

# Position Profile

## Métis Settlements Appeal Tribunal

### Profile Overview

**Competition #:** 607

**Role(s) Required:** Chair, Vice-Chairs, Members

**Agency Website:**

[Metis Settlements Appeal Tribunal](#)

**Responsible Ministry:** Indigenous Relations

**Opening Date:** 09/26/2018

**Closing Date:** 10/12/2018

### Role(s) Required

The Ministry of Indigenous Relations and the Metis Settlements General Council (MSGC) invite applications for appointment to the following seven positions on the Metis Settlements Appeal Tribunal (MSAT):

- MSAT Chair (1 position)
- MSAT Vice-Chair (2 positions)
- MSAT Members (4 positions)

### Role Description

MSAT normally comprises seven members, appointed to four-year terms: one Chair, two Vice-Chairs (who are also members), and four members.

- The Minister appoints three MSAT members. One of those members must also be designated as a Vice-Chair.
- The MSGC appoints three MSAT members by resolution. One of those members must also be designated as a Vice-Chair.
- The MSAT Chair is appointed by the Minister from a list of nominees provided by the MSGC.

#### MSAT Chair:

The MSAT Chair has a significant position as it provides overall direction to the quasi-judicial function of MSAT. Responsibilities for the Chair are contained in the *Metis Settlements Act* and, without limiting other functions that may fall to the Chair, include:

- Actively sitting on Hearing Panels and writing Decisions.
- Acting on behalf of MSAT in all quasi-judicial and administrative matters.
- Delegating any power, duty or function to the Vice-Chairs.
- Appointing members to Hearing and other Panels.
- Presiding over all Board meetings.
- Directing MSAT within its mandate.
- Business plan development with approval by the Board.
- Bringing forward Business Plan and Budget requirements to the Minister.
- Ensuring MSAT operates within approved budgetary funding.
- Following, overseeing, and ensuring the uniform application of the standards set out in MSAT's Code of Conduct and Rules of Procedure.

#### MSAT Vice-Chair:

The two Vice-Chairs have a major role in MSAT's quasi-judicial function. With one each appointed from the MSGC and the Minister, Vice-Chairs serve MSAT in the following areas:

- Acting on behalf of the Chair of MSAT in any delegation of a power, duty or function.

- Chairing any meeting or proceeding as designated by the Chair.
- Chairing Hearings in place of, or by, Chair designation.
- Leading Hearing Panel members in their preparation, questioning and deliberation in the decision-making processes.
- Writing Decisions on all Hearings chaired.
- Contributing as a member in the member-role indicated below.

### **MSAT Members:**

The member's role is summarized as follows:

- As part of the three-member hearing panel, examine evidence, question parties and deliberate in the decision-making processes.
- Act as a Board member in all formal meetings and provide input into all Policy and Procedural references and votes. Support Business Plan development and Budget as part of the Board duties.

### **About the Agency**

Established in 1990 by the enactment of the *Metis Settlements Act*, a provincial statute providing for local and collective governance, MSAT is a provincial agency performing a quasi-judicial function. In its decision-making, MSAT operates independently to hear evidence, act as a mediator, and make decisions on matters referred to it by agreement, or by provincial legislation,

MSGC Policies or Metis Settlement bylaws, or where all parties to the dispute agree in writing that MSAT resolve their matter. Matters commonly referred to MSAT include, but are not limited to disputes about membership, land dealings, surface rights for oil and gas activity on Metis Settlement lands, timber disputes and questions of financial interest.

### **Agency Classification**

As an agency, MSAT is governed by the *Alberta Public Agencies Governance Act* and performs its duties in accordance with its mandate under the *Metis Settlements Act*. MSAT is a regulatory/adjudicative agency.

### **Skills and Experience**

In order to be considered, experience in administrative legal proceedings, provincial legislation relative to Metis Settlements, and experience with oil and gas exploration activities would be definite assets. In addition, you should possess an awareness of life in northern rural communities and Metis Settlements legislation.

### **Specialized Knowledge and Expertise**

The core knowledge and experience that are desirable for MSAT members include:

- Ability to exercise sound judgment and knowledge of legislation and Metis Settlement culture
- Objective with an open mind
- Appreciation of Metis identity and understanding of rules for Settlement membership
- Active listening skills and demonstrated respect for others, including understanding of Metis Settlements' culture(s)
- Experience with Boards and Metis Settlements
- Experience in deliberating with Panel and reaching consensus
- Experience with Metis Settlements
- Ability to speak Cree (asset)
- Reputation for integrity
- Commitment to rule of law
- Commitment to working through conflicts with colleagues and Chair

### **Remuneration, Time Commitment and Meeting Location**

**Remuneration:**

The Minister of Indigenous Relations sets remuneration and travelling rates for MSAT members based on guidelines established under the Government of *Alberta Committee Remuneration Order* and *Alberta Public Agencies Governance Act*.

Remuneration rates for MSAT members currently are \$264 for up to 4 hours; \$390 for more than 4 hours but less than 8; and \$527 for more than 8 hours.

The Chair and Vice-Chairs receive an annual salary. The Chair receives \$80,000 per year, and Vice-Chairs \$60,000 per year.

**Time Commitment:**

All MSAT members must be willing to attend training and board meetings. Travel is required across the area served by MSAT. The time commitment may vary throughout the year and depending on the volume and nature of appeals [typically 3-5 days per month (half a day reviewing material; a day travelling; a day attending hearing/travelling home; half a day – 2 days for decision making/reviewing)]. Members are expected to render well-written and reasoned decisions in a timely and fair manner following a hearing.

**Meeting Locations:**

Hearings are usually held in the Metis Settlements or in Edmonton. MSAT members will also attend board meetings in Edmonton.

**Additional Notes**

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Short-listed candidates will be asked to provide references. In addition, a criminal record check will be conducted for short-listed candidates.

Board members - If you are appointed to this position:

You must comply with the agency code of conduct as referenced in the [Conflicts of Interest Act](#) sections 23.922-23.924 throughout your appointment.

Chair –If you are appointed to this position:

You must comply with the agency code of conduct as referenced in the [Conflicts of Interest Act](#) sections 23.922-23.924 throughout your appointment. You will also be subject to the *Conflicts of Interest Act*, including restrictions on furthering private interests (s. 23.925). For more information, please visit the [Office of the Ethics Commissioner](#) website and the [Public Agencies Secretariat](#) website.

If education credentials are required, it is recommended that applicants who have obtained educational credentials from outside of Canada and have not had them previously assessed, obtain an evaluation of their credentials from the [International Qualifications Assessment Service](#) (IQAS). It is recommended that applicants include the assessment certificate from IQAS or any other educational assessment service as part of their application.

It is recognized in Alberta as a fundamental principle and as a matter of public policy that all persons are equal. Diversity and inclusion are valued and supported on the boards of Alberta's public agencies

**Contact Information**

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If you require additional information on this opportunity, please contact either: Brenda Sayers, Director of Corporate Services, Metis Settlements General Council at (780) 822-4096 or bsayers@msgc.ca OR Boris Contreras, Director, Metis Relations, Indigenous Relations at (780) 643-1047 or boris.contreras@gov.ab.ca.