

# CONSUMER SERVICES OFFICER

## Preamble

This series includes positions that provide program support and enforcement of regulations that relate and apply to Manitoba consumers, businesses, landlords and tenants.

## General Intent

The **first level** of the series (Consumer Services Officer 1) is the training and development level. Under supervision, positions are responsible for the resolution of disputes through investigation and mediation and issuing decisions as a result of those investigations.

The **second level** of the series (Consumer Services Officer 2) is the full working level. Positions are responsible for the resolution of disputes through investigation, mediation and issuing decisions as a result of investigations or mediations.

The **third level** (Consumer Services Officer 3) is the program manager or hearing officer level. As program managers of a section, positions at this level provide specialist functions in the area of residential tenancies or consumer issues and marketplaces. Positions at this level may also function as program managers of a section or function as a Hearing Officers within the Specialist Tribunal\*, a quasi-judicial body conducting public hearings and issuing orders and decisions enforceable in the Court of Queen's Bench.

The **fourth level** (Consumer Services Officer 4) is the program manager level position, at this level manage a highly specialized service within the Specialist Tribunal\*.

\* Specialist Tribunal as referenced in the Residential Tenancies Act

# **CONSUMER SERVICES OFFICER 1 and 2**

## **KIND AND LEVEL OF WORK**

This is the entry level. The first level is a training and development level and second level is the full working level.

Work involves receiving, investigating and mediating complaints under various acts and regulations including those administered by the department and "self-administering acts" used in the review of complaints received and participating in public information and education programs.

## **FACTORS**

### **Skills/Expertise**

- Formal training and experience in the field of mediation and investigation.
- Knowledge of residential tenancies, property management or consumer market place and consumer issues.
- Ability to conduct investigations.
- Ability to mediate disputes.
- Ability to analyze financial and operating statements.
- Ability to communicate information to clients, business and the public by oral, written and presentation methods.
- Ability to establish and maintain effective public relations.

### **Guidelines**

- Work is governed by the various acts administered by the branches. Employees work within established policies, procedures, program guidelines that are as result of the acts administered.

### **Originality**

- Mediate disputes between landlords and tenants or the public and business drafting mediated agreements.
- May draft correspondence on behalf of the Minister.

## **Variety**

- Perform regulatory work that encompasses in-depth variety in the areas of investigation, adjudication and mediation.
- Examine and evaluate financial statements.
- May assist in drafting regulations and legislation.
- Conduct public speaking sessions to business and the public.

## **Independence of Action/Decision Making**

- Positions at the first level have less independence of action and decision making responsibilities.
- Full working level positions have a high degree of independence in decision making.
- May mediate disputes and finalize mediation agreements to legally binding decisions, based on the incumbents' evaluation of data and independent knowledge of the case.
- May investigate and assess issues. Attempting to negotiate a solution.

## **Supervision Received**

- Positions at the first level require on-going supervision. Less supervision is required at the second level. Incumbents have authority to make decisions based on established policies, procedures and legislation. Incumbents consult managers on matters that may have on the current application of the legislation or those which have significant political impact.

## **Contacts**

- A variety of contacts includes landlords and tenants or businesses and consumers.
- May represent the branch at various public meetings and education programs.

## **Consequence of Error**

- The public relies on accurate information and decisions from the department. Inaccuracy adversely affects the credibility of the department. Inaccurate information, mediations and decisions can result in unnecessary actions to other agencies or the courts by clients. It can also cost businesses and clients unnecessary expense. In businesses it may affect income revenues.

# **CONSUMER SERVICES OFFICER 3**

## **KIND AND LEVEL OF WORK**

At this level positions manage a section of a department branch or, are Hearing Officers within the Specialist Tribunal.

Managers are accountable to ensure their area of responsibility is able to meet a commitment to provide a high level of service. This is in addition to their specialist function in either Residential Tenancies or Consumers'.

As a Hearing Officer conduct public hearings in the Specialist Tribunal. The decisions and orders made from the housing tribunal are enforceable in the Court of Queen's Bench.

In addition to the skills and expertise required at the previous levels and knowledge of the functions performed, positions require the following:

## **Manager Positions:**

## **FACTORS**

### **Skills/Expertise**

- Several years of experience as a Consumer Services Officer 2 or equivalent experience.
- A degree or certificate in mediation, adjudication as well as a working knowledge of accounting principles and practices.
- Management skills and experience. Ability to lead, coach and train others.
- Ability to manage and supervise staff in a specialized program area.
- Leadership skills.
- Ability to communicate knowledge to other professional staff, departmental executive management, business and the public.
- Knowledge of system applications.
- Strong dispute resolution skills.
- Superior skills in mediation, adjudication and investigation.
- May require knowledge of the consumer market place and consumer issues both with the province as well as nationally and globally.
- Require a full working knowledge of laws affecting tenancies or consumer transactions.

## **Guidelines**

- Works under the same guidelines as the Consumer Services Officer 2 but issues are less clearly defined.

## **Originality**

- Recommend when legislation or regulations require amendment.
- May monitor complaint trends, recommend action when there are clear marketplace issues that require steps be taken to alert the public or introduction of new or amended legislation to ensure consumer protection.
- Develop issue papers, briefing materials and correspondence for senior management.
- Perform policy development functions.

## **Variety**

- Performs a variety of administrative, educational, regulatory and managerial work.
- Performs policy development functions.
- Performs research functions.
- Supervisory responsibilities.
- May have financial responsibilities.

## **Supervisory & Administrative Responsibility**

- Directs, supervises and reviews activities of support and professional staff. Performs a variety of administrative work.
- Leadership and program coordination responsibilities.

## **Independence of Action/Decision Making**

- Work is performed independently and matters are referred to a higher level when the consequences of a decision are likely to be critical.

## **Supervision Received**

- Receives only general managerial direction.

## **Contacts**

- May have a wide variety of contacts at the provincial, national and international level in the areas of consumer issues.

## **Consequence of Error**

- Inadequate or inaccurate guidelines for information and decision making can result in significant loss, for example a performance bond that is called in error can severely affect a businesses credit worthiness.

## **Hearing Officer Positions:**

### **FACTORS**

#### **Skills/Expertise**

- Several years of experience as a Consumer Services Officer 2 or equivalent experience.
- A degree or certificate in mediation, adjudication as well as a working knowledge of accounting principles and practices.
- Strong dispute resolution skills.
- Superior skills in mediation, adjudication and investigation.
- Require a full working knowledge of laws affecting tenancies.
- Knowledge of all practices pertaining to administrative law including quasi-judicial tribunals and natural justice.

#### **Guidelines**

- Works under the same guidelines as the Consumer Services Officer 2 but issues are less clearly defined.

#### **Originality**

- May recommend when legislation or regulations require amendment.
- May develop issue papers, briefing materials and correspondence for senior management

#### **Variety**

- Performs regulatory work that encompasses in-depth variety in the area of adjudication.
- May give direction or advise to Residential Tenancies Officers.
- Various acts require different approach and process under different legislation.

### **Independence of Action/Decision Making**

- Make decisions on applications deciding each case on the basis of the evidence, relevant legislation, legal principles and precedents, administrative policy and rules of administrative fairness and natural justice.
- Work is performed independently and matters are referred to a higher level when the consequences of a decision are likely to be critical.

### **Supervision Received**

- Receives only general managerial direction.

### **Contacts**

- Contact is at a greater degree of independence. Principal of law requires that "he who hears must decide".

### **Consequence of Error**

- Inaccurate tribunal decisions can result in unnecessary action to other agencies or the courts by clients.

# **CONSUMER SERVICES OFFICER 4**

## **KIND AND LEVEL OF WORK**

This is the program manager level where positions are accountable for managing a highly specialized service within the Specialist Tribunal. The tribunal is a quasi-judicial body that conducts public hearings and issues orders and decisions regarding Landlord and Tenants matters.

In addition to the skills and expertise required at the previous levels and knowledge of the functions performed, position require the following:

## **FACTORS**

### **Skills/Expertise**

- Knowledge of all practices pertaining to administrative law including quasi-judicial tribunals and natural justice.
- Ability to ensure breaches of regulation are properly investigated in accordance with legislation and established policies.
- Advanced adjudication and dispute resolution skills. Ability to act as senior adjudicator and mediator facilitator in disputes of complexity.
- Ability to maintain good working relationships with businesses and tenants, as well as community groups.
- Superior communication skills communicating in a manner that is clear and is easily understood. Anticipates the communication needs of the recipient and adjusts correspondence accordingly. Identifies policy and statute deficiencies and makes recommendations to improve or amend.
- Superior management skills demonstrating strong leadership sound judgement and organization skills.

### **Guidelines**

- Works under the same guidelines as the Consumer Services Officer 3 but because of the tribunal quasi-judicial body guidelines result in a greater latitude pertaining to supervisory responsibilities.

### **Originality**

- Responsible for program and policy development for the Specialist Tribunal program.



## **Variety**

- Performs a variety of administrative, educational, regulatory and managerial work pertaining to the Specialist Tribunal.

## **Supervisory & Administrative Responsibility**

- Provides overall management and program direction within a quasi-judicial body. Manages workflow to meet demands in a complex and changing environment and evaluates ongoing procedures and techniques and develops proposals for change and ensures sensitive and political matters are properly managed. Ability to coach and train employees, ensuring staff is trained in all technical areas.

## **Independence of Action/Decision Making**

- Positions at this level are accountable for a program of a quasi-judicial body that conducts public hearings and issues orders and decisions with written reasons. This includes claims for compensation and Orders of Possession. Positions are responsible to ensure that all practices pertaining to administrative law and natural justice are observed at all times in all cases.

## **Supervision Received**

- Receives general direction to meet goals and objectives.

## **Contacts**

- Responsible for facilitating communication between other government jurisdictions, staff, clients and the public.
- Media contact would be on complex issues.
- Liaison with mainly senior level of industry and government.
- Acts on inter and/or intra-departmental committees.

## **Consequence of Error**

- Inaccurate advice or decision may have an adverse affect on residential tenancy complexes and the rental housing industry as a whole. Decisions have far reaching consequences affecting the quality and investments concerning rental housing in the province of Manitoba. For example, serious error in the area of rent regulation could bankrupt even a major landlord, and could dramatically adversely affect investment in Manitoba.