The Director, Human Rights Office acts in all human rights legal matters involving Simon Fraser University (SFU). Provides advice and guidance on a full range of human rights issues; identifies, analyzes and assesses potential legal risks to the University; negotiates and drafts legally binding agreements and settlements, and resolves disputes. The incumbent works in collaboration with the University Secretary and other senior managers to provide strategic and advisory support on human rights compliance, policy, and processes. Ensures that the University meets or exceeds its obligations under the B.C. Human Rights Code by administering the SFU Human Rights Policy (GP 18).

Representing Simon Fraser University (SFU), acts in all matters involving human rights including investigation, mediation and rejection of complaints (i.e., regarding discrimination and/or harassment, as defined by the B.C. Human Rights Code) brought by members of the University community through the administration of the University’s Human Rights Policy (GP 18).

Provides strategic advice to senior managers (i.e., Vice-Presidents, Deans, Directors, and Chairs) that is congruent with accepted legal practice on sensitive and highly confidential matters involving a range of human rights issues. Provides similar advice to faculty, staff, and students who believe they are the targets of discrimination and harassment or believe they may have engaged in discrimination and harassment.

Identifies, analyzes and assesses potential legal risks to the University relating to discrimination and harassment and works in conjunction with the University Secretary and other senior managers to recommend and develop strategies to mitigate such risks. Reviews and gives advice on internal University policy, procedures, and processes to ensure full compliance with legal obligations. Acts to prevent actions that would result in a loss of reputation to the University.

Represents the University when parties engage legal counsel and interacts directly with representatives and their clients; consults the University’s external legal counsel regarding certain cases, as required.

Resolves human rights disputes by providing mediation services for individual parties and groups and ensures that procedures are convened on a "without prejudice" basis. Conducts informal intervention and recommends interim measures under Section 7 of GP 18 to various University officers (e.g., Vice Provost, AVP, Students and International, Deans, Chairs, Directors, and Managers). Negotiates and drafts legally-binding agreements and settlements; completes transactions and resolves complaints.

Investigates allegations made by complainants by conducting interviews with complainants, respondents, and witnesses, and determining whether a prima facie case of discrimination or harassment exists and/or is legitimate. Rejects
complaints when they are found to be frivolous, vexatious, malicious, beyond the jurisdiction of the policy, or outside of time limits for laying a complaint.

Prepares investigative reports and summaries and refers cases that are beyond the jurisdiction of the Human Rights Policy (GP 18) to appropriate resources both on and off campus (e.g., Labour Relations, Employee and Family Assistance Program, Health and Counseling services, Center for Students with Disabilities, Sexual Violence and Misconduct Central Resource Office, social and mental health services, law enforcement agencies, etc.).

Maintains effective relationships with unions and employee groups on campus through regular meetings to address individual human rights cases involving union/employee group members, ensuring an exceptional level of service delivery.

Collaborates, coordinates and participates with Faculty Relations, Human Resources and Student Services in the delivery of human rights educational programs as they intersect with employment equity, diversity, inclusion and sexual misconduct educational programs. Conducts public presentations (e.g., seminars, workshops, guest lectures, etc.) for University faculty, staff, students, and various internal and external stakeholders (e.g., legal counsel at post-secondary institutions, University groups, councils, and organizations, etc.).

Hires and supervises contractors and consultants for project-based work (e.g., specialized educational programming for human rights topics, design of online training modules to help raise awareness, statistical analysis, preparation of the office’s annual report, etc.).

Provides legal advice to Human Resources and Faculty Relations regarding issues pertaining to SFU’s Disability Accommodation in the Workplace Policy (GP 40), and to Student Services regarding the duty to accommodate students with disabilities, in collaboration with the Center for Students with Disabilities.

Designs and implements office procedures for the retention and disposal of highly confidential records, ensuring the highest level of confidentiality and compliance with legislation, policies, and procedures.

Compiles and analyzes case statistics for use in the annual report and identifies and assesses patterns and trends for strategic planning purposes.

Maintains currency with legislative and legal developments in the human rights field by reviewing professional literature, case law, media reports, and by regularly attending conferences and training seminars.

Composes written materials (e.g., guides, protocols, website content, etc.), correspondence, and reports of a highly sensitive nature (e.g., the receipt, handling, and outcome of complaints, investigations, consultations, or requests for advice) on behalf of the Human Rights Office.

