



KITSELAS FIRST NATION
2225 GITAUD ROAD
TERRACE, BC V8G 0A9

KITSELAS BAND ADMINISTRATION EMPLOYMENT OPPORTUNITY

Job Title: Treaty Chief Negotiator

Department: Kitselas Band Administration

Reporting to: Chief Administrative Officer

Term: Full-time Permanent

Start Date: Immediately

Deadline: Until Filled

JOB SUMMARY

As part of the Tsimshian Treaty Society, Kitselas First Nation was accepted into the Treaty process in 1994 and began negotiations with Canada and British Columbia in 1996 for the purpose of providing clarity and certainty of jurisdiction, governance, and rights within the territory. In August 2015, Kitselas signed the Agreement in Principle and is currently undertaking drafting of the Kitselas Constitution as part of the 'Stage 5' process.

Full copies of the Agreement in Principle can be found at:

http://www.bctreaty.net/nations/agreements/Kitselas_AIP.pdf

OBJECTIVES OF THIS EXPRESSION OF INTEREST

Kitselas is currently seeking a Chief Treaty Negotiator who will lead the First Nation in all aspects of the current Treaty Process. Following the negotiation structure as agreed upon by Kitselas, Canada and the Province of British Columbia, negotiate the context and content of the agreements between the parties while maintaining the mandates of Kitselas Citizens.

This Expression of Interest (EOI) is to seek specific interest from individuals who possess both the passion and necessary qualifications to negotiate Kitselas' overall mandate with Canada and British Columbia. This will include addressing all substantive issues as part of the Negotiating Mandate, Framework Agreement, and Agreements in Principle and the Final Agreement.

- a. Governance
- b. Natural Resources
- c. Lands
- d. Fiscal and economic arrangements
- e. Ratification
- f. Dispute Resolution
- g. Amendment
- h. Implementation
- i. Certainty

MAIN DUTIES AND RESPONSIBILITIES

The Main focus for the Kitselas First Nation Chief Negotiator will be to reach a final agreement with Canada. This will include, at a minimum:

- Developing an overall negotiations mandate;
- Undertake an active and consultative negotiation process;
- Ensuring the Kitselas interests are being met at all political levels;
- Recommend negotiating positions, strategies and instructions;
- Leading all main table negotiations, main and side agreements;
- Participating in or providing expert direction for all side table negotiations;
- Resolving issues and conflicts arising from the negotiation process;
- Ensuring adequate, open and effective communication with citizens with regards to all aspects of the Treaty process;
- Liaison with all appropriate levels of governments;
- Working in collaboration with Tsimshian First Nation Treat Society (TFN) negotiators.

In addition to the overarching negotiation process, the Chief Treaty Negotiator will also provide general oversight of specific activities within the Treaty function including:

- Management of legal resources including oversight to all legislative requirements for the Constitution and Agreements;
- Reviews and analyzes negotiated proposals, counter proposals and contracted agreements for their impact;
- Formulation of negotiation strategies;
- Annual strategic planning;
- Management of organizational integration plans including all Treaty Related initiatives;
- Provide strategic guidance to Treaty Director;
- Management and oversight of legal requirements for the Treaty Process;
- Reporting to Chief and Council on an ongoing basis;
- Providing comprehensive research and analysis plan for all treaty processes and ensuring the timely completion of the plan;
- Development of timelines and milestones with regards to the overall Treaty process;
- Provide strategic direction, sharing of information and development of processes with the Director of Treaty Implementation;
- Advising Kitselas Directors on other Parties' positions as to specific matters in relation to their area of responsibility;

REPORTING AND COMMUNICATIONS

The Chief Treaty Negotiator will be responsible for ensuring that:

- all Kitselas citizens are appropriately informed of treaty matters;
- Kitselas citizens have the opportunity to provide all necessary input and feedback and are fully engaged in the treaty development process;
- Chief and Council provide oversight to the negotiation process;

- Chief and Council are appropriately and continuously informed and requested to provide guidance to treaty negotiation stages, issues; strategic initiatives, agreement development and implementation processes;
- Chief and Council are provided with strategic advice as to the overall approach to negotiations and agreements in principle;
- The Director of Treaty Implementation is well apprised of all matters relating to the negotiation table, strategies, implementation and mandates.

