



IDENTIFICATION

| Department | Position Title | |
|----------------------------------|------------------------|-----------------|
| Executive and Indigenous Affairs | Director, Negotiations | |
| Position Number | Community | Division/Region |
| 11-6679 | Yellowknife | Negotiations/HQ |

PURPOSE OF THE POSITION

The Director, Negotiations, is responsible for providing comprehensive and strategic advice to the Deputy Secretary to Cabinet, Secretary to Cabinet, Minister of Indigenous and Intergovernmental Affairs and/or Premier on all matters pertaining to Aboriginal rights negotiations regarding lands, resources and self-government in the Northwest Territories (NWT).

This advice must reflect a vision for a workable and affordable system of governance and resource management in the NWT that clarifies and confirms the treaty and Aboriginal rights of Indigenous Peoples whose traditional territory includes the NWT, while respecting and protecting the collective rights and individual rights of residents of the NWT.

The Director is responsible for managing the Government of the Northwest Territories' (GNWT) participation at all Aboriginal rights negotiations whose final agreements will apply in the NWT.

The Director is responsible for the day-to-day management and administration of the human and financial resources of the Negotiations Division.

Guided by Cabinet approved mandates and negotiating instructions and the direction of the Deputy Secretary to Cabinet, Secretary to Cabinet and the Minister, the Director is responsible for ensuring the GNWT's interests and positions are reflected in Aboriginal rights agreements that apply in the NWT.

SCOPE

The position is located in Yellowknife and reports to the Deputy Secretary of Indigenous and Intergovernmental Affairs.

The Director directs the work of the Administrative Assistant/Researcher and Chief Negotiators, Senior Negotiators, and Assistant Negotiators. The Director is responsible for all reports that summarize the issues, events and status of negotiations.

The Director oversees, provides advice and develops negotiating strategies for GNWT negotiators when GNWT negotiating teams are preparing for negotiations. The Director participates at Aboriginal rights negotiations when the circumstances warrant the Director's participation.

The Director identifies gaps in existing mandates and mandates that require reconsideration.

The Director is responsible for engaging with other GNWT departments' senior officials to ensure they are aware of relevant issues at negotiations, departments are aware of the direction negotiations are taking, and ensuring GNWT interests and positions are reflected in Aboriginal rights agreements that apply in the NWT.

The Director represents the GNWT in meetings with municipal, territorial, federal, provincial and Indigenous governments and other interest groups on matters pertaining to Aboriginal rights negotiations in the NWT.

This requires the Director to develop and maintain an extensive network of contacts with the federal, territorial and provincial governments, territorial Indigenous organizations, community and Indigenous governments and other interest groups.

While collaborative or interest-based negotiations is often cited as the approach all parties take at negotiations, in practice, negotiations do involve conflicting views among the parties and an adversarial atmosphere may be present.

The pressure of negotiating agreements that will become constitutionally protected modern Treaties, adds tension and raises expectations to 'get it right' the first time because opportunities to amend the agreement in the future may be limited. The Director is required to conduct one's self with a high level of tact, diplomacy, professionalism and the utmost discretion.

The consequences of failing to deliver on these responsibilities include:

- Protracted adversarial negotiations that strain the relationships among the parties.
- Political backlash from the other parties at negotiations.
- Concluding agreements that cannot be implemented.

Concluding agreements that are unclear and will lead to disputes in the future about what the agreement means:

- Precluding or limiting options for future political and constitutional development in the NWT.
- Designing ineffective resource management regimes that compromise the NWT's future economic opportunities and potential.

DIMENSIONS

- Reporting Positions (8 direct, 5 indirect)
- Compensation & Benefits \$ 1,955,000
- Other Expenses \$ 472,000
- Total Budget \$ 2,427,000

RESPONSIBILITIES

1. Ensures that the interests of the GNWT are represented and respected at Aboriginal rights negotiations.
2. Oversees the GNWT's participation in Aboriginal rights negotiations, anticipates issues that can arise at negotiations, assesses the implications of potential issues, and develops strategies to successfully conclude negotiations.
3. Critically analyzes the proposals and positions of the other negotiation parties for compliance with GNWT's mandates and whether GNWT's interests are respected.
4. Critically analyzes the proposed GNWT's positions for compliance with GNWT's mandates and whether GNWT's interests are respected.
5. Identifies gaps in GNWT mandates and mandates that require review.
6. Ensures that negotiating mandates for Aboriginal rights agreements are fully developed so that the GNWT's positions can be articulated and defended from a strong policy basis.
7. Briefs the Deputy Secretary, the Secretary to Cabinet and the Minister, Premier, Executive Council and Members of the Legislative Assembly as required on issues arising at, and the status of, Aboriginal rights negotiations.
8. Ensures that the Minister, Secretary to Cabinet and Deputy Secretary have up-to-date, accurate and complete material regarding Aboriginal rights negotiations.
9. Maintains a network of officials in GNWT's departments/agencies, the federal government, provincial and territorial governments, Indigenous Governments and municipal governments.
10. Participates in the senior management team of the department and works collaboratively with all staff.
11. Acts as a mentor, when needed, for negotiators.

