

Update

Ministry

Indigenous Relations

Describe: Basic Job Details

Position

Position ID

Position Name (30 characters)

Advisor, Métis Credible

Current Class

Program Services 4

Job Focus

Operations/Program

Supervisory Level

00 - No Supervision

Agency (ministry) code

Cost Centre

Program Code: (enter if required)

Employee

Employee Name (or Vacant)

Organizational Structure

Division, Branch/Unit

Current organizational chart attached?

Supervisor's Position ID

Supervisor's Position Name (30 characters)

Manager, Métis Credible Assert

Supervisor's Current Class

Manager (Zone 2)

Design: Identify Job Duties and Value

Changes Since Last Reviewed

Date yyyy-mm-dd

Responsibilities Added:

The MCA Advisor assumes the role and responsibilities of leading the review of multiphase projects in an evolving Métis Credible Assertion Process. As a subject matter expert, the MCA Advisor does significant historical, legal, genealogical, and organizational research to provide formal recommendations, to a cross-ministry roundtable, regarding Métis organizations' assertions of Section 35 Métis Aboriginal rights. Recommendations put forward by the MCA Advisor support decisions on the credibility of the assertions of Aboriginal rights for the purposes of consultation on land and natural resources decisions. The decisions made based on the recommendations of the MCA Advisor are highly contentious and, to protect the integrity of the MCA process, requires a high level of diligence and attention to detail.

Responsibilities Removed:

Program Services 4 position is no longer actively working on engagement files.

Job Purpose and Organizational Context

Why the job exists:

The MCA team is responsible for implementing the Government of Alberta's Métis Credible Assertion Process, which is a program and service exclusive to Alberta Métis based on relevant case law regarding asserted Métis section 35 Aboriginal rights. The MCA Advisor will be working in a first-of-its-kind program within Canada in a dynamic political and legal environment. The MCA Advisor requires a depth of knowledge around legislation, the ability to effectively support and manage stakeholder communication, and a recognition of systemic impacts to Alberta's duty to consult with Indigenous communities. To facilitate this, the MCA Advisor must establish and maintain working relationships with all 10 ministries that conduct Indigenous consultation, Constitutional and Aboriginal Law, Métis organizations within Alberta, industry, and other government seeking to mirror Alberta's program.

Program Services staff provide varying levels of technical expertise and leadership, and the Manager oversees the operations and human resource functions of the team. The Métis Credible Assertion Process has been in place since 2015, but the program grew exponentially after successful assertions in 2020 and 2022. There are now 15 active files in 2024, with more expected. Each file requires an MCA Advisor to take the lead in organizing, reviewing, and analyzing historical, legal, and genealogical documents which are highly confidential in nature. The MCA Advisor operates as a project lead for their assigned assertions and oversees the work of the MCA Analysts supporting their files. The research and analysis is done in a multi-phase review process that requires long term, diligent focus to determine if a Métis organization has provided sufficient evidence to support an assertion of Section 35 Métis harvesting rights. The decisions made based on the recommendations of the MCA Advisor, are highly contentious and, to protect the integrity of the MCA process, requires a high level of diligence and attention to detail.

Responsibilities

Job outcomes (4-6 core results), and for each outcome, 4-6 corresponding activities:

Outcome 1: Lead a portfolio of Métis credible assertions submitted to the Government of Alberta.

- Ability to work highly independently with little supervision and with team members on assigned assertions.
- Leads multi-phase projects that requires researching evidence provided in the form of qualitative data from historical, legal, and genealogical documents. Each phase is foundational to the next and the MCA Advisor decides when to move on to the next phase when the evidence is sufficient to meet the criteria.
- Perform in-depth research of historical, legal, and genealogical documents by reviewing and extracting data to gain an understanding of historical communities and the extent of familial, trade, and traditional practice linkages.
- Exercise due diligence through carefully following set work procedures and collaboration with fellow MCA Advisors and MCA Analysts when reviewing submitted assertion narratives to develop proper recommendations relating to the assertion.
- Leads and coordinates the development of detailed information packages (e.g. Family trees) to illustrate historical connectivity of community to present community from a multitude of historical documents (e.g. Métis script, birth certificates, marriage certificates...).
- Manage all records provided by Métis organizations as well as those generated internally.
- Collaborate with and oversee tasks assigned to MCA Analyst staff.
- Track critical deadlines for project to ensure all collaborators (MCA Advisors and MCA Analysts) are aware and on target.
- Provide coaching in relation to project efforts while reviewing MCA Analyst's work.
- Provide training and support to incoming team members.

Outcome 2: Ensure effective communication with cross-ministry partners and external groups

- Develop and present recommendations from ministry to a cross-ministry roundtable and decision maker.
- Be prepared to act as a subject matter expert for all members of the cross-ministry roundtable by providing

clarification, advice, and guidance on technical questions regarding the credible assertion criteria, processes and procedures, and assertion review methodology. The MCA Advisor is the subject matter expert that is present in meetings to help the cross-ministry roundtable members reach a consensus on the assertion recommendation.

