



JOB DESCRIPTION

Job title	<i>Legal Counsel & Director, Litigation</i>
Reports to	<i>President & CEO</i>

The Travel Industry Council of Ontario (TICO) is mandated by the Ontario government to administer and enforce the Ontario *Travel Industry Act, 2002* and Ontario Regulation 26/05 (the “Act”) and to regulate the travel industry in Ontario in the public interest, including protection of consumers of travel services. The Act governs all of the approximately 2,300 travel agents (retailers) and travel wholesalers registered in Ontario. TICO administers the industry-financed Ontario *Travel Industry Compensation Fund*.

This full-time role offers a unique opportunity for an individual to join an organization of approximately 27 dedicated individuals enjoying a challenging, collegial, and rewarding professional experience while at the same time embracing the principle of work/quality of life balance. As the regulator of a dynamic travel industry, TICO has a committed and enthusiastic workforce who work hard and are passionate about TICO’s consumer protection mandate. Our employees enjoy a competitive benefits programs and an environment where personal growth is encouraged and achievable through a commitment to quality, service excellence and professional development while contributing to the achievement of TICO’s long-term strategic priorities. Further opportunity exists to assume broader responsibility based upon candidate experience, performance, and personal drive.

TICO embraces inclusion and fairness at all times. We are committed to fostering a culture of inclusivity, equity, and accessibility for all. As one team, we celebrate our diverse workforce while encouraging individual growth and innovation because we feel it makes for an inspiring workplace where people are empowered and engaged. Our diverse team of employees enables us to grow and learn and encourages us to be better and do better, at work and in our communities.

Job purpose

- Legal Counsel & Director, Litigation is responsible for the efficient management of the Litigation department, provision of legal services and litigation conducted in an effective, fair, and transparent manner.

Key Competencies

- Demonstrate knowledge of, and experience with, the *Travel Industry Act* and Regulation, administrative law, and the legal framework applicable to *Provincial Offences Act* prosecutions.
- Strong leadership and managerial skills.
- Excellent relationship management and oral and written communication skills necessary for interactions with stakeholders’ parties in the judicial system and TICO staff.
- Ability to provide independent advice (orally and in writing) to senior management and staff on a wide range of legal issues, including with respect to administrative and quasi criminal litigation as well as with respect to corporate and regulatory issues.
- Excellent judgment and analytical skills.
- Demonstrated success in conducting a variety of litigation matters including at the appellant level.
- Through knowledge of litigation procedures, Charter provisions and rules of evidence.
- Excellent administrative, planning and organization skills with an ability to multitask.
- Ability to diplomatically address sensitive matters.

Duties and responsibilities

Leadership role

- Reporting to the President & CEO, a member of the TICO leadership team responsible for management of the organization.
- Provide leadership and ensure efficient and effective management of staff and resources in the Litigation department.
- With President & CEO, attend TICO Board and Committee meetings as assigned.

Policy development

- Working with senior management, advise on proposed new regulations to the Act, as assigned.
- Review and advise management on legal implications of internal policies and procedures.
- Prepare and update currency of Investigation and Prosecutions Manuals.
- Collaborate on preparation of Inspectors, Compliance and Complaints Officers Training Manuals.

Litigation management

- Litigate in administrative tribunals (Licence Appeal Tribunal), appeal Courts and Provincial Offences Courts.
- Oversee practice of TICO Legal Counsel.
- Make recommendations about commencement and conduct of hearings and prosecutions.
- Advise TICO Officers, Inspectors, and Compliance and Complaints Officers.
- Interact with court staff, media, and witnesses.
- Negotiate with legal counsel, unrepresented defendants.
- Manage and instruct external Counsel, including on any claims against the Board of Directors, the corporation, and officers/directors of the corporation.

Regulatory compliance

- Continuously monitor compliance with statutory obligations and advise management accordingly.
- Prepare monthly and quarterly reports for the department.
- Advise senior management, as required, and prepare annual strategies, outlining objectives, planned initiatives and performance measures for the department.

Contract negotiation

- Assist, if required, Corporate Secretary with negotiation, review and drafting of documentation for business transactions.

Administrative duties

- Provide continuous leadership, supervision, training, and development of the department staff ensuring an effective and motivated team.
- Liaise with the VP, Operations with respect to performance appraisals of Investigators.
- Liaise with the CEO and VP, Operations in conducting the Litigation Department performance appraisals and ensure competency and training gaps are addressed.

Qualifications

- L1 licence; membership in good standing with the Law Society of Ontario.
- Minimum of eight (8) years of practicing law.
- Minimum of three (3) years in similar role an asset.
- Substantial experience in regulatory and/or quasi-criminal prosecutions, at different levels including appeals and judicial review. Thorough knowledge of structure and jurisdiction of courts and related rules of practice, procedure and evidence, as well as legal concepts, terminology, function of Provincial Prosecutors, Crown Counsel, judiciary and regulatory authorities.
- Demonstrated knowledge of administrative law and experience in advocacy before administrative tribunals. Experience in professional discipline/industry regulation an asset
- Extensive practical knowledge of all applicable legislation including, the Act, *Provincial Offences Act*, *Statutory Powers Procedure Act*, *Ontario Evidence Act*, *Canadian Charter of Rights and Freedoms*, and other statutes as they apply to TICO.

- Demonstrated knowledge and familiarity with techniques and tools for conducting investigations, interviewing, and communicating with lay-witnesses and expert witnesses.
- Proficient in the use of office automation applications including MS Office (Outlook, Word, Excel, PowerPoint), SharePoint, Microsoft Teams, Skype, Webex, Zoom
- Proficient in the use of Quicklaw, and CanLII legal databases

Working conditions

- Occasional overtime will be required.
- Valid Ontario driver's licence and ability to travel as travel within Ontario is required.
- Transport of legal files and documents requires occasional lifting, bending, etc.

Direct reports / Key Relationships

Direct reports:

Legal Counsel

Liaising with:

Legal Counsel & Corporate Secretary
 Vice President, Operations
 Director, Information Technology
 Director, Finance and Financial Compliance
 Manager of Stakeholder Relations
 Investigator & Provincial Offences Officer
 Inspectors, Compliance and Complaints Officers

Director, Litigation:	<i>Tim Snell</i>
Approved by:	<i>Richard Smart</i>
Date Approved:	<i>October 2020</i>
Review Date:	<i>October 2022</i>

To learn more about TICO, please visit our website at www.tico.ca.

Please submit your resume and salary expectations in confidence by to:

Travel Industry Council of Ontario
 55 Standish Court, Suite 460
 Mississauga, Ontario
 L5R 4B2
www.tico.ca
 Email tico@tico.ca

Attention: Richard Smart, President & CEO

Please note that only those applicants to be interviewed will be contacted.