

## **Profile**

- Experienced adjudicator conducting hearings, pre-hearings, case conferences, and settlement discussions.
- Extensive experience delivering oral decisions from the bench and written decisions in timely manner.
- 23 years experience as a lawyer.
- Effective communicator with strong Mediation skills, arbitration, legal reasoning skills.
- Extensive experience in inquiry hearings with unrepresented and represented claimants.
- Knowledgeable of different types of process, including complex legal matters, evidentiary matters and at assessing credibility matters.
- Ability to establish a quick rapport with stakeholders and skilfull at dealing with controversial counsel and difficult people.

## **CORE COMPETENCIES**

- Knowledgeable of and experience with Administrative Tribunals.
- Effective decision making and legal reasoning.
- Effective negotiator and mediator, experience in different areas of the law an industries.
- knowledgeable of the ADR principles
- Excellent organizational and analytical skills.
- Knowledgeable of Principles of Natural Justice.
- Statutory Interpretation: interpreting and applying the legislation and regulations.
- Investigation: Fact finding and analysis, interviewing, investigating, decision making and judgement.
- Interpersonal and cultural competency skills: dealing with diversity & multitudinary stakeholders.
- Community Service: in Spanish centres in Canada, Cuba and Argentina.
- Skills: Teamplayer, Coaching and Mentor, support of staff and collegiality.

## **Professional Experience**

- **Immigration & Refugee Board, Refugee Protection Division - Adjudicator Member July 2019-present**
- Determining Convention Refugees or Persons in need of protection under the IRPA
- Conduct hearings in a timely manner and render bench or written decisions and different types of motions.
- Skilled inquiry hearing adjudicator, credibility assessment, based on on natural justice principles and procedural fairness.
- Experience in conducting virtual hearings.

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- **Panel ARBITRATOR and MEDIATOR with ADR CHAMBERS. (Nov-2012 to Oct-2017). Responsible for conducting Arbitrations and Mediations in claims related to SABS (Statutory Accident Benefits Schedule). Arbitrator and Mediator appointed by the Financial Services Commission of Ontario (FSCO).**

*As an Arbitrator:* I have conducted more than 2000 pre-hearings. I issued oral decision and written Decisions in Hearings that lasted up to 2 weeks. I also decided Preliminary Issue matters and motions. In the possibility of settlement, I facilitated the negotiation between the parties, with a rate of 70% of settlements at the first pre-hearing. The Pre-Hearing stage, were conducted in person or by teleconference, I organized to file for the hearing, by clarifying the issues in dispute, all the evidence and witnesses. I rendered decisions when necessary on the production of documents, short-briefs, or undertakings.

*As a Mediator:* with ADR Chambers for FSCO files since 2012, I have conducted more than 1000 mediations over the telephone by teleconference or in person as shuttle mediations.

- **INVESTIGATOR with the CANADIAN HUMAN RIGHTS COMMISSION. Disability Team** Part-time investigator. 2016-2017 Conducted investigations by interviewing the parties and wrote a final report including recommendations.
- **MUNICIPAL OMBUDSMAN SERVICES, North York Region and Newmarket.** Part time investigator for claims made by the public, with the rendering of a report at the end of the investigation. 2016-2017
- **OMBUDSBANK SERVICES TD Bank.** Part time Arbitrator for overtime payment cases.2014-2017.
- **PRIVATE INVESTIGATOR in Health Facilities** regarding Human rights – Bill 168 2016-2018
- **EMPLOYMENT STANDARDS OFFICER/AUDITOR 2 with the Ministry of Labour – Task force Mississauga office (Jul-2010 to Feb-2012).** Responsible for enforcement of the Employment Standards Act, 2000, through the use of different tools: inquiry teleconferences with the parties, investigation, negotiation, settlements and writing resolutions.
- **MEDIATOR,** Intake of the cases, Conduct Case developments meetings with parties,(private practice, Specialized in Civil Cases ,Family, Neighbours, Coworkers, Liability, Injuries, Damages, Medical Malpractice, Commercial and Business (1996-Present).
- **ASSOCIATE MEDIATOR WITH THE Private Information Court Programme at CMS-D.** Specific and specialized roster of skilled mediators for the Court Programme. (2008-2010).
- **ASSOCIATE MEDIATOR WITH CMSD ROSTER** workplace/organizational (2006 – 2010).
- **COACHING PRACTICE – Individuals and Groups (2010-present)**
- **PROJECT TO CREATE a Community Mediation Centre for Holguin City and Havana (June 29, 2008 Havana, Cuba)** Co-author of the project.
- **WORKSHOPS FACILITATOR, COORDINATOR/MODERATOR (2008 - present).**
- **Consultant** for Centro Felix Varela NGO, Havana, Cuba, to create and develop an organized and sustainable Community Mediation Center, to strengthen their network for the entire country

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- **Permanent Consultant and Coordinator for “Fundacion Huellas para un Futuro”, NGO, Misiones, Argentina**, to create and develop an organized and sustainable Community in the area.
- **MEDIATOR GUELLER & ASSOCIATES (Founder 1996-2002)**  
Certified/Licensed mediator in the Buenos Aires Legal Court Roster. Professional services as Mediator in private cases.
- **GUELLER & ASSOCIATES - LAWYER (Owner) (1987-2004)**  
Civil and Commercial/Labour legal representative for companies and individuals, coordinating 2 junior lawyers and 2 assistants.