- Educate and advise decision maker on role and requirements as part of the credible assertion process.
- Work with Métis organization on assertions by preparing correspondence that provides feedback and gaps analysis on submitted materials as well as procedural updates (e.g. process questions, assertion document issues).
- Provide Métis organizations with a better understanding of the credible assertion criteria and associated case law through discussions and engagement sessions.

Outcome 3: Maintaining awareness of relevant case law, the impacts of emerging case law and judicial reviews, administrative procedures, and the political environment.

- Monitor ongoing legal decisions related to Métis communities and aboriginal rights.
- Monitor all legal challenges currently active related to the credible assertion process.
- Monitor Government of Canada policy direction for unilateral changes in their relationship with the Métis in Alberta.
- Analyze and report on impacts at legal and political level on credible assertion process.

Outcome 4: Develop and administer grants for Métis organizations submitting to the credible assertion process.

- Develop infrastructure for grant including financial logic model for grant.
- Develop application documents for Métis organizations to use to apply for grant funding.
- Develop communication documents for outreach to Métis organizations.
- Coordinate with the ministry on implementation and administration of the grant.

Outcome 5: Understand the active legal and FOIP environment surrounding the Métis Credible Assertion Process.

- Support Alberta Justice lawyers on responses to litigation against decision made by the credible assertion program and the program as a whole.
- Provide appropriate records required to respond to litigations against the Government of Alberta.
- Provide analytical support on FOIP requests and ensure they are responded to in an effective and efficient manner.

Problem Solving

Typical problems solved:

The MCA Advisor is responsible for providing leadership and direction on the **research** and review of a wide variety of primary and secondary source documents submitted to the Government of Alberta and align this information against current Supreme Court of Canada and Alberta Court of Kings Bench legal decisions that form the criteria for Alberta's Métis Credible Assertion Process. This alignment forms the basis for recommendations to the cross-ministry roundtable and decision maker.

The criteria the MCA Advisor is responsible for determining are:

- Does information supplied regarding historical practices, customs or traditions confirm the claimed Aboriginal right?
- Does information supplied show that an identifiable historic Metis community existed prior to the date of effective European control?
- Does information supplied show the existence of a contemporary Métis Community connected to the historic Métis community?

- Does information supplied show verification of membership in the contemporary Métis community?
- Is the information supplied appropriate to a relevant timeframe to be considered a historic Métis community?
- Were the identified historical practices, customs, or traditions integral to the community's distinctive culture?
- Is there continuity between the historical practices, customs, and contemporary practice of these?
- Does the asserting organization have authorization to represent the Métis community?
- Does the membership of the asserting organization adequately represent the contemporary Métis community?

The MCA Advisor works independently and provides detailed, thoughtful evidence-based recommendations to multi-ministry stakeholders and the decision maker. They use their experience and knowledge of history, genealogy and Traditional Land Uses as the basis for their analytical work and to help develop the recommendations they provide to the cross-ministry roundtable.

Often the MCA Advisor will be required to communicate both internally and externally. With asserting Métis organizations, the MCA Advisor must have the ability to diffuse tense situations and convey information needs to proceed with assertion reviews provides a further dynamic environment they are involved in. For GoA staff, MCA Advisors must be effective and efficient communicators to multiple levels in different ministries that are stakeholders affected through the process. The MCA Advisor is the subject matter expert that is present in meetings to help the cross-ministry roundtable members reach a consensus on the assertion recommendation.

As this is a dynamic legal environment, the foundation of the criteria and the criteria themselves may change and evolve and the MCA Advisor will have to adapt to these changes.

Types of guidance available for problem solving:

The Métis Credible Assertion Process is the first-of-its-kind in Canada and has only been in existence since 2015. Operational knowledge and processes are evolving and adapted to as current legal and policy decisions at the provincial and federal government level occur.

Lawyers from Alberta Justice provide some knowledge base for legal content. As this is a ground-breaking process, there is no precedent or example to follow from any other jurisdiction or previous work in Canada. The level of knowledge and skill required of the MCA Advisors is extremely high since the outcomes of their work provide surety for industry and other ministries on non-settlement Métis harvesting rights claims. The MCA Advisors are the subject matter experts for non-settlement Métis rights claims in Alberta.

All MCA assertions are reviewed according to the evidence provided and, due to the lack of related legal precedence in Canada, the sufficiency of that evidence is decided on a case-by-case basis. The MCA Advisor makes recommendations on the assertions based on the provided evidence and their judgment of its sufficiency as a subject matter expert.

Direct or indirect impacts of decisions:

The decisions made based on the recommendations of the MCA Advisor have a direct and long-term impact on the Indigenous landscape in the province. The Government of Alberta, municipalities and industry will be required to consult on land and natural resource decisions with any Métis organization whose assertion meet the evolving credible assertion criteria going forward. These communities will have a new found recognition in Alberta related to the credibility of their rights assertion and will have an evolved relationship with both the Government of Alberta, municipalities and the industries in this province.