12. Manages the Negotiation Division's financial and human resources.

13. Manages the implementation of the Division's records management system.

WORKING CONDITIONS

Physical Demands

The Director spends significant time sitting at a desk and sitting at negotiating tables for lengthy periods. However, the Director has the opportunity to move about the office.

Managing the Negotiations Division regularly involves working hours beyond the normal 7.5 hours per day. The Director can expect to work irregular or long hours and work on weekends, which can often place stress on the Director's health and family.

Environmental Conditions

The Director works in a generally comfortable work environment. The Director works in a closed office. Frequent travel (one, possibly 2 trips per month is to be expected) within the NWT and to southern Canada is an element of the job. Duty travel sometimes involves travel on small bush planes and on short notice. Negotiating sessions are often held in small communities where meeting and accommodation facilities may lack "hotel-like" amenities. This may result in stress and affect the Director's health and home life.

Sensory Demands

The Director spends a lot of time attending and participating and leading meetings. The Director is exposed to demands of high concentration during difficult and sometimes confrontational situations.

The Director will face the stress and pressure to act and respond to such challenges from other managers, and officials from other governments, in an appropriate way by displaying tact, diplomacy and a high level of professionalism.

The Director spends a fair amount of time sitting at a desk writing and reviewing reports, preparing reports, conducting research and communicating to staff via electronic mail. This can result in eye strain and result in other physical discomforts.

Mental Demands

The Director is exposed to tight deadlines and a large workload with competing priorities and demands. Contact with the other officials and negotiators during tense and sometimes volatile meetings and negotiating sessions requires extensive tact and diplomacy and the ability to think clearly in stressful situations.

The Director can expect on a daily basis to deal with, or address, issues from multiple negotiating tables, on differing subjects, with several different parties or GNWT departments, at all stages of negotiations. The Director must be able to 'shift gears' between table-specific

issues of the day, to big picture territorial issues, to addressing HR matters, while regularly assessing, recognizing and summarizing the key issues for the Deputy Secretary, Secretary to Cabinet and Minister several times a day.

The Director must be a sounding board and safe place for negotiators to unload/decompress following negotiating sessions. The Director helps negotiators work through and deconstruct the events that occurred during negotiations and build strategies for the next negotiating session. The Director assesses negotiators performance, examining the statements and actions of the other parties so that strategies and approaches can be developed for the next negotiating session. The Director's ability to listen, understand and respond meaningfully to the challenges GNWT's negotiators face is very important to the GNWT's ability to be successful at negotiations, maintain office morale and minimize staff turnover.

This is a demanding job where negotiators look to the Director for support, encouragement and advice. The Director can expect criticism and must be able to manage frustration when directing the work of the Negotiations Division.

KNOWLEDGE, SKILLS AND ABILITIES

- Must have financial and human resource management skills.
- Must possess a thorough understanding of Aboriginal rights agreements and relevant federal and territorial policies, both in the NWT and elsewhere in Canada.
- Must have a working understanding of the common law as it relates to consultation and Aboriginal and treaty rights.
- Must have a working understanding of the Canadian Constitutional Framework.
- Must have a thorough understanding of how Aboriginal and treaty rights relate to, and affect the social, economic and political environment of the NWT.
- Must have highly developed understanding of conflict resolution techniques.
- Must have conflict resolution skills.
- Must have superior written and verbal communications skills.
- Must have effective time management skills.
- Must be able to multi-task and manage multi-competing priorities effectively.
- Must have team and project leadership skills.
- Must be able to work in a cross-cultural environment.
- Must be able to travel, including to remote communities, and on small planes.
- Must have experience at Aboriginal rights negotiations.
- Ability to speak Inuvialuktun or a Dene language is an asset.

Typically, the above qualifications would be attained by:

An undergraduate university degree in political science, arts, geography, northern studies, law or a related field;

A related postgraduate degree;

Formal conflict resolution training;

5 years of experience in a formal negotiating environment; and

3 years of supervisory/management experience, which can include leading a negotiating team.

ADDITIONAL REQUIREMENTS

Position Security (check one)

- No criminal records check required
- Position of Trust – criminal records check required
- Highly sensitive position – requires verification of identity and a criminal records check

French language (check one if applicable)

- French required (must identify required level below)
 - Level required for this Designated Position is:
 - ORAL EXPRESSION AND COMPREHENSION
 - Basic (B) Intermediate (I) Advanced (A)
 - READING COMPREHENSION:
 - Basic (B) Intermediate (I) Advanced (A)
 - WRITING SKILLS:
 - Basic (B) Intermediate (I) Advanced (A)
- French preferred

Indigenous language: Select language

- Required
- Preