public impact or a significant impact on procedural or substantive jurisprudence, are complex or high profile, or which involve new or novel considerations of law or policy.
- As a mediator, shows leadership in working to resolve matters or the issues within them, and offering suggestions for resolution, in keeping with the merits of the case and the applicable law and policies.

### **Qualifications of an Associate Chair**

- 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 and a comprehensive knowledge of the legislation and subject matters under the tribunals' jurisdiction and related laws and legal processes.
- In-depth understanding of the professional, institutional, policy and community context in which ELTO operates.
- Highly developed decision-making, decision writing, dispute resolution, mediation and consensus-building skills.
- Superior knowledge of mediation practices and ability to design new or change existing processes.
- Superior dispute resolution and analytical skills to resolve complex matters involving multiple interests, under public scrutiny.

- Ability to maintain positive, productive and appropriate relationships with stakeholders and all interests appearing before ELTO.
- Effective communication and interpersonal skills to positively influence and communicate with staff, stakeholders and the public.
- Commitment to the protection of the public interest within the mandates of the tribunals.
- Understanding of government values and a commitment to working within government's agency accountability structure.
- Understanding of and commitment to sound financial and operational business processes and practices, and sound governance practices.
- Commitment to respect diversity and to maintain fair, transparent processes