

POSITION TITLE:	Chair (Order-in-Council)	POSITION NUMBER(S):	76871
DIVISION:	Ministry of Labour		
UNIT:	Workers' Compensation Appeal Tribunal	CLASSIFICATION:	
		LOCATION:	Richmond
SUPERVISOR'S TITLE:	Deputy Minister	POSITION NUMBER	
SUPERVISOR'S CLASSIFICATION:			

Program

The Workers' Compensation Appeal Tribunal (WCAT) is an independent, quasi-judicial tribunal established under Part 7 of the Workers Compensation Act (the Act).

WCAT's mandate is to decide appeals brought by workers and employers from decisions of the Workers' Compensation Board, operating as WorkSafeBC (the Board). WCAT decides compensation, assessment, and occupational health and safety appeals from decisions of the Review Division of the Board. WCAT also decides direct appeals from Board decisions regarding discriminatory action complaints, and compensation claim reopenings by application, as well as applications for certificates to the Court.

Purpose of Position

The role of the WCAT Chair is largely set out in section 280 of the Act. The Chair is WCAT's chief adjudicator and chief executive officer. The Chair provides adjudicative leadership to WCAT and sets the strategic direction of the tribunal. The Registrar, Director, and Tribunal Counsel are accountable for the day-to-day operations of the tribunal and report to the Chair. The Chair may exercise any power and perform any duty or function of a member of WCAT. The Chair is expected to regularly adjudicate appeals and required to make decisions regarding lawfulness of policies under section 304 of the Act as a key element of providing adjudicative leadership for the tribunal.

The Chair, in consultation with the Minister of Labour, Citizens' Services and Open Government, appoints and reappoints Vice Chairs of WCAT and is responsible for ongoing review of their performance.

The Chair is the spokesperson for WCAT and maintains relationships with the WCB and worker and employer advocacy groups within the workers' compensation community. In accordance with section 280(5) of the Act, the Chair must attend at least 4 meetings of the WCB's board of directors each year in order to exchange information on matters of common interest and importance to the workers' compensation system.

Specific Accountabilities / Deliverables

- Develops strategic plans and operational plans, and ensures WCAT's goals are efficiently and effectively met.
- Oversees the development of WCAT's body of decisions regarding its jurisdiction and leads WCAT in ensuring its decisions are consistent with the Act and the policies of the board of directors.
- Supports the consistency of WCAT's decisions without compromising the independence of Vice Chairs.
- Establishes quality adjudication, performance, and productivity standards for WCAT's Vice Chairs and conducts regular performance evaluations based on those standards.
- Establishes rules, forms, practices, and procedures required for the efficient and cost-effective conduct of appeals to WCAT.
- Presides at certain hearings and provides for fair, impartial, and efficient resolution of matters under WCAT's jurisdiction.
- Establishes administrative practices and procedures for the effective operation of WCAT.
- Establishes the basis for assigning matters to panels, oversees the assignment of matters, and reassigns matters as necessary.
- Ensures the development of advanced case management techniques within the context of the various types of matters decided by WCAT.
- Promotes the integrity, predictability, and fairness of WCAT's decisions through adjudicative decisions rendered personally and directs the development, maintenance, and application of rules of practice and procedure, training, and a quality assurance program.
- Provides for public access to WCAT's decisions in a manner that ensures the privacy of the parties to the appeals.
- Represents WCAT in dealing with the general public.
- Ensures accountability through an Annual Report, Annual Service Plan, and budget for each fiscal year and appropriate financial and performance reports.
- Through the Director, Operations, Finance and Administration ensures the effective management of WCAT's human resources, administrative and financial systems, and technical and physical resources.
- While safeguarding WCAT's adjudicative independence, maintains positive relationships with the Minister of Labour, Citizens' Services and Open Government, the Ministry executive, the WorkSafeBC directors and executive, and the representational groups in the workers' compensation system.

Organizational Chart

Deputy Minister

Chair, Position Number 76871

Senior Executive Assistant, SR EA, Position Number 76874

Senior Vice Chair and Registrar, VC, Position Number 76881

Director, Operations, Finance and Administration, Band 3, Position Number 76954

Senior Vice Chair and Tribunal Counsel, VC, Position Number 76885

Job Requirements

Education and Experience

- A degree in law from a recognized university and a member of a provincial law society or eligible for call and admission.
- A minimum of 5 years' current experience in the field of administrative law related to independent quasi-judicial tribunals.
- Adjudication in a court, tribunal or board setting, judicial review of administrative decisions, or representation of clients in a court, tribunal, or board setting, and/or other related experience.
- Integrity, credibility and a sound reputation in one's chosen field and the respect of colleagues, associates, and clients.

Knowledge, Skills and Abilities

- Extensive knowledge of the workers' compensation system, understanding of WCAT's mandate and its relationship to WorkSafeBC and the structure of government.
- Excellent interpersonal and communication skills (written and oral) to work effectively at an executive level across government and with stakeholders.
- Experience at a senior management level and current experience leading and developing professional staff members.

Behavioral Competencies

- High ethical standards and integrity in professional and personal dealings.
- Appreciation of the responsibilities to the public.
- Highly developed leadership skills.
- Able and willing to raise potentially controversial issues in a manner that encourages dialogue.
- Flexible, responsive, and willing to consider others' opinions.
- Capable of a wide perspective on issues.
- Able to listen and work as a team member.
- No direct or indirect conflict of interest with the member's responsibility to the organization.
- Strong legal reasoning and analytical skills.
- Able and willing to fulfill time commitment required to carry out responsibilities.
- Commitment to continuous learning about administrative law and the workers' compensation field.