For greater clarification of the role and responsibility of the Chief Treaty Negotiator, he/she must:

- Seek confirmation of the existing mandates from Chief and Council as representatives of the community;
- Seek confirmation of new mandates that may have arisen since entering into the Treaty process given its length;
- Provide bi-monthly reports directly to Chief and Council;
- Ensure that the entire government organization including the specific government departments are involved in overall development of the mandate to ensure future-oriented and sustainable outcomes;
- Work collaboratively with all Kitselas Departments and Directors;
- Work with the knowledge of existing government structures including current Kitselas law to ensure the best future outcome for social and economic sustainability, financial independence, preservation of the culture; and,
- Work directly with the CAO to ensure that the mandates and outcomes as negotiated are supported, adequately informed and prepared for.

QUALIFICATIONS

Compensation for services provided to Kitselas will be based upon but not limited to:

- Negotiation experience and expertise;
- Education to include a graduate degree in law, public administration or business;
- Provide ability to exercise judgement and sensitivity with complex and political sensitive issues;
- Exceptional knowledge of all levels of government and the political landscape within Canada;
- Exceptional knowledge of, relevant legislation, economic, environment and social factors and issues facing First Nation ;
- Extensive and complete knowledge of First Nations;
- Ability to support the vision, mission and mandate of the Kitselas people in achieving Treaty.

ADDITIONAL REQUIREMENTS

Contract Services: The services requested under this EOI will be provided under a standard service contract.

Specific terms and conditions of the contract including compensation will be negotiated prior to the performance or obligation of all services.

The length of the term for contracted services will not initially exceed a six month period.

The incumbent will be responsible for ensuring that deliverables are met within the time frames set out in the contract.

Kitselas will provide, at a minimum:

- Reimbursement of all travel and per diem costs incurred by the negotiator in the performance of the contract;
- Access to all Treaty Department staff as support to the overall process;
- Access to all documents in relation to the Treaty process, negotiations, etc;
- Access to Chief and Council in accordance to the standard schedule;
- Other organizational support including financial, technical and administrative;

Compliance with Kitselas Laws: The contract will require that the incumbent comply with all relevant laws of Canada or the Province and Kitselas laws and policies, including but not limited to the Kitselas Financial Administration Law, administration of Kitselas.

Intellectual Property Rights: Persons obtaining or receiving this invitation and any other documents issued in relation to this EOI may use the documents only for the purpose of preparing an invitees response. Such intellectual Property Rights as may exist in this and any EOI other documents provided to the invitees by or on behalf of the organization in connection with the EOI process are owned by (and will remain the property) of the organization except to the extent expressly provided otherwise.

Subcontracting: The incumbent may not assign or sub-contract may not assign or sub-contract the contract, in whole or in part, or any right or obligation of the incumbent under the contract to a third party without the written consent of Kitselas.

Indemnity: The contract will require the incumbent, as an invitee of Kitselas from and against all claims, causes of action, liabilities, demands, losses, damages, costs, expenses, fines, penalties, assessments, and levies made against or incurred,, suffered or sustained by Kitselas where the same of any of them are based upon or arise out of or from anything done or omitted to be done by the incumbent.

Confidential and Personal Information: The contract will include mandatory terms regarding the collection, use and disclosure of confidential and personal information.

Evaluation and Acceptance of Proposals: This Expression on Interest is not an application for an employment position as set out in the Kitselas Human Resources Manual, 2013 but an indication of your interest in being considered to supply the services. Nor should this EOI be construed as a contract to supply the requested services. Kitselas reserves the right to limit the intake of or exclude from the EOI any incumbent that, in the opinion of Kitselas, their personal or business interest will give rise to a conflict in connection with the services sought.

Final evaluation of the incumbents will be undertaken by Chief and Council in which the incumbent may be requested for an interview. It is Chief and Council's sole discretion to contract with an incumbent. Kitselas will not be obligated in any manner to any incumbent whatsoever until a written contract has been duly executed related to the EOI.

Remuneration: Salary is commensurate with experience and qualifications and includes a favourable benefits and pension plan.

HOW TO APPLY

A competitive salary and benefits package is offered. Further information can be obtained at www.kitselas.com. Please reference "Treaty Chief Negotiator" and indicate clearly in your cover letter how your experience and qualifications meet the requirements of the position.

Attn: Teri Muldon
Director of Finance and Administration
Kitselas First Nation
Tel: (250) 635-5084 ext.234
Fax: (250) 635-5335
Email: financeofficer@kitselas.com