
Tribunal Committee – Member and Vice-Chair appointments

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About the College of Immigration and Citizenship Consultants (the College)

The College is the authority mandated by the Government of Canada to regulate the practice of Regulated Canadian Immigration Consultants (RCICs) and Regulated International Student Immigration Advisors (RISIAs). Its role, authority and powers are laid out in the *College of Immigration and Citizenship Consultants Act*. The College sets and enforces the licensing, educational and ethical standards of the profession, in the public interest.

Industry

Self-Regulatory Organization (SRO)

Position

JOB TITLE: Tribunal Committee – Member and Vice-Chair Appointments

Department:	Tribunal Committee
Reports to:	Chair of the Tribunal Committee
Language Requirement:	As outlined below
Location:	Burlington, Ontario
Classification:	Appointment

The College is looking to build and strengthen its Tribunal Committee in support of our mandate to address concerns about licensee conduct and competence, balancing public protection with a fair and objective process. The main objective of our Tribunal Committee is to resolve or adjudicate cases regarding professional conduct and capacity issues. Each adjudicative panel will include a Vice-Chair and two other Tribunal members who will make the decision. The following appointments are currently open for application:

- **Tribunal Committee Member (1 Member)**
- **Tribunal Committee Vice-Chair (2 positions)**

Tribunal Committee Member (1 Member: 1 English)

As a Tribunal Committee Member, your main duties will be to sit as part of a 3-member panel to hear complaints that have been investigated and referred for a disciplinary hearing, as well as other conduct or capacity cases. The successful candidate would have adjudicative experience, and bilingualism is an asset.

Time Commitment: Members are expected to be available to commit the equivalent of 1 to 3 days per month, including availability for scheduled (5%) in-person or (95%) videoconference or teleconference proceedings, and preparation and writing time.

Tribunal Committee Vice-Chair (2 Vice-Chairs: 1 English and 1 Bilingual)

As a Tribunal Vice-Chair, your main duties will be to preside over the hearing panels and hearings, as well as draft the decision and reasons after the panel has made its decision. Other duties will involve conducting pre-hearing or settlement conferences and motion hearings, many of which will be by telephone. The successful candidate would have significant adjudicative experience, and bilingualism is an asset for the English position and a requirement for the bilingual position.

Time Commitment: Vice-Chairs are expected to be available to commit the equivalent of up to 5 days per month, including availability for scheduled (5%) in-person or (95%) videoconference or teleconference proceedings, and preparation and writing time.

Remuneration

Members and Vice-Chairs of the Tribunal Committee are paid a per diem, with some work being calculated on a half-hour, hourly, half-day or full-day basis. Travel expenses and a portion of any travel time are also covered under the College's expense policy. The remuneration will be comparable to other adjudicative tribunals in Canada.

Term

Members and Vice-Chairs will be appointed by the Board of Directors for terms between 1 and 3 years, with opportunities for reappointment.

Full position details can be found below.

How to Apply

Interested applicants should review the Position Descriptions below and send their cover letter and resume to hr@college-ic.ca. Please indicate **Member** or **Vice-Chair** in the subject line. While we thank all applicants for their interest, only those identified for further consideration will be contacted.

The College is an equal opportunity employer. We welcome applications from persons legally entitled to work in Canada, who represent the diversity of our nation, and whose qualifications meet the skills and experiences we seek. We are committed to providing equal opportunities to all candidates and to meeting the needs of people with disabilities. Should you be contacted regarding an employment opportunity and require an accommodation for a disability, we will be pleased to work with you to identify how we can best support you through this process.

A police record check is required by the successful candidates prior to their appointment.

While we thank all applicants for their interest, only those identified for further consideration will be contacted.

POSITION DESCRIPTION

MEMBER & VICE-CHAIR APPOINTMENTS, TRIBUNAL COMMITTEE

A. Introduction

The College's Tribunal Committee is the adjudicative arm of the College that fulfills the functions of the Discipline, Fitness to Practice and Registrar Appeal Committees as set out in the College's By-Laws 2021-2. Members and Vice-Chairs of the Tribunal Committee are appointed by the College's Board of Directors and report to the Chair of the Tribunal Committee.

A panel of up to three individuals is assigned to conduct hearings and written proceedings, which lead to binding decisions affecting the College's licensees and applicants. The main function of a Tribunal Member is to participate in proceedings as a side member of the 3-member panels. The Vice-Chairs lead and preside over the proceedings. Members and Vice-Chairs may also be assigned other adjudicative or dispute resolution functions.

B. Key Duties of Members

Tribunal Committee Members are responsible for:

1. Hearing and deciding Tribunal Committee cases, generally as part of a 3-member panel assigned to a case.
2. Reviewing and analyzing all evidence and submissions, making finding of fact and applying the law. Participating collegially in the hearing panel's decision-making process. Reviewing and contributing to the presiding member's draft decision and reasons.
3. Maintaining impartiality and open-mindedness in hearing and deciding a case.
4. Carrying out all dispute resolution and decision-making processes in a timely manner, to assist in meeting applicable internal time targets.
5. Understanding and applying the relevant procedures and criteria to a case, in accordance with the applicable legislation, the Code of Professional Conduct, Tribunal Rules of Procedure.
6. Promoting adjudicative excellence by participating in training and professional development, Tribunal Committee meetings, performance assessment processes, and staying updated about current laws, policies and best practices.
7. Acting with integrity and honesty and complying with all ethical obligations in the College's legislation, rules and administrative policies, including per diem and expenses policies and confidentiality obligations.
8. Respecting and practising equity, diversity and inclusion; and the legal obligation to provide for human rights accommodation.
9. Promoting access to justice, including a proportionate process, ensuring that every person is treated with fairness, respect and courtesy.

