



## Senior Prosecutor

**Grow Your Career - Live the Vision - Work for a Safe Ontario**

### **1 Permanent Vacancy in Toronto, Ontario**

The Workplace Safety and Insurance Board (WSIB) is recognized for the crucial role it plays in the province's occupational health and safety system. We are dedicated to a safe Ontario and committed to service excellence. The vision of the Workplace Safety and Insurance Board (WSIB) is the elimination of all workplace injuries, illnesses and fatalities.

The Senior Prosecutor prosecutes cases on behalf of the Workplace Safety and Insurance Board (WSIB) before all levels of Ontario courts across the province to include legal appeals, applications, motions related to quasi-criminal offences of non-compliance and fraud.

Responsibilities include the following:

- Prepare and conduct prosecutions before Justices of the Peace and Provincial Judges of the Ontario Court of Justice; prepare cases for presentation before the court; prepare briefs, facts and written submissions on behalf of the WSIB; represent the WSIB in Appeals, Motions, and Applications before all levels of the Ontario Court, including the Superior Court of Justice and the Court of Appeal, all where the freedom of the defendant is potentially at risk.
- Review and evaluate quasi-criminal proceedings with the Executive Director, Regulatory Services, Investigation Managers, investigators and other Board staff. Evaluate charges, and review investigation materials to determine sufficiency and admissibility of evidence, review statements of witnesses and prepare witnesses for trial, disclose investigation to defense counsel, and engage in resolution discussions with defense counsel and accused where appropriate.
- Keep Executive Director, Regulatory Services informed on the progress of major prosecutions, their complexity, fairness, reasonable prospect of conviction, deterrent value, associated costs, risk factors, political implications, resources, and severity/sensitivity of issues.
- Represent the WSIB before the courts, and act as a liaison between the WSIB and justice system providing guidance and expertise to the Board, and also guidance and technical expertise to members of the legal profession, other representatives, court administrators, the judiciary, various government Ministries, and the general public regarding the provisions of the Provincial Offences Act, the Criminal Code, the Charter of Rights and Freedoms, and the Workplace Safety and Insurance Act. Act as a media spokesperson for the Branch regarding prosecutions where required as a backup to the Executive Director, Regulatory Services.
- Update and maintain knowledge of applicable law, case precedents, WSIB policies and procedures, and the legislative provisions and precedents governing similar regulatory enforcement agencies.
- Function as an individual contributor and as a member of the Investigations and Prosecutions Branch and cross-functional teams in Regulatory Services Division to ensure that personal, team and branch goals are established and met on a timely basis.
- Perform other related duties as assigned or required.

Position Requirements:

- Requirement for a licensed Lawyer with thorough knowledge of criminal law, particularly fraud and regulatory compliance, criminal court practice, procedure, court and judicial administration, jurisdiction, and the requirements of professional legal conduct and obligations therein, including the Martin Commission and Crown Manual guidelines concerning charge screening, disclosure, and resolution discussions.
- Extensive knowledge of the Criminal Code of Canada, the Ontario Provincial Offences Act, the federal and provincial Evidence Acts, the Canadian Charter of Rights and Freedoms, the Workplace Safety and Insurance Act (WSIA), and other relevant legislation with specialization in the prosecution of criminal or quasi-criminal offences.
- Comprehensive knowledge of law relating to fraud and regulatory compliance, investigative techniques including search warrants, negotiating techniques and strategies, surveillance techniques/ technology, auditing/accounting principles, civil law including debt enforcement and remedies, and administrative law, and the interrelations between these legal disciplines.
- Knowledge of WSIB's business i.e. operating areas, programs and services, relevant legislation, policies, procedures and guidelines and their application to properly assess the evidence required to prove allegations of an offence in court under the WSIA. Knowledge of external organizations, clients and customers such as Employers, Workers, contractors, suppliers of goods and services, Health Care Professionals and representatives, private investigation companies, police forces province-wide, federal/provincial law enforcement agencies to ensure proper communication in accordance with conflict of interest, privacy, disclosure considerations, information sharing and networking.
- Knowledge of computer systems and associated software applications to allow for full internal and external communication abilities and for access and retrieval of information.
- Highly developed oral/written advocacy skills to act on behalf of the WSIB before courts and other forums, including preparation and conduct of trials where the freedom of the accused may be at risk.
- Negotiation and mediation skills to influence the parties and obtain agreements relating to guilty pleas or other resolutions involving judges, justices of the peace, defense counsel and non-legal representatives, witnesses, and the general public.
- Interpersonal skills to work effectively as a team member in various working environments such as WSIB projects, case analysis teams, cross-divisional teams, and with other members of the Investigations and Prosecutions Branch.

Salary Range: \$83,227 to \$117,707 per annum

Interested and qualified candidates should e-mail a resume and covering letter to: [careers@wsib.on.ca](mailto:careers@wsib.on.ca) by **September 9, 2011**, clearly indicating how you meet the requirements noted above. (Please include **posting #11-0267 Senior Prosecutor, last name followed by first name in your subject line.**)

**Please Note:**

We appreciate the interest of all candidates, but only those selected for an interview will be contacted.

The Workplace Safety and Insurance Board encourages and promotes a diverse workplace.