# Update

Ministry

Indigenous Relations

## Describe: Basic Job Details

### Position

Position ID

Position Name (30 characters)

Current Class

Program Services 3

Job Focus

Supervisory Level

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)

Supervisor's Current Class

## Design: Identify Job Duties and Value

### Changes Since Last Reviewed

Date yyyy-mm-dd

Responsibilities Added:

The MCA Analyst collaborates, supports, and provides data analysis, report writing, and file administration to the assertion files that are led by the Program Services 4 (MCA Advisor) position in the evolving Métis Credible Assertion Process. This position provides supplemental review of material submissions, co-drafting correspondence or other documents, helping prepare and provide support for meetings, and co-presenting to the cross-ministry roundtable. They bring any concerns to the MCA Advisor's attention, assisting to find creative solutions and think critically about the file, while relying on the mentorship and leadership of the MCA Advisors to manage next steps. The MCA Analyst will also support the Manager and MCA Advisors in performing administrative tasks, such as monthly reporting, action requests, preparing briefing notes and responding to FOIP and litigation requests.

Responsibilities Removed:

The Program Services 3 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 Analyst will be working in a first-of-its-kind process within Canada in a dynamic political and legal environment. The MCA Analyst requires a depth of knowledge around legislation, the ability to effectively support stakeholder communication, and a recognition of the systemic impacts to Alberta's duty to consult with Indigenous communities. To facilitate this, the MCA Analyst will collaborate with the MCA Advisors to maintain working relationships with all stakeholders and providing tracking and reporting on all meetings, files, document submissions.

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 program 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 Analyst to provide the leading MCA Advisor with administrative support, document review and data extraction from historical, legal, and genealogical evidence that is highly confidential in nature.  This support provided will help the MCA Advisor to perform analysis and develop recommendations to determine if a Métis organization has provided sufficient evidence to support an assertion of Section 35 Métis harvesting rights.

## Responsibilities

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

**Outcome 1**: Support work on the Métis credible assertions presented to the Government of Alberta.
- Working independently and with team members on assigned assertions.

- Understand and collaborate with the phased review approach of the Métis Credible Assertion Process.  Work with the MCA Advisor to meet set timelines and help to advance the assertion.

- Perform research of historical, legal, and genealogical documents.

- Act as a secretariat for the cross-ministry roundtable to ensure proper records are compiled and minutes taken.

- Under MCA Advisor supervision, develop draft 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…).

**Outcome 2**: Ensure effective communication.
- Develop effective Briefing Notes with an eye for detail and knowledge of the ARTs system.

- Provide monthly reports that outline status of assertions submitted to the credible assertion process.

- Co-draft internal communications on assertion status for cross-ministry roundtable.

- Co-draft external communications to Métis organizations.

- Ensure all external communication documentation and Indigenous Relations public facing website are maintained.

**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 discuss impacts of legal and political level changes on credible assertion process as part of ongoing adaptation to change.

**Outcome 4:** Manage the Métis Credible Assertion Process records.
- Ensure all incoming records are efficiently and effectively stored in SharePoint to ensure proper and timely responses to ongoing work, FOIP and litigation requirements.

- Ensure all operational records generated are stored on SharePoint appropriately and that records management aligns with FOIP protocols.

- Perform site administrative responsibilities for the team ensuring staff access and records availability.

**Outcome 5:** Understand the active legal and FOIP environment surrounding the credible assertion process.
- Support Alberta Justice lawyers on responses to litigation on 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 a effective and efficient manner.

## Problem Solving

Typical problems solved:

The MCA Analyst position is responsible for reviewing 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 Credible Assertion Process. This alignment then forms the basis for recommendations to the cross-ministry roundtable and decision maker.

The criteria the MCA Analyst provides valuable input and support on include:

- 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 Analyst works to support both the MCA Advisor and Manager position by providing detailed, thoughtful evidence based analysis, communications and documentation. The MCA Analyst is responsible for supporting the determination of the credibility of an assertion submitted by a Métis organization.

The MCA Analyst position supports communication both internally and externally.

As this is a dynamic legal environment, the foundation of the criteria and the criteria themselves may change and evolve and the MCA Analyst position 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 MCA Analysts rely on the MCA Advisors as subject matter experts to provide guidance and leadership. The teamwork and collaboration required of the MCA Analysts allows for growth within the MCA unit as they develop their skills and gain a greater understanding of the MCA process and criteria.

All required reports, reviews and summaries will have the oversight of the MCA Advisor and will provide valuable feedback to the MCA Analysts.

Direct or indirect impacts of decisions:

The decisions made based on the analysis and support from the MCA Analyst's research and communication contribute to 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 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 Sociology

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

Two years of related experience

- Experience writing formal documents (e.g. Briefing Notes) and knowledge of the ARTs system.

- Experience performing research and analysis.

- Experience working on projects and managing time effectively.

- Experience in analysis in support of decision making.

- Organized and understands the need for proper record keeping and an understanding of FOIP protocols.

- Awareness of the Canadian constitution and provincial and federal court systems.

- Knowledge of Alberta's and Canada's Indigenous history.

- Ability to work in both individual and team environments with a drive for results.

**Behavioral Competencies**

Pick 4-5 representative behavioral competencies and their level.

| Competency | Level A B C D E | Level Definition | Examples of how this level best represents the job |
|---|---|---|---|
| Systems Thinking | ◯ ◯ ◉ ◯ ◯ | Takes a long-term view towards organization's objectives and how to achieve them:<br>• Takes holistic long-term view of challenges and opportunities<br>• Anticipates outcomes and potential impacts, seeks stakeholder perspectives<br>• Works towards actions and plans aligned with APS values<br>• Works with others to identify areas for collaboration | 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 needs a solid knowledge base. |
| Build Collaborative Environments | ◯ ◯ ◉ ◯ ◯ | Collaborates across functional areas and proactively addresses conflict:<br>• Encourages broad thinking on projects, and works to eliminate barriers to progress<br>• Facilitates communication and collaboration<br>• Anticipates and reduces conflict at the outset<br>• Credits others and gets talent recognized<br>• Promotes collaboration and commitment | 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 | ◯ ◉ ◯ ◯ ◯ | Works to exceed goals and partner with others to achieve objectives:<br>• Plans based on past experience<br>• Holds self and others responsible for results<br>• Partners with groups to achieve outcomes<br>• Aims to exceed expectations | A very significant amount of work effort is independent analysis and reporting.  The position also works directly with MCA Advisor staff in a support capacity. |
| Creative Problem Solving | ◯ ◯ ◉ ◯ ◯ | Engages the community and resources at hand to address issues:<br>• Engages perspective to seek root causes | Managing the detailed review and documentation of significant volumes of material submissions, analysis of the entire |