

**IDENTIFICATION**

Department	Position Title	
Workers' Safety and Compensation Commission	Legislative Advisor	
Position Number	Community	Division/Region
97-9967	Yellowknife	Legal and Compliance

**PURPOSE OF THE POSITION**

Under the direction of the General Counsel, the Legislative Advisor provides legal services, and advice primarily related to legislative development and review initiatives under the WSCC legislative framework. This includes Northwest Territories and Nunavut *Workers' Compensation Acts, Safety Acts, Mine Health and Safety Acts* and *Access to Information and Protection of Privacy Acts (ATIPP Act)*. This position also assists and supports the General Counsel in the provision of legal advice to the WSCC in relation to drafting of agreements and legal opinions and conduct of litigation.

The Legislative Advisor is required to assist the policy unit in the development and review of WSCC policies, and for coordinating and managing the WSCC's response to requests for information under the *ATIPP Act*.

**SCOPE**

The Workers' Safety and Compensation Commission (WSCC) is a Crown Corporation of the Governments of the Northwest Territories and Nunavut that is directed by a Governance Council through the President & CEO. WSCC operations are located in Yellowknife and Iqaluit.

The WSCC promotes safe work places through education and prevention, and cares for injured workers through a system of no-fault compensation. The system is funded through the collection of assessments from employers and is governed by the *Workers' Compensation Acts* of the Northwest Territories (NWT) and Nunavut (NU).

The WSCC is committed to an environment free of racism and discrimination, where people feel safe when receiving services. This can be achieved by respectful engagement that acknowledges the importance of cultural differences and values Cultural Safety.

The WSCC has, within the NWT/NU, exclusive jurisdiction in all matters affecting compensation for workers injured on the job. Compensation includes the payment of medical expenses, the provision of medical and vocational rehabilitation, payment of loss of wages resulting from injury or occupational disease, pensions for workers who suffer permanent disability, and pensions for dependants of workers killed in workplace incidents. Employers carrying on business in the NWT/NU provide funding through assessments. This provides no fault compensation for workers who are injured in the workplace, and protects employers from legal action by workers in the event of a workplace injury.

The WSCC also administers occupational health and safety legislation for workers and employers in the NWT/NU.

Workers' compensation and occupational health and safety are continuously changing and the *Acts and Regulations* that the WSCC administers need to be kept current with modern best practices in order to effectively serve the interests of workers and employers. This position works with the Departments of Justice in the Government of the Northwest Territories (GNWT) and Government of Nunavut to develop appropriate legislative amendments to present to committees of the respective Legislatures.

The Legislative Advisor plays a key role in the legislative development process and will work with program areas and policy experts in order to effectively develop and advance legislative initiatives. Legislative development supports WSCC strategic initiatives and planning by the Senior Management Team (SMT) and Governance Council (GC). Legislative development support documents include option papers, discussion papers, decision papers, information items, policy scoping documents, drafting instructions, and cabinet information and decision items. The incumbent conducts analytical and qualitative research on national and territorial issues related to workers' compensation, workplace safety, and access to information and protection of privacy.

The incumbent ensures that adequate consultation occurs with workers, employers, Indigenous Governments and the general public before legislation or regulations are developed or amended.

The Legislative Advisor will also work with General Counsel to provide legal services to the WSCC and with the Policy Unit to assist with the development of WSCC policies and procedures. It is expected that the Legislative Advisor will actively coordinate with all WSCC divisions.

The incumbent works towards outcomes for the WSCC in line with mission, vision and values, on assigned projects, achieving a fair and reasonable balance between ideal solutions and those that are administratively feasible where competing interests exist. Negative outcomes could affect operations and public confidence in the organization, GC, President, SMT, and/or employees.

## **RESPONSIBILITIES**

### **1. Coordinates the review of existing legislation and regulations.**

- Implements the WSCC Legislative and Regulatory Review Plan by evaluating existing legislation and regulations and preparing recommendations for the GC, President and SMT, which includes analysis of financial, political and legal implications, impact on internal and external stakeholders and possible implementation issues.
- Leads cross-unit and cross-divisional working groups in order to review and identify issues with existing legislation or regulations.

### **2. Coordinates the legislative and regulatory development processes.**

- Conducts needs assessments on organizational requests for legislative development.
- Coordinates the development of new or updated legislation and develops recommendations for consideration.
- Coordinates updates and revision to existing regulations in a timely manner.
- Prepares documents used in the legislative process and in the regulatory update process.
- Prepares a wide range of documents for the legislative process (e.g., research papers, needs assessments, decision papers, discussion papers, option papers, information items and briefing notes).
- Supports the development and drafting of legislative proposals and drafting instructions for legislative development initiatives.
- Develops support materials and presentations to ensure the organization's strategic legislative direction and developments are communicated to impacted program areas.
- Seeks appropriate interdivisional input when developing legislation or regulations.
- Leads cross-divisional project teams created to coordinate input into legislation and regulations development and amendments.
- Coordinates and delivers information sessions to WSCC employees on new or revised legislation and regulations.
- Presents information to decision makers by analyzing and summarizing key issues, specifying benefits and drawbacks, and supporting analysis and recommendations with valid arguments.

### **3. Conducts research in the area of legislative and regulatory development.**

- Consults with research institutes, other workers' compensation agencies, and other private and public sector organizations regarding industry best practices.
- Keeps updated on and assesses relevant trends and issues and recommends appropriate organizational actions.
- Drafts reports on research issues to the General Counsel, Vice President, Legal and Compliance, SMT, President and/or GC.
- Conducts research to assist in the development of legislation and analyze methods of addressing legislative issues.

