

REVIEW PANEL ROSTER MEMBER POSITION DESCRIPTION AND QUALIFICATIONS

1. Review Panel Roster – The Review Panel Roster of the Electrical Safety Authority (ESA) is used to create a Review Panel for each appeal involving an ESA Order related to electrical safety or ESA Licensing Decision related to Electrical Contractor Licences and Master Electrician Licences. Roster Members will be required to conduct appeal proceedings in a manner that is fair, accessible, efficient and expert. Roster Members are appointed by the ESA Board of Directors.
2. Assignment to a Review Panel – A Roster Member may be assigned to a Review Panel to consider an appeal involving an ESA Order or Licensing Decision. Review Panels are usually three members, with a Presiding Member who has adjudicative experience.
3. Hearing and Deciding Appeals – The Review Panel's duties require reviewing and analyzing evidence and submissions, and making findings of fact and applying the law. The Review Panel makes its decisions on the basis of the majority, and the Presiding Member drafts the decision and reasons, which must be reviewed and approved by the side members.
4. Impartiality and Ethics – Roster Members must be open-minded and impartial. They must act with integrity and honesty, maintain confidentiality, and comply with all ethical obligations as a member of the electrical industry or other profession.
5. Access to Justice – Roster Members should promote access to justice. This includes ensuring that every person is treated with fairness, respect and courtesy, as well as respecting diversity and inclusion, and the legal obligation to provide for human rights accommodation. Access is also fostered by processes that are proportionate to the nature of the case being decided and its possible consequences.
6. Adjudicative Excellence – Roster Members should participate in training and professional development, meetings, and other activities to enhance their knowledge and best practices.

Qualifications

(for all Roster Members)

1. Knowledge – an understanding of the Electrical Safety Authority, and its legal, regulatory, business and consumer context. This includes a general understanding of:
 - ESA's mandate and jurisdiction
 - The relevant law, rules, policies and procedures
 - ESA's appeal process and Review Panels
 - ESA's stakeholders, their issues and interests
 - Adjudicative tribunals and professional regulation
2. Analytical Skills – the ability to analyze, organize and understand written or oral evidence and arguments, and assess what is relevant to the issues to be decided, and what further information is needed; and the ability to deal with legal and other complex concepts.
3. Judgment and Tact – the ability to effectively handle issues which may be highly disputed, sensitive or ambiguous; self-awareness and self-control.

4. Interpersonal and Communication Skills – the ability to engage in active listening, and communicate clearly and accessibly; empathy and collegiality to work in three-member panels, and to build consensus in hearing and deciding a case; leadership experience in a professional, public service or volunteer capacity.
5. Dispute Resolution – the ability to facilitate open and constructive participation, identify the parties' interests and common ground where appropriate, and make fair and well-reasoned decisions to bring matters to a satisfactory resolution; the ability to maintain impartiality and objectivity.
6. Professional Commitment – a commitment to improving and enhancing electrical safety in Ontario; a commitment to the time required for assignments to Review Panels, and to prepare for, participate in, and complete an appeals process; a commitment to professional development and adjudicative excellence.
7. Ethical Record – a good professional record, with no disciplinary record by a regulatory body or professional association, or equivalent, in the last five years; no previous criminal convictions (unless pardoned).
8. Computer skills – including Microsoft Word.

(for Industry Representative Members)

9. In addition to the above requirements for all members, Roster Members who are appointed because of their involvement in the electrical industry should also have the following:
 - (a) An advanced knowledge of the electrical industry. This includes:
 - i) Codes Standards:
 - Experience working with the Ontario Electrical Safety Code and the Canadian Electrical Code (Part I and Part II);
 - Understanding of requirements under the Licensing of Electrical Contractors and Master Electricians Regulation; and
 - Experience with regulatory, licensing, and certification procedures/matters (including but not limited to the ESA's), is considered an asset.
 - ii) Utility Distribution:
 - Understanding of requirements under the Distribution Safety Regulation; and
 - Knowledge of design, construction, operation or maintenance of electrical distribution systems.
 - iii) Design, Construction and Wiring:
 - Knowledge of design, construction, operation or maintenance of electrical wiring installations
 - iv) Product Safety:
 - Understanding of requirements under the Product Safety Regulation;

- Experience responding to issues regarding unsafe, unapproved and counterfeit electrical products in the marketplace;
 - Knowledge or experience with product safety protection (consumer awareness) and identification mechanisms (marketplace surveillance); and
 - Experience responding to public inquiries regarding product safety
- (b) Professional experience and commitment to electrical safety. This includes an advanced level of:
- i) Commitment to electrical safety and to promoting the ESA's mandate; and
 - ii) Understanding of issues affecting electricians and the electrical contracting industry.

(for Presiding Members)

10. In addition to the above requirements for all members, Roster Members who are appointed because of their adjudicative experience will be assigned to preside over hearings and other proceedings. Presiding Members should also have the following:

- (a) Adjudicative experience – Experience and skills in conducting hearings, or participating as counsel in hearings; and experience working with unrepresented parties.
- (b) Dispute resolution experience – Experience in a variety of forms of dispute resolution, such as mediation, and telephone, video or written hearings.
- (c) Administrative law – Advanced knowledge of administrative law and practice.
- (d) Professional regulation – Knowledge of or experience in professional regulation, and balancing public interest in safety or consumer protection with business or occupation interests.
- (e) Tribunal management experience – Experience in case management, or working with or managing part-time tribunal members, and a tribunal office staff.
- (f) Writing skills – Excellent writing skills to draft decisions with reasons that are clear, complete and concise.