Key Relationships

Major stakeholders and purpose of interactions:

All Métis organizations can submit a credible assertion to the Métis Credible Assertion Process regardless of the outcome. Recognition through the program means the credibility of their assertion of Aboriginal rights has been recognized and Alberta will direct consultation to the community going forward.

- All ministries in the Government of Alberta will adopt a more formal relationship to consult and engage with the communities on land and natural resource decisions.
- Industry in the province of Alberta will have a new relationship and consultation or engagement interaction with

asserted communities.

- Municipalities who will likewise have a new relationship and consultation or engagement interaction with asserted communities.
- Other indigenous communities in Alberta who will interact with newly asserted Métis organizations as peers.

Required Education, Experience and Technical Competencies

Education Level	Focus/Major	2nd Major/Minor if applicable	Designation
Bachelor's Degree (4 year)	Other		

If other, specify:

A degree in History, Native Studies, Genealogy or Policy

Job-specific experience, technical competencies, certification and/or training:

- Four years of related experience with direct connection to Indigenous issues.
- Experience writing formal documents (e.g. briefing notes) and knowledge of the ARTs system.
 - Experience presenting to managers and supervisors on sensitive subject matters.
 - Significant history of performing research and detailed analysis related to Indigenous communities and preferably Métis records and histories.
 - History of work on sensitive projects preferably on Indigenous subject matters.
 - Significant experience in analysis of historic and contemporary records in support of decision making.
 - Organized and understands the need for proper record keeping and an understanding of FOIP protocols.
 - Strong knowledge of the Canadian constitution, legal case law and how these impact Alberta's relationship with the Métis within Alberta.
 - Strong knowledge of Alberta's and Canada's Indigenous history with specific knowledge of Aboriginal rights.
 - Strong ability to work both independently with little supervision and in team environments with a drive for results.
 - Strong knowledge of, and experience with, project management and project leadership.
 - Knowledge of grants development and administration.

Behavioral Competencies

Pick 4-5 representative behavioral competencies and their level.

Competency	Level					Level Definition	Examples of how this level best represents the job
	A	B	C	D	E		
Systems Thinking	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<p>Integrates broader context into planning:</p> <ul style="list-style-type: none"> • Plans for how current situation is affected by broader trends • Integrates issues, political environment and risks when considering possible actions • Supports organization vision and goals through strategy • Addresses behaviours that challenge progress 	The evolving legal and policy environment of Indigenous relations at the provincial and federal level require the position to be continuously aware. The political environment with Indigenous communities can also be a very tricky one to navigate and need a solid knowledge base.

Build Collaborative Environments	<input type="radio"/> <input type="radio"/> <input type="radio"/> <input checked="" type="radio"/> <input type="radio"/>	Involves a wide group of stakeholders when working on outcomes: <ul style="list-style-type: none"> • Involves stakeholders and shares resources • Positively resolves conflict through coaching and facilitated discussion • Uses enthusiasm to motivate and guide others • Acknowledges and works with diverse perspectives for achieving outcomes 	The position works with all ministries that consider land and natural resources decisions and has to be aware of industry and civic issues related to consultation and engagement with Métis communities.
Drive for Results	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	Takes and delegates responsibility for outcomes: <ul style="list-style-type: none"> • Uses variety of resources to monitor own performance standards • Acknowledges even indirect responsibility • Commits to what is good for Albertans even if not immediately accepted • Reaches goals consistent with APS direction 	A very significant amount of work effort is independent analysis and reporting. The position also works directly with Program Service 3 staff to delegate appropriate tasks.
Creative Problem Solving	<input type="radio"/> <input type="radio"/> <input type="radio"/> <input checked="" type="radio"/> <input type="radio"/>	Works in open teams to share ideas and process issues: <ul style="list-style-type: none"> • Uses wide range of techniques to break down problems • Allows others to think creatively and voice ideas • Brings the right people together to solve issues • Identifies new solutions for the organization 	Managing the detailed review and documentation of significant volumes of material submissions, analysis of the entire application against the MCA criteria, identifying gaps in information requirements, providing feedback to the asserting organization, and arriving at an outcome recommendation for presentation to the MCA cross-ministry roundtable, and the decision-maker.

Benchmarks

List 1-2 potential comparable Government of Alberta: [Benchmark](#)

The closest position would be Environmental Assessment Coordinator (024PS37). The MCA Advisor conducts a multiphase assessment of evidence provided to support a claim of Métis Aboriginal rights. This requires an extensive knowledge of relevant case law as well as research procedures and qualitative analysis. As the coordinator for each file, the MCA Advisor leads and facilitates the process of researching all evidence and managing timelines for work. The position also develops and determines the final analysis and reports for each phase of the review and decides if the project is ready for the next phase. The final recommendation to the cross-ministry roundtable and the decision-maker is the responsibility of the MCA Advisor. The position also leads the continuous improvement of the credible assertion process.