



Ontario Land Tribunal

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Chair Position Description

Purpose

Reporting to the Attorney General and acting in accordance with the Ontario Land Tribunal (“the tribunal”)’s mandate, mission, core values and governance and accountability documents, the Chair:

- Provides day-to-day oversight of the tribunal and plays a key role in the strategic assignment of cases and in ensuring access to justice and high-quality dispute resolution;
- Acts with integrity to advance the best interests of the tribunal and the public; and
- Functions as a Member of the tribunal, which includes a Vice Chair and Member’s duties and responsibilities.

Key Duties

In addition to the duties outlined in the Vice Chair position description, the Chair’s key duties include but are not limited to:

Strategic Leadership

- Providing leadership to the tribunal, including in setting its goals and in establishing and reporting on measures of service quality and performance;
- Ensuring independence in adjudicative functions;
- Ensuring compliance with government accountability and governance requirements;
- Leading the implementation of organization-wide initiatives;
- Providing the best service to Ontarians through working to identify ways to enhance dispute resolution and decision-making services that the tribunal is mandated to provide to meet the changing needs of our communities;

- Enhancing the role and reputation of the tribunal within Ontario's justice system, and accelerating the tribunal's development as a leader in access to justice and the full recognition and integration of diversity in its work;
- Working with Vice Chairs and senior management to assess existing rules and processes for opportunities to improve their effectiveness, efficiency and fairness, and to advance dispute resolution and decision-making excellence and access to justice;
- Identifying rules that might be required for legislative or other reasons;
- Keeping abreast of and proposes approaches to respond to changes in demand for services, public expectations, legislative or regulatory change and government directives;
- Playing a role in enhancing the reputation and standing of the tribunal with the public and in the justice community;
- Maintaining positive, productive and appropriate relationships with stakeholders and all interests appearing before the tribunal, and with other tribunals, and participating in assigned activities for these purposes;
- Identifying, recommending and developing, where appropriate, culturally sensitive administrative justice process alternatives;
- Ensuring professional development, including training on diversity, inclusion and current environmental influences, to foster adjudicative excellence and better serve the people of Ontario;
- Providing jurisprudential leadership on issues affecting the tribunal as a whole; and
- Providing oversight on cases and issues arising in the tribunal that:
 - Are of major significance;
 - Have a high public or stakeholder-specific impact;
 - Have a significant impact on procedural or substantive jurisprudence or the resources required from the tribunal or the parties;
 - Have a significant impact on the reputation and/or integrity of the tribunal;
 - Affect the jurisdiction of the tribunal;
 - Involve complaints or requests for review; or
 - Involve complaints concerning Members, Vice Chairs or staff.

Operational Leadership

- Maintaining open, effective and regular communication with the management of the tribunal and works collaboratively with all appointees and staff to ensure efficient, effective and quality delivery of tribunal services.
- Providing day-to-day operational oversight of the tribunal, and in that role:
 - Being knowledgeable about the tribunal's caseload;
 - Ensuring the efficient and effective deployment of dispute resolution and decision-making resources and assists in the appropriate and timely assignment of these resources;
 - Ensuring high quality, consistent, principled decisions and well-written reasons;
 - Developing effective and appropriate dispute resolution and decision-making strategies to deal with the tribunal's caseload;
 - In partnership with the senior management of the tribunal, ensuring efficient, effective and integrated case management; and
 - Responding to changes in demand for service, public expectations, legislative or regulatory change and government directives.
- Providing leadership and day-to-day oversight of Vice Chairs and Members, and in that role, where applicable:
 - Participating in the recruitment of Vice Chairs and Members and makes recommendations for appointment/reappointment to the Attorney General;
 - Mentoring and developing Vice Chairs and Members by providing oversight and advice, and discussing and encouraging professional development of and among appointees;
 - Leading 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;
 - Fostering fair and accessible dispute resolution and decision-making processes by the Members;
 - Providing cultural alternatives to mainstream justice processes in appropriate circumstances;

- Providing timely and effective professional development and training of Vice Chairs and Members;
- Providing ongoing, timely and accurate performance assessments and/or input into the work of Vice Chairs and Members and develops appropriate development plans; and
- Responding to public complaints regarding Vice Chairs and Members.

Law and Procedure

- Acting as the key jurisprudential resource and provides jurisprudential leadership for the tribunal;
- Remaining current in developments in administrative law and related issues in Ontario, Canada and other jurisdictions; and
- Continuously assessing tribunal rules and procedures for opportunities to improve efficiency and access to justice, and developing and implementing innovative processes and procedures to enhance fair, effective and timely resolution and decision-making of matters before the tribunal within the applicable legal and policy frameworks.

Dispute Resolution

- Providing 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.
- Providing oversight, advice and guidance on dispute resolution and decision-making techniques, including the variety of processes used to resolve disputes between parties, including negotiation, mediation, and arbitration.
- When leading or participating in dispute resolution processes, demonstrating leadership in the following areas and meets all standards set for Vice Chairs and Members:
 - Being familiar with and applying the relevant procedures;
 - In all capacities using an expert, active resolution or decision-making approach;
 - Understanding and applying the relevant laws and policies;
 - Maintaining impartiality and open-mindedness and maintains control of the process;

- Respecting cultural diversity and needs for accommodation;
- Treating every person who uses or seeks to use tribunal services with the utmost fairness, respect and courtesy and conducts all matters with a view to facilitating access to justice;
- Managing dispute resolution and decision-making processes in a timely manner;
- Providing clear, concise well-reasoned decisions which reflect a solid grasp of the issues and relevant law and policies;
- Demonstrating leadership in working to resolve matters and issues and offering suggestions for resolution, in keeping with the merits of the case and the applicable law and policies.

Qualifications

A Chair will have all the qualifications of a Vice Chair and Member at a highly developed level plus the following:

- Demonstrated leadership and experience with the 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 principles.
- Comprehensive knowledge of the legislation and subject matters under the tribunal's jurisdiction and related laws 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.
- Highly developed dispute resolution, decision-making, supervisory and consensus-building skills.
- Where applicable, knowledge of dispute resolution and decision-making processes and practices including the requisite analytical and decision-making processes required.
- Where applicable, knowledge of the continuum of dispute resolution and decision-making processes to design new or change existing processes.

- Superior dispute resolution, decision-making 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, Members, 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 meets the highest professional standards of the tribunal's Code of Conduct.
- Knowledge of and commitment to the tribunal's governance practices.