

**BOARD MEMBERS (PART-TIME)
ENVIRONMENTAL APPEALS BOARD**

The Environmental Appeals Board hears appeals of certain regulatory decisions made by Alberta Environment under the *Environmental Protection and Enhancement Act*, the *Water Act*, and the *Climate Change and Emissions Management Act*. The Board carries out both advisory and adjudicative functions.

Opportunities are available for part-time Board Members with a technical, scientific, or public policy background dealing with environmental issues. Expertise in medicine, engineering, or water resources is preferred. Candidates will have strong mediation skills and a sound understanding of administrative proceedings. Familiarity with Alberta's regulatory system and a related degree are assets.

Visit www.eab.gov.ab.ca for information about the Environmental Appeals Board. Visit www.jobs.alberta.ca to learn more about this opportunity and to apply online.

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Board Members advance the protection, enhancement, and wise use of Alberta's environment by providing fair, impartial, and efficient resolution of all matters that come before the Board. Under the direction of the Chair, you will participate on hearing panels, complete extensive file preparation, review evidence and submissions, and make recommendations to the Minister of Environment to address the appeals. Mediation is used extensively to resolve many of the appeals.

Opportunities are available for part-time Board Members with a technical, scientific, or public policy background relating to environmental issues. Expertise in medicine, engineering, or water resources is preferred.

You have extensive practical experience working with environmental issues, strong mediation skills, and a sound understanding of administrative proceedings. You also have a good working knowledge of administrative law, the function of administrative boards, and the hearing process. An understanding of environmental law and Alberta's regulatory systems is an asset. Excellent communication and interpersonal skills, as well as demonstrated decision-making ability, are required. A related degree is preferred. To maintain integrity and impartiality, you will need to consider any potential conflicts of interest and identify these in your application.

Board Members receive an honorarium in accordance with the Government of Alberta Remuneration Order. Travel throughout Alberta is required and travel expenses are reimbursed. The time commitment averages four days per month, and appointments are generally for one or two years. Final candidates will be required to undergo a security screening. **Closing date: June 18, 2010.**

Job: 1000960. Open Competition.

Visit www.jobs.alberta.ca for more information and to apply directly on-line, or fax your resume to the Environmental Appeals Board at (780)427-4693. On-line applications will receive an automated confirmation.

Visit www.eab.gov.ab.ca for information about the Environmental Appeals Board. Please contact Gilbert Van Nes, the Board's General Counsel, at (780)427-6207 if you have any questions about the Board or the position of Board Member.

POSITION PROFILE

BOARD MEMBER

ENVIRONMENTAL APPEALS BOARD

ALBERTA ENVIRONMENT

OPEN COMPETITION

May 2010

ENVIRONMENTAL APPEALS BOARD BOARD MEMBER POSITION PROFILE

MISSION

The Environmental Appeals Board will advance the protection, enhancement, and wise use of Alberta's environment by providing fair, impartial, and efficient resolution of all matters before it.

OVERVIEW

The Board is a quasi-judicial tribunal established under the *Environmental Protection and Enhancement Act*, and it hears appeals under that Act as well as the *Water Act*, the *Climate Change and Emissions Management Act*, and Schedule 5 of the *Government Organization Act*. The Board makes extensive use of mediation, which is the preferred approach to resolving appeals.

Where an appeal cannot be resolved through mediation, the Board uses a hearing process to resolve the appeal. When the hearing process is used, in most cases the Board prepares a Report and Recommendations for the Minister of Environment, who makes the final decision on the appeal. The Board makes the final decision on procedural matters and in certain types of appeals.

To ensure the Board provides the best possible advice to the Minister, Board Members shall:

- understand the respective roles and responsibilities of the Minister and the Board;
- understand the role and operation of administrative tribunals;
- understand the environmental regulatory system in Alberta;
- understand environmental law and policy in Alberta;
- possess relevant technical, scientific, or public policy experience; and
- have a general understanding of the *Environmental Protection and Enhancement Act*, the *Water Act*, the *Climate Change and Emissions Management Act*, and the *Administrative Procedures and Jurisdiction Act*.

