

Working Title Legal Counsel		Name	
Position Number	Reports to Position No., Class & Level	Division, Branch/Unit	Ministry Labour
Present Class	Requested Class	Levels to Deputy Minister (Not including incumbent level)	
Dept ID	Program Code	Project Code (if applicable)	

POSITION SUMMARY: Briefly describe the main purpose of the position, and why it exists for the most part (See Management Job Description Writing Guide [Page 7](#)).

Legal Counsel:

- Under the direction of General Counsel, provides legal services to the Commission to support its adjudicative and administrative functions.
- Assists with the interpretation and application of the *Workers' Compensation Act*, other related legislation, and relevant policies, guidelines and practices.
- Provides advice and opinions to commissioners and staff on standard or less complex legal issues.
- Prepares submissions, pleadings and arguments for proceedings involving the Commission before the Courts and other tribunals or agencies.
- Plays a key role in facilitating consistent, accurate and quality decision-making regarding appeals before the Commission.
- Supports education, training and knowledge management at the Commission.
- Undertakes related special projects under the direction of the Chief Appeals Commissioner and participates in standing-committee meetings as required.

SPECIFIC ACCOUNTABILITIES: List the most important end results or outcomes of the position and how they are achieved. Each end result shows what the position is accountable for, within what framework and what the added value is. Normally a position has 4-8 core end results. For each end result approximately 3-6 activities should be described (See Writing Guide [Page 8](#)).

Legal Counsel is directed by and reports to the General Counsel. At the direction of General Counsel, the main responsibilities of Legal Counsel are:

1. Providing Corporate Counsel

- Attends Commission hearings as legal advisor, when requested.
- Thoroughly researches and prepares clear and detailed memoranda concerning administrative law, legal practices and procedures before administrative tribunals.

SPECIFIC ACCOUNTABILITIES: List the most important end results or outcomes of the position and how they are achieved. Each end result shows what the position is accountable for, within what framework and what the added value is. Normally a position has 4-8 core end results. For each end result approximately 3-6 activities should be described (See Writing Guide [Page 8](#)).

- Provides ongoing legal advice and opinions, including ministerial briefings.
- Reviews and provides advice on draft decisions.

2. Researching and Investigating Legal Matters

- Conducts analysis and evaluation of case-specific issues and complex legal issues.
- Prepares and researches legal briefs and opinions for General Counsel's review and approval.
- Recommends strategies and approaches.

3. Representing the Appeals Commission in Administrative Law

- Receives Notices of Motion and other documents on behalf of the Appeals Commission.
- Prepares returns in response to Notices of Motion, undertakes discussions with the legal counsel of parties to obtain agreements, and completes necessary filings.
- Prepares legal briefs, factums and other court documents.
- Liaise with legal counsel of other organizations, including the Workers' Compensation Board.
- Sits second chair at complex matters before the Courts, and represents the Appeals Commission at less complex matters.

4. Internal Education and Training

- Assists with the development and delivery of training for commissioners and staff.
- Assists General Counsel in delivering, or independently delivers, internal training on legal principles, including the rules of natural justice, statutory interpretation, etc.

5. Ombudsman Investigations

- Oversees the Appeals Commission's responses to inquiries from the Ombudsman.
- Corresponds with the Office of the Ombudsman, meets with investigators and responds to questions and concerns.

6. Support General Counsel and Legal Services Team

- Works closely with General Counsel to establish priorities, standards and strategy for the Legal Services Team.
- Acts as a resource for Legal Secretary, Knowledge Officer, Legal Services Summer Student, and Senior Records and Privacy Officer.
- Support the Commission with legal needs in the absence of General Counsel.

7. Special Projects

- Assists with special projects relating to the operations of the Appeals Commission as directed by the Chief Appeals Commissioner.

KNOWLEDGE/EXPERIENCE: Include information on required diplomas and degrees along with identifying the most important knowledge factors, including knowledge about practical procedures, administrative, specialized techniques, etc. Detail specific training if there is an occupational certification/registration requirement for the position. Specify the type of experience required for the position (see Writing Guide [Pages 9-10](#)).

The individual in this role will have an extensive understanding and working knowledge of administrative law, the *Workers' Compensation Act*, other related legislation, WCB policy and processes, and Appeals Commission policies, procedures and practices. This individual has superior decision-making and problem solving abilities.

Personal skills include:

- An orientation for detail and consistency.
- A predisposition to educate and inform.
- A sense for advisory input that supports and strengthens the appeal process.
- A strong inquisitorial sense.
- An excellent ability to research, analyze and investigate.
- Above average negotiating and influencing skills.
- Persuasive writing skills.
- Excellent verbal communication skills.
- High degree of independence and superior common sense, intuition, communications effectiveness, composure, and organizational agility.
- An ability to work independently and autonomously.

Education

LL.B. or J.D. and membership (or eligibility for membership) in the Law Society of Alberta.

Experience

A Bachelor of Laws (LLB) or Juris Doctor (JD) Degree along with a minimum of four (4) years' legal experience following admission to the bar in a Canadian jurisdiction. Membership in good standing of the Law Society of Alberta or eligibility for membership is required.

