

# Position Description



Workplace Injury Commission

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<b>Position</b>	Conciliation Officer
<b>Classification</b>	Band 11 ( <i>Accident Compensation Conciliation Service Enterprise Agreement 2021 - 2025</i> )
<b>Business unit</b>	Conciliation
<b>Position reports to</b>	Team Manager, Conciliation
<b>Position type</b>	Full time or Part time, Ongoing and/or Fixed Term
<b>Work location</b>	215 Spring Street, Melbourne – some regional travel may be required
<b>Direct Reports</b>	Nil

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## About Us

When a person is injured at work, it can have a devastating impact on them, their family, and their workplace.

In Victoria, injured workers can claim compensation and receive support to recover and, if possible, return to work. If an injured worker does not agree with a compensation decision, they can dispute it.

The Workplace Injury Commission is a statutory authority that helps resolve workers compensation disputes. We do this by providing independent and impartial conciliation and arbitration services to injured workers and their employers. Our services provide efficient, informal, and affordable alternatives to court.

We aim to have a positive impact on those affected by workplace injuries, and Victoria's broader workers compensation system. Our vision is to be a leading provider of alternative dispute resolution services.

## Conciliation

Conciliation gives everyone involved in a compensation dispute the opportunity to have their say and to be heard. The aim of conciliation is for everyone to reach an agreement and resolve the dispute.

Conciliation is the first step in alternate dispute resolution. It must be completed before an injured worker can take their dispute to arbitration, or court.

## Arbitration

Introduced in 2022, arbitration complements our existing conciliation service. Arbitration provides a final decision for compensation disputes that have not been resolved at conciliation.

At arbitration, we consider all the relevant evidence and provide a binding determination. Arbitration gives injured workers with an eligible dispute an alternative to going to court.



## Values and behaviours

We have a responsibility to ensure that strong values and a pursuit of excellence in service delivery underpin everything we do.

We are guided by an ethos of service to the community and are committed to applying Public Sector Values and associated codes of conduct. We uphold the values in the Victorian Charter of Human Rights and Responsibilities Act 2006.

Our employees abide by our values and behaviours of:

- **Respect** - treating others as you wish to be treated; and ensuring freedom from discrimination, harassment, and bullying.
- **Integrity** - being honest, open, and transparent; striving to earn and sustain trust by doing what you say you will.
- **Accountability** - accepting responsibility for decisions and actions; delivering on commitments; working to clear objectives in a transparent manner.
- **Impartiality** - making decisions on merit without bias; ensuring independence, understanding and respect; acting fairly by objectively considering all relevant facts.

## The impact you'll have....

The primary function of a Conciliation Officer is to consistently deliver the highest standard of conciliation knowledge and skills, aligned with the legislative Duty of Conciliation Officers - to be fair, economical, informal and quick in an endeavour to bring the parties to agreement.

Having regard to the objectives of the Workplace Injury Rehabilitation and Compensation Act 2013 (WIRCA) and Accident Compensation Act (ACA), you will facilitate the balanced empowerment and engagement of the parties to effectively conciliate disputes.

Where a matter cannot be resolved by agreement, you will independently exercise your powers under the WIRCA and ACA as appropriate, to assess the validity of decisions, make recommendations or issue directions, refer medical questions to Medical Panels, or issue a Certificate of Genuine Dispute, which allows Court proceedings to be commenced.

The Powers of Conciliation Officers are set out in Section 294 of the WIRCA.

## Accountabilities

The Conciliation Officer's key accountabilities include:

- Lead and manage fair, informal and timely conciliation processes to support effective and robust dispute resolution
- Work as a member of a team and contribute to the respectful, collaborative and inclusive workplace culture at the WIC
- Build, foster and sustain strong and constructive internal and external relationships
- Maintain disciplined file integrity to support accurate records and data – to reflect the highest professional standards and assist with governance reporting requirements



- Have detailed knowledge of relevant legislation and the case law authority that informs its application, reflecting an ongoing commitment to knowledge and learning in the Victorian workers' compensation jurisdiction
- Continue to build on and enhance ADR skills and practices
- Act fairly, ethically and in accordance with Victorian Public Sector values at all times
- Comply with WIC policies and procedures

**Managing the entire process efficiently and conduct conciliation conferences in an impartial, informal way to deliver consistent outcomes through an inclusive and procedurally fair approach**