Board Members report to the Chair of the Board and must act in compliance with the Code of Conduct and Ethics established by the Board. The Chair reports to the Minister.

Additional information on the Board can be found on its website at www.eab.gov.ab.ca.

(A) POSITION SUMMARY

The purpose of the Board is to provide advice to the Minister of Environment on the resolution of appeals that are filed in response to certain decisions made by Alberta Environment. Under the direction of the Chair, Board Members will participate on hearing panels, complete extensive file preparation, review evidence and submissions,

and make recommendations to the Minister to address the appeals. Senior Board Members also chair hearing panels.

Board Members also make extensive use of mediation skills to resolve appeals. Mediation is the Board's preferred way of resolving appeals, and the majority of the appeals that come before the Board are resolved through mediation.

This is a part-time position, paid a per diem rate and expenses for attending to Board matters. Board Members should be able to commit to an average of four days per month to the Board, and travel throughout Alberta is required.

(B) AUTHORITIES

The Board and its Members are bound by the legislation, principles of natural justice, and procedural fairness; however, there is latitude to exercise discretion and judgment within this context. The Board provides sound practical advice to the Minister through a Report and Recommendations, who in most cases, makes the final decision on an appeal. The Board's advice to the Minister must reflect the policy and programs of Alberta Environment. The Minister's decisions and the Board's Report and Recommendations, are subject to court challenge.

Board Members are responsible for upholding the accountability of the Board to the Minister; upholding the transparency and accountability of the Board to the Government of Alberta; and acting honestly and in good faith with the view of the best interests of the Board within its legal, statutory, and regulatory framework.

(C) CORE COMPETENCIES

- Commitment to serving the people of Alberta.
- Strong interpersonal skills.
- Knowledge of how administrative tribunals operate.
- Understanding of environmental legislation and policy.
- Understanding of mediation.
- Strong technical, scientific, or public policy background dealing with environmental issues.

(D) ORGANIZATION

The Board is separate and apart from Alberta Environment. The appointment of Board Members is based on the recommendation of the Minister of Environment and made by an Order in Council approved and ordered by the Lieutenant Governor in Council. The per diem rate and expenses are set in accordance with the Government of Alberta Remuneration Order for attending to Board matters.

Located in Edmonton, the Board office is supported by a staff of seven and a current budget of approximately \$1 million. Board members need not reside in Edmonton and will travel throughout Alberta as required.

(E) MAJOR REPONSIBILITIES

- Providing sound, practical advice to the Minister in response to appeals that come before the Board.
- Conducting multi-party mediations, within a regulatory context.
- Participating as a member of a hearing panel, assigned to specific appeals.
- Preparing for mediations and hearings by reviewing and analyzing documents.
- Participating in the decision-making process by listening, analyzing and weighing evidence, establishing findings of fact, interpreting and applying legislation and policy, and giving consideration to the submissions of the parties.
- Exercising the care, diligence, and skills of a reasonable and prudent Board Member.

(F) KNOWLEDGE AND EXPERIENCE REQUIREMENTS

- Experience with administrative agencies, administrative law, and administrative decision-making, as well as knowledge of the principles of natural justice and procedural fairness.
- The ability to participate in complex and challenging administrative hearings.
- A general understanding of Alberta's environmental laws, policies, and the environmental regulatory system.
- Mediation experience.
- Strong interpersonal, collaborative, and decision-making skills, and well-developed verbal and written communication skills.
- General knowledge of the *Environmental Protection and Enhancement Act*, *Water Act*, *Climate Change and Emissions Management Act*, and *Administrative Procedures and Jurisdiction Act*.
- Strong analytical skills and the ability to take complex information and diverse points of view into consideration in making sound decisions.
- Skills and abilities to respond to contentious, controversial issues within highly political environments.
- Unimpeachable integrity, free of bias.
- A university degree in a related field is preferred.