An equivalent combination of education, training and experience will also be considered.

LEADERSHIP AND BUSINESS KNOW-HOW: Specify the level of integration, organization and leadership skills required to produce the results expected of the position. Provide recent examples (See Writing Guide [Pages 10-11](#)).

As a practicing lawyer and member of the Law Society, Legal Counsel must recognize and adhere to the canons of professional conduct, as well as the unwritten conventions of the legal profession. As a representative of the Appeals Commission, Legal Counsel must act ethically and responsibly at all times in order to maintain the integrity and reputation of the Commission. Legal Counsel makes decisions that impact the Appeals Commission's operations, decision-making, interpretation and application of policy and legislation, which affects the Commission's client satisfaction index, the perception of quality results, and public image. Legal Counsel is an organized, cooperative team player and leader.

PROBLEM SOLVING: Describe difficult or challenging situations the position is typically expected to solve; the degree of originality of the solutions; and the assistance available (See Writing Guide [Pages 11-12](#)).

Problem solving is a key aspect of this position. Legal Counsel must assist with problem solving and trouble shooting at all levels of the Appeals Commission, within the context of relevant legislation and policy.

PROBLEM SOLVING: Describe difficult or challenging situations the position is typically expected to solve; the degree of originality of the solutions; and the assistance available (See Writing Guide [Pages 11-12](#)).

Examples include assisting with difficult issues on appeals, resolving procedural issues, and managing litigation as it arises. The successful candidate must be responsive and creative.

RELATIONSHIPS/CONTACTS: Identify internal and/or external clients, partners and stakeholders with whom your position communicates and indicate the frequency, purpose and nature of the contact (i.e. how they are affected by recommendations, decision-making and action(s) taken) (See Writing Guide [Pages 12-13](#)).

Clients	Frequency	Nature and Purpose of Contact
Internal		
General Counsel	Daily	Receive direction, advice, support and performance in delivery of legal services at the Appeals Commission.
Legal Assistant	Daily	Provide direction and advice on delivery of legal services at the Appeals Commission.
Senior Management Team	Daily	Provide advice and support in respect of legal issues and special projects as assigned.
Commission Staff at all levels	Daily	Provide direction, advice, support, education, training and assistance in respect of legal services at the Appeals Commission.
External		
Other legal counsel	As required	Contact regarding management and direction of litigation files.
Office of the Ombudsman	As required	Contact regarding management and resolution of complaints to the Ombudsman.
External stakeholders	As required	Contact regarding inquiries about the Appeals Commission; delivery of training or external presentations.

IMPACT AND MAGNITUDE OF JOB (SCOPE): Identify how the position directly affects results, and the extent to which stakeholders are affected by those results. Provide recent examples (See Writing Guide [Pages 13-14](#)).

Incorrect advice or improper preparation has a direct impact on the reputation of the Commission. Incorrect legal opinions or advice could lead to financial loss, successful applications for judicial review or law suits, and public or political discredit.

CHANGES SINCE LAST REVIEW: Identify significant changes, that have impacted the major responsibilities and accountabilities assigned to your position since the last review (See Writing Guide [Page 14](#)).

This position was formerly a LO1 position. However, in the two years since it was filled, the responsibilities of the Commission's Legal Services team have grown beyond only legal work and now include privacy, records management, knowledge management, quality assurance and training. As General Counsel's time is increasingly split between managing legal work and managing other functions of the team, Legal Counsel has by necessity taken on increasing responsibility for managing litigation, supporting adjudicators and the executive team, and providing support on briefs and legal research – often with significant amounts of independence. The compensation payable at the LO1 level does not reflect the level of responsibility

CHANGES SINCE LAST REVIEW: Identify significant changes, that have impacted the major responsibilities and accountabilities assigned to your position since the last review (See Writing Guide [Page 14](#)).

associated with the work being performed by the individual in this position, especially when compared to the compensation payable to other non-legal members of the Legal Services team.

COMPARABLE POSITIONS: List comparable GOA benchmarks (See Writing Guide [Pages 14-15](#)).

ORGANIZATION CHART: A current organization chart that includes supervisor, peers and staff MUST be attached. Include whether employee is permanent, wage, temporary or contract and indicate position numbers (See Writing Guide [Page 15](#)).

Signatures

The signatures below indicate that the manager (incumbent) and division director/ADM have read, discussed and agreed that the information accurately reflects the work assigned (See Writing Guide [Page 15](#)).

Incumbent

Name	Signature	Date
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Manager

Name	Signature	Date
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Division Director/ADM

Name	Signature	Date
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This information is being collected under the authority of Section 10 of the Public Service Act and will be used to allocate positions within a classification plan and to manage the Alberta government human resources program. If you have any questions about the collection of this information, contact the Job Evaluation Unit, 6th Floor, Peace Hills Trust Tower, 10011 - 109 Street, Edmonton, Alberta T5J 3S8, phone 780/408-8400 or contact your Ministry Human Resource Office.