### **4. In coordination with General Counsel, provides legal services to the WSCC, which**

**may include the Governance Council, the President, and senior management staff in the NT and Nunavut.**

- Conducts legal research on WSCC programs, legislation, policy development, and interpretation.
- Provides interpretations, advice, opinions and options to Senior Management and the Governance Council on legislative, legal and policy matters, as directed by the President.
- Reviews WSCC publications for consistency with the legislation administered by the WSCC and WSCC policies.
- Provides legal advice to the Chief Inspector of Mines and the Chief Safety Officer (in the NT and Nunavut) on the enforcement of the Mine Health and Safety Acts, Safety Acts and Explosives Use Acts and prosecution under those Acts.
- Researches and drafts responses to complaints, and represents the WSCC at the tribunal level, such as the NWT Human Rights Commission.
- Assists the General Counsel in legal matters as required and performs other duties assigned.

**5. Provides advice and support to WSCC staff about meeting obligations under the *Access to Information and Protection of Privacy Acts (ATIPP)*, and oversees actions to assess and respond to access to information requests.**

**Access to information duties:**

- Analyzes and evaluates the sensitivity of ATIPP requests and develops and implements appropriate response strategies.
- Exercises independent discretion in negotiating with the requestor (including media applicants) on the legal, financial and administrative issues related to the request
- Supervises the processing of the request from receipt to disclosure of records, remaining current as to status and deadlines.
- Works with program area staff to identify and determine the location of the requested records and arrange for the retrieval of the records.
- Researches and analyzes the relevant data to determine whether fees may be charged and calculating the appropriate fee estimate.
- Analyzes documents for the purpose of applying the exceptions to disclosure in the Acts.
- Develops and monitor procedures for the administration of the Acts, such as tracking of requests, statistical reporting and ensuring adherence to legislative requirements, including the handling of appeals.
- Represents the WSCC through participation in reviews with the NT and Nunavut Information and Privacy Commissioners.
- Represents the WSCC at the NT and NU Access and Privacy Administration Committee, which includes developing the WSCC's position on issues, policies and practices.

**Privacy duties:**

- Evaluates WSCC information sharing agreements and privacy impact assessments.
- Monitors and reviews the WSCC's practices in relation to the collection, use, disclosure, retention and disposal of personal information to ensure compliance with the Acts.

- Contributes to the development of WSCC’s policies related to the protection of privacy, security and access of personal information held by the WSCC and develop strategies to implement the policies.
- Works with staff to respond to privacy and compliance issues.
- Researches and implements privacy protection tools with the WSCC, such as privacy impact assessments, privacy audits and privacy breach reporting protocols.
- Investigates internal privacy breaches and reports on findings and recommendations to the President.

**6. Supports departmental policy and planning initiatives.**

- Researches issues and draft correspondence;
- Evaluates policies and associated processes to determine their effectiveness in meeting WSCC priorities;
- Prepares briefing materials for the Minister and President, including briefing materials for sessions of the Legislative Assembly, Standing Committees and Executive Council meetings as well as other intergovernmental meetings; and
- Prepares support materials for the Minister, including returns to questions, Ministerial statements, information items and briefing notes.

**7. Other duties:**

- Acts as a committee member on various committees that may be established to coordinate and manage special projects or programs, such as the Safety Program.
- Travels to the Iqaluit, NU regional office (purpose varies) and throughout Canada for annual WSCC Lawyers’ Meetings as required.
- Acts as General Counsel as needed.

**WORKING CONDITIONS**

**Physical Demands**

No unusual demands.

**Environmental Conditions**

No unusual conditions.

**Sensory Demands**

No unusual demands.

**Mental Demands**

No unusual demands.

**KNOWLEDGE, SKILLS AND ABILITIES**

- Knowledge of legal and legislative principles and practice.

- Knowledge of and/or the ability to acquire and apply knowledge of Workers' Compensation and Administrative Law.
- Verbal and written communication skills, including effective oral presentations.
- Interpersonal and human relations skills to build and sustain stakeholder relationships.
- Research and analytical skills, including knowledge of legal research and analysis techniques.
- Computer skills including MS Office, email, scheduler, file, and records management.
- Ability to learn to manage a budget.
- Ability to organize, prioritize and work under pressure, and to deadlines.
- Project management and coordination skills.
- Ability to commit to actively upholding and consistently practicing personal diversity, inclusion and cultural awareness, as well as safety and sensitivity approaches in the workplace.

**Typically, the above qualifications would be attained by:**

Completion of a Law Degree and three (3) years of relevant experience working with law and legislation.

Equivalent combinations of education and experience will be considered.

**ADDITIONAL REQUIREMENTS**

Membership, or eligibility for Membership, in both the Law Society of the NT and the Law Society of Nunavut.

**Position Security**

- No criminal records check required
- Position of Trust – criminal records check required
- Highly sensitive position – requires verification of identity and a criminal records check

**French language** (check one if applicable)

- French required (must identify required level below)
  - Level required for this Designated Position is:
  - ORAL EXPRESSION AND COMPREHENSION
    - Basic (B)  Intermediate (I)  Advanced (A)
  - READING COMPREHENSION:
    - Basic (B)  Intermediate (I)  Advanced (A)
  - WRITING SKILLS:
    - Basic (B)  Intermediate (I)  Advanced (A)
- French preferred

**Indigenous language:** To choose a language, click here.

- Required  Preferred