

**HUMAN RIGHTS LEGAL SUPPORT CENTRE
JOB DESCRIPTION**

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| POSITION TITLE | LEGAL COUNSEL |
| LOCATION | Toronto |
| REPORTS TO | Manager, Legal Services |
| LAST UPDATED: | September 12, 2014 |

PURPOSE OF POSITION

To provide legal services to individuals who have experienced discrimination under the *Human Rights Code* including advice in respect of applications to the Human Rights Tribunal of Ontario (HRTO) and representation in negotiating resolution of applications.

To provide legal representation to HRLSC clients at HRTO mediations and hearings, including representation in complex, leading and test cases.

To work collaboratively in a legal services team to ensure excellent service to HRLSC clients; supporting and mentoring other team members including more junior lawyers, Legal Services Representatives, Human Rights Representatives and students in the Osgoode Anti-Discrimination Intensive Program (ADIP).

MAJOR DUTIES & RESPONSIBILITIES

- Conducts interviews with members of the public seeking legal services; assesses merit of application and eligibility of individuals for further legal services based on HRLSC service eligibility guidelines; makes recommendation to Legal Manager and legal team on eligibility for further services including representation.
- Establishes retainer agreement with applicant based on legal strategy and extent of services to be provided as determined in collaboration with Legal Manager and legal team.
- Manages case load of assigned client files; determines nature and complexity of issues, and appropriate legal strategy in each case, consistently with HRLSC policies; confers with Legal Manager and Legal Director as necessary and/or as requested.
- Participates in regular file reviews to enable Legal Manager and/or Legal Director to monitor volume and complexity of caseload in the context of the overall legal work of the team and HRLSC.
- As appropriate, contacts respondent on applicant's behalf and attempts resolution of claim; provides advice regarding potential terms of settlement of application.
- Conducts or coordinates case preparation; identifies documents/evidence required to support HRTO application; conducts research; reassesses case strategy throughout application and hearing process.
- Provides representation to HRLSC clients during pleadings, settlement negotiations and at mediations and hearings.
- As assigned by the Legal Manager, works with Legal Director on the conduct of judicial review applications including preparation of facta and oral argument.
- Works collaboratively with other counsel and, as assigned, may co-counsel with more junior/senior counsel on complex litigation files.
- Assists the Legal Manager in providing guidance on legal issues and the conduct of cases to other team members, including more junior counsel, Law Clerk, Legal Services Representatives (LSRs), Human

Rights Representatives (HRRs) and Human Rights Advisors (HRAs).

- Acts as a resource to Legal Services Representatives, Human Rights Representatives and Human Rights Advisors, as assigned by Legal Manager, to ensure that legal services are professionally sound and appropriate to the case.
- Attends legal team meetings; participates in the discussion of legal issues and litigation strategies; identifies emerging or important issues for further strategic consideration.
- Participates in the development of integrated and strategic approaches to the Centre's litigation of important or emerging legal issues in human rights law.
- Performs other duties, temporary or otherwise, as assigned which may change from time to time depending on a number of factors, including changes in the demand for legal services or in the Centre's service delivery model.

COMPENSABLE FACTORS**KNOWLEDGE & SKILLS**

Knowledge of:

- Human rights legislation in Ontario, including the *Human Rights Code*.
- Objectives and strategies of the human rights system in Ontario; the independent roles and inter-relationship of the three pillars of the system – the Ontario Human Rights Commission, the Human Rights Tribunal of Ontario, and the Human Rights Legal Support Centre.
- Principles and issues of human rights and discrimination, the concerns of individuals and groups, and the history of the protection of human rights in Ontario.
- Litigation principles and practice.
- Membership in the Law Society of Upper Canada.
- Experience in the practice of human rights law or similar practice experience.
- Experience in appearing before adjudicative boards and tribunals.
- Experience in alternative dispute resolution techniques, including mediation.
- Ability to work collegially in a team environment and with all members of the workforce.
- Ability to work collaboratively and respectfully in a diverse workplace, including awareness of and sensitivity to cultural, racial, ethnic, gender, age and disability-related issues that may arise in the workplace and in serving diverse communities.
- Commitment to applying the principles of equity/diversity competence in performing the job responsibilities of this position including recognition of the need to deliver services to the public in a manner that recognizes the unique needs of the diverse communities served.
- Interpersonal skills to interact sensitively and respectfully with members of the general public, including members of diverse communities; ability to explain complex legal issues, engage in conflict resolution

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| <p>discussions on behalf of clients in negotiations with respondents.</p> <ul style="list-style-type: none"> • Oral and written communications skills to present cases before the HRTO. • Case management skills which includes the operation of standard office software and tools to track file work on case management system and record legal advice and services provided on non-retained and retained files. • Case preparation skills including conducting legal research and preparing case related materials such as legal submissions, motions, etc. | |
| COMMUNICATIONS SKILLS | |
| <p>Requires the ability to effectively communicate technical/legal information in order to persuade or convince decision-makers to take a particular course of action or adopt a particular decision.</p> <p>Requires skill in communicating responsively with members of the public including members of diverse communities.</p> | |
| ANALYTICAL SKILLS | |
| <p>Requires analytical skills to research and analyze complex legal issues/ cases and develop/ implement solutions based on sound legal research and precedents.</p> | |
| RESPONSIBILITY FOR DECISIONS/ACTIONS | |
| <p>Responsible for decisions that determine the approach /strategy of individual legal cases, in consultation with Legal Manager, with or without established precedents for guidance and reference, and consistent with HRLSC policies, guidelines and resources.</p> | |
| RESPONSIBILITY FOR MANAGEMENT/LEADERSHIP | |
| <p>Responsible for providing formal guidance and direction to others within area of speciality, without having direct management responsibility.</p> <p>Responsible for coordinating administrative resources required to prepare case files, without having direct management or supervisory responsibility.</p> | |
| RESPONSIBILITY FOR CLIENTS/STAKEHOLDERS | |
| <p>Responsible for overseeing case preparation and representing clients before the HRTO including on complex cases.</p> <p>Responsible for negotiating or advocating on behalf of a client before the HRTO.</p> | |
| PHYSICAL EFFORT/DEMANDS | |
| <p>Work involves minimal physical effort normally associated with typical office routines. There is flexibility to change work activities or take a break to alter body position.</p> | |
| MENTAL/SENSORY DEMANDS | |
| <p>Work involves a considerable or constant degree of mental/sensory demands. Typically deadlines and priorities are unpredictable due to dealing with crises situations, work involves multiple role demands, required to travel overnight more than 5 days per month, frequent requirement to deal with upset or agitated clients or situations.</p> | |
| WORKING CONDITIONS | |
| <p>Work is regularly performed in a normal office environment where unpleasant conditions or hazards are minimal.</p> | |

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| FRENCH LANGUAGE REQUIREMENTS | N/A |
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