10. Recognizing and dealing appropriately with situations that may involve an issue of bias or conflict of interest.
11. Working collegially with all Members and the Tribunal Office, including working as part of an assigned team that may be led by a Member, Vice-Chair or the Chair.

C. Qualifications of Members

A Member should have the following, or a proven ability to quickly acquire the following:

1. Good judgment and tact to deal with contentious and sensitive issues.
2. Ability to analyze and assess evidence and arguments, including documents and witness testimony, and deal with legal and other concepts.
3. Understanding of or experience in one or more areas of dispute resolution, investigation, decision-making, and consensus-building skills.
4. Understanding of administrative tribunals or professional regulation.
5. Knowledge of the nature of the work done by immigration professionals and the standards applying to their conduct.
6. Understanding of the professional, community and government context in which the College operates, and a commitment to working within the College's governance and accountability structure.
7. Knowledge of legislation, the By-laws, Regulations, Code of Professional Conduct, Rules of Procedure, and subject matter dealt with by the Tribunal Committee.
8. Communication and interpersonal skills to work collegially in 3-member panels, and to achieve consensus in hearing and deciding a case.
9. Commitment to professional development as an adjudicator.
10. Not be the subject of any case related to conduct or capacity that has been referred to the Tribunal Committee; and within the last 5 years, not have a disciplinary record with the College or any other regulatory body or professional association.
11. Commitment to protecting the public interest within the mandate of the Tribunal Committee's functions.
12. Superior oral and written communication skills in English and French or French; bilingualism is an asset.
13. Computer skills, including Microsoft Word.
14. Meet the basic eligibility requirements for all Board members and Committee members in section 43.2 of the By-laws 2021-2.

D. Key Duties of Vice-Chairs

In addition to the duties of a Member (see above), a Vice-Chair is responsible for additional duties assigned by the Chair, which may include:

1. Presiding over Tribunal Committee proceedings by managing the process in a fair, accessible, timely and proactive manner, including matters that may be more complex, novel or contentious.
2. Drafting the decision for each assigned case, working with the other Members of the hearing panel, and following the draft decision review process, to ensure that the reasons for the decision are clear, complete and concise.
3. Ensuring that applicable internal time targets are met in the proceedings and decision-making processes.
4. Advising on and assisting in the case management of files and proceedings, including ones that have been assigned to other Tribunal Members.
5. Conducting and deciding motions and other procedural or pre-hearing matters.
6. Serving as a lead, senior member, or mentor, for one or more Members, to assist the Chair to build a collegial and expert group of Members.
7. Providing adjudicative support to other Members.
8. Planning or delivering training or other professional development sessions.
9. Assisting in the draft decision review process as a peer reviewer.
10. Providing strategic advice, participating in reforms and continuous improvement initiatives, and reviewing Rules of Procedure and other policies and materials.
11. Acting in the place of the Chair, as delegated.

E. Qualifications of Vice-Chairs

A Vice-Chair should have the following, or a proven ability to quickly acquire the following:

1. Is not a licensee of the College and does not have any obligation, commitment, relationship or interest that could conflict with or may be perceived to conflict with their duties to or the interests of the College.
2. Experience and skills in conducting proactive oral hearings, or participating as counsel in oral hearings, with unrepresented parties or with adversarial counsel.
3. Experience with conducting or participating in virtual hearings.

4. Advanced judgment, tact and self-control to deal with contentious and sensitive issues.
5. Advanced abilities in identifying and organizing relevant information and issues, in conceptual analysis.
6. Significant experience in a variety of forms of dispute resolution, such as mediation or written hearings.
7. Experience in working with or managing part-time tribunal members, and with tribunal office staff.
8. In-depth knowledge of administrative law and practice.
9. Knowledge of or experience in professional regulation.
10. In-depth knowledge of the legislation, College By-laws, Regulations, Code of Professional Conduct, Rules of Procedure, and subject matter dealt with in Tribunal Committee cases.
11. Knowledge of the nature of the work done by immigration professionals, and the standards applying to their conduct.
12. Understanding of the professional, community and government context in which the College operates, and a commitment to working within College's governance and accountability structure.
13. Advanced experience and skills in active listening and clear and accessible communications, and in interpersonal relationships, to work collegially in 3-member panels, build consensus in hearing and deciding a case, and allow for empathetic understanding of the parties.
14. Superior writing skills to draft decisions with reasons that are clear, complete and concise.
15. Commitment to adjudicative excellence and continuous improvement.
16. Not be the subject of any case related to conduct or capacity that has been referred to the Tribunal Committee; and not have a disciplinary record from any other regulatory body or professional association in the last 5 years.
17. Commitment to protecting the public interest within the mandate of the Tribunal Committee's functions.
18. Superior oral and written communication skills in English;
 - a. French/English Bilingualism is required for one of the 2 Vice-Chairs positions.
19. Computer skills, including Microsoft Word.
20. Meet the basic eligibility requirements for all College Board members and Committee members in section 43.2 of the College By-laws 2021-2.