## **Education**

- **Bachelor of Law** (U of T Comparative Education Service, foreign Credentials, Nov/2008)
- **Lawyer:** *University of Buenos Aires, Argentina 1987*
- **Certificate in Adjudication for Administrative Agencies, boards & Tribunals SOAR and Osgoode Professional Development, Canada May 2014**
- **Advanced Investigative Training for Administrative Watchdogs Ombudsman Ontario**, Toronto, October 16-18, 2017
- **Certificate in Labour Law, Osgood Hall Law School of York University**, Toronto, Canada, March 2, 2016
- **Arbitration Course. Murray Miskin Arbitration course. (At OBA Canada, July 2013).**
- **Mediation Advance ADR.** Faculty of Law, University of Windsor Project, STITT FELD HANDY GROUP (Canada, July 2004)
- **Writing Reason for Decision and Resolutions – Martha Keil** (Vice-Chair Registrar - Workplace Safety and Insurance Appeals Tribunal) Toronto, Jan to May 2011.
- **Certificate in Coaching: Moving Towards Artful Coaching**, 3r and last level, Adler International Learning, Canada April 3-7, 2017
- **Certificate in Coaching in the Context of Work.** Adler International Learning, Canada April 13-17, 2015
- **Foundations of Professional Coaching ADLER International Learning, OISE / U of T, (January/2010)**
- **Civil Procedure for Contract and Employment Claims - ADR Institute of Ontario, Inc. (Canada, October 2004)**
- **Family Mediation Skills – Screening for domestic violence and Power Imbalance.** Waterloo University–Conrad Grebel College (March 2009).
- **Mediation Skills Course.** CMS-D –Transformative Mediation (Canada, Jan/ 2003).
- **Domestic Violence Workshop**, CMS-D Antoniette Clarke & Darlene Murphy (March 2006)
- **Domestic Violence and Abuse**, Barbra Schlifer commemorative Clinic *May 2007*
- **Child Abuse and Neglect**, Children’s Aid Society (Canada, *May 2007*)
- **Jane/Finch Community Legal Services Clinic** (Canada, *June 2007*)
- **Residential Tenancies Act**, (Canada, *June 2007*)
- **Centre for Addiction and Mental Health** (Canada, *July 2007*)
- **Intercultural Issues in Mediation**, Waterloo University–Conrad Grebel (May 2006)
- **Financial Advisor / Certified Insurance Agent** CAIFA (Canada, May 2002).
- **Certified Mediator and Negotiator:** Cemed.Ministry of Justice (*Argentina, Jul/ 1996.*)

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- **Certified Mediator for the Mercosur:** (Mercosur Chamber of Commerce & Latin America 1998 - TICAMER, International Court for Conciliation & Arbitration of the Mercosur (1998).
- **Arbitration Skills and Rules,** Buenos Aires, Argentina 1998

## **Facilitator – Workshops conducted**

- **Seminars and Workshops** Coordinator for the Organization of the Community, in person, teleconference and skype (February 2012, Buenos Aires and Misiones, Argentina)  
Consultant specially invited by “Huellas para un Futuro”, Misiones, Argentina
- **Advanced Mediation Skills Workshop, (December 17-20 2009, Havana, Cuba),(May 11-14, 2010 Havana, Cuba).** Negotiation principles based on interest and Mediation Advance techniques as a sole presenter.
- **Interpersonal Mediation Skills Workshop, (April 22-25, 2008, Holguin, Cuba), (December 2-5, 2008, Havana, Cuba), (April 13-17/ 2009, Havana, Cuba).**  
**Sole presenter, Community/Transformative Mediation.**  
Enhancing the role of the facilitator in the family/community/society/workplace to help others re-establishing communication, and conflict management.
- **Advanced Mediation Skills Workshop (December 9-10 2008, Havana, Cuba), (April 18,2009, Havana, Cuba).** Mediation Advance techniques as a sole presenter in the workshop
- **First exchange of Mediation Experiences (Dec/11/2008, Havana, Cuba). Moderator**
- **Conflicts Debate for Youth (December 6 2008, Cayo Hueso, Cuba).**
- **Workshop with children under the age of 12, oriented to have healthier relationships and ways to manage conflicts (April 18<sup>th</sup>-2009 Jesus Maria, Havana, Cuba), (May 15, 2010 Jesus Maria, Havana Cuba).**
- **A different way to Understand the Conflict (Dec. 8 2008, Cayo Hueso, Cuba), (April 19-09 Jesus Maria, Cuba), (April 21<sup>st</sup>-09 Aymar Este and Playa, Cuba)**  
Workshop addressed to diverse members of the community, from different backgrounds.
- **Round Table to debate the Organization of Community Mediation (June 9-13 2008, Havana, Cuba)** Consultant specially invited by Centro Felix Varela NGO

## **Awards and Acknowledgements**

- **Recognition letter from Sophie Dennis – MOL Assistant Deputy Minister – Congratulating me while working as an ESO 2, for the work I did in investigating Employment Standards claims, in term of both quality and quantity. (Dec 21,2011)**
- **Recognition for the active participation in the “Culture of Peace Program”,** award given by Centro Felix Varela NGO, Havana, Cuba (December 11<sup>th</sup> 2008)  
A program supported by the government of Canada, through the CCDF (Cuba Community Development Fund, managed by CIDA (Canadian International Development Agency).

## **Languages**

Spanish and English