- Early initial review to identify the nature of the dispute and distil the relevant issues, requiring expert analysis of legal and medical information
- Assess each dispute at the outset to implement appropriate conciliation file management practices and ascertain the need for a conference
- Engage parties in the dispute resolution process by facilitating early, constructive communication to assist and empower them to participate effectively, make decisions and reach agreement
- Exercise judgement, flexibility and creativity in approaches to conciliation to meet the needs of parties and maximise timely and effective resolutions
- Appropriately and effectively manage interactions between parties - working with empathy, rapport, self-awareness and consideration of others' needs
- Skilfully manage the conciliation process by helping the parties find a satisfactory outcome to their dispute. Analysing, synthesising and managing volumes of complex and confidential information
- Adhere to procedural fairness and natural justice principles in all interactions with parties and particularly in relation to the exercise of legislative powers
- Facilitate the engagement of the parties throughout the process, with an emphasis on ensuring meaningful participation in conciliation before the matter proceeds to Court
- Manage disputes in the most efficient and supportive ways by remaining central to the progression and follow up of matters with the objective of bringing them to timely finalisation
- Demonstrate flexibility in managing a conciliation conference in person, by video or telephone - to best meet the needs of the parties and their disputes

**Expert knowledge within legislative framework**

- Application of expert knowledge in relation to the WIRCA, ACA and Victorian workers' compensation jurisdiction to inform and support the parties and the conciliation process
- Timely interventions using legal knowledge to support the conciliation process and empower parties to have ownership over options, decisions and outcomes
- Complying with regulatory requirements and exercising legislative powers fairly, impartially and independently



- Consistently and appropriately applying principles of Natural Justice and Procedural Fairness to all parties to a dispute at WIC

### **Contributing to the development of WIC's collaborative and learning culture**

- Providing leadership within the team and to the organisation as a whole
- Seeking and being open to giving and receiving feedback as part of a continuous learning and improvement culture to become a more effective team member
- Close engagement with administrative staff to develop respectful and responsive relationships to deliver on all aspects of the conciliation process. Administrative tasks are an important and shared responsibility in delivering the highest service standard
- Demonstrating WIC's values at all times
- Ensuring safe and healthy work practices for ourselves and others within the workplace
- Working collaboratively and constructively with all WIC employees to meet our organisational purpose and support its related strategies

### **Building, fostering and sustaining strong internal and external stakeholder relationships**

- Developing and maintaining respectful relationships with all stakeholders through integrity and independence

### **Reporting and Service improvement**

- Quality written and oral communications and records maintenance pertaining to conferences and conciliation case management
- Production of high quality written reports, documentation, directions, referrals and other communications
- Contributing to policy development and education to enhance understanding of emerging and critical issues
- Contribution to service review evaluation and to continuous improvement initiatives
- Active and engaged participation in professional development and team development programs and activities

### **Compliance, policies and regulations**

- Monitoring and management of health and safety risks and psychosocial hazards of parties as they occur and ensuring that the parties conduct aligns with any obligations under the Occupational Health & Safety Act 2004
- Effectively manage, progress and complete workload requirements within appropriate timeframes
- Appropriate and timely production of Conciliation documentation and use of records and electronic case management systems



## Key Relationships

- External stakeholders (worker and employer representatives and assistants, Authorised Agents and Self-Insurers)
- Principal, Dispute Resolution
- Team Manager, Conciliation
- Registry team (incl. Information Officers and Client Services Officers)
- Other WIC employees

## Knowledge, Skills and Experience Requirements

### Essential

- Demonstrated experience in Alternative Dispute Resolution
- Knowledge of the Victorian Workers' Compensation system
- Complex problem-solving expertise to generate ideas and proposals in order to assist parties to reach agreements within conciliation
- Superior communication skills to manage potentially challenging dynamics between parties
- Excellent written communication skills
- Excellent planning and organisational skills
- Ability to manage multiple and competing priorities and adapt to the requirements of parties
- Excellent time management skills with the ability to strategically and appropriately categorise tasks and workload to achieve effectiveness and productivity
- Proven decision making abilities when faced with complex issues, competing information, differing needs and variable options
- Confident leadership skills and sound judgement
- Professional, impartial and ethical behaviour in generating and influencing options, outcomes and decisions, recognising individual party needs and tailoring appropriate responses
- Strong self-motivation and resilience when dealing with challenging communications and disputes and ability to manage parties' expectations and frustrations
- Capacity to build empathy, rapport, awareness and consideration of the needs of others, and ability to deal appropriately with sensitive matters
- Demonstrated personal integrity, commitment to fairness, equity and access to natural justice
- Strong interpersonal skills to support and preserve appropriate and effective internal and external relationships and relationships with key stakeholders
- Discretion in relation to the confidential and sensitive information of individuals and organisations



- Knowledge within a legislative framework and demonstrated experience in dealing with the provision of multiple governing Acts

#### **Desirable**

- Experience as a conciliator
- Understanding of medical issues relevant to workers' compensation disputes
- Accreditation or the ability to achieve accreditation as a mediator under the National Accreditation system

## **Qualifications**

#### **Essential**

- Qualification in at least one of the following: Alternative Dispute Resolution, Law, Psychology, Occupational Health and Safety, Social Science, or other relevant graduate-level qualification or vocational experience

#### **Highly Regarded**

- Postgraduate qualifications that demonstrate your ongoing investment in your own professional skills

*This position description is an overview of the role; changes to the role should be expected reflecting changes in organisational goals and priorities, activities or job focus.*