Administers the Human Rights Office annual operating budget including preparing and forecasting the annual budget, and monitoring the budget year-round.

**D. DECISION MAKING**

i) Give some typical examples of the most important decisions the incumbent is expected to make in carrying out the duties and responsibilities of the position.

Makes decisions regarding:

- Recommendations to supervisor regarding potential policy changes
- What strategic advice to provide on a range of human rights issues and best practices
- Whether there is a potential or existing human rights related risk to the University
- Whether complaints are frivolous, vexatious, malicious, beyond the jurisdiction of the policy, or outside of time limits
- Whether the provision of mediation services is a viable option to resolve a dispute
• Who to interview, what to investigate, and what proof is necessary to establish a *prima facie* case of discrimination or harassment

• When and how to refer a matter inside the University to employee or student service units and outside of the University to police, mental health authorities, child welfare authorities, etc.

• What provisions to include in settlements and how they should be expressed

• Which matters are politically sensitive and may expose the University to reputational loss or risk, or which may be subject to complaint and review by the Human Rights Policy Board or an administrative tribunal

• Allocation of financial resources for the Human Rights Office within established budget parameters.

**ii) Give some examples of the types of decisions the incumbent would refer to his/her supervisor.**

• Final approval of policy changes

• Final approval of strategies that would bear upon the reputation of the University.

**E. SUPERVISION EXERCISED**

*Indicate the number of continuing employees for whom the position is responsible.*

Number of continuing employees reporting directly to the position: 0*

Total number of continuing employees for whom the position has direct responsibility: 0

*May supervise and provide leadership to continuing, temporary, or contracted staff.

**F. SUPERVISION RECEIVED**

*Describe the extent to which the supervisor determines the day to day work load of the position and assists in the completion of duties. Explain the nature of guidance received and how often work is checked or reviewed.*

Reporting to and under the general supervision of the University Secretary, the incumbent is required to exercise the utmost of professional discretion when assessing highly confidential and sensitive matters. The incumbent is primarily self-directed and exercises a high level of autonomy, independence, discretion, and judgement regarding situations that, if mismanaged, would bear negatively upon the reputation of the University. Meets with the University Secretary on a bi-weekly basis.

**G. UNUSUAL WORKING CONDITIONS**

The position can be extremely stressful due to the nature of the work (i.e., continuous high levels of human conflict, frequent involvement in crisis situations, and dealing with emotionally and/or mentally unstable individuals) and due to the sometimes political and controversial environment, as well as the requirement to act impartially, the incumbent is sometimes socially isolated.

**H. ENTRANCE QUALIFICATIONS**

*What combination of experience, training and/or formal education do you believe is the minimum required to perform the duties of this position?*

J.D. or LL.B degree with an emphasis on human rights law, legally able to practice law in Canada, a member in good standing of the Law Society of British Columbia, with a minimum of ten years of experience in a senior position in either the human rights field or an administrative legal setting (i.e., labour board or regulatory body) in a complex, multi-stakeholder environment, or an equivalent combination of education, training, and experience.

Advanced certification in mediation and five years of experience in dispute resolution and/or mediation.
• Advanced knowledge of broad based human rights jurisprudence and legislation (e.g., *B.C. Human Rights Code*, etc.)
• Good knowledge of how B.C. access to information and protection of privacy legislation applies to the human rights function
• Expertise in the principles of procedural fairness and natural justice
• Comprehensive understanding of alternative dispute resolution processes that could be properly and appropriately applied in cases of discrimination and harassment
• Good understanding of an academic setting, collegial governance, university governance and the principles of academic freedom
• Ability to resolve conflict and facilitate consensus decision-making
• Ability to negotiate and draft legal settlements
• Ability to exercise diplomacy, tact, sensitivity and discretion while acting in an impartial manner
• Ability to establish and maintain credibility with employee groups and unions, as well as with senior managers, employees, and students
• Ability to design and deliver training programs
• Excellent research, analytical, and problem-solving skills, with the ability to think strategically in the identification and management of human rights related legal risks
• Excellent leadership, supervisory, interpersonal and communication (oral and written) skills
• Excellent public speaking, teaching, and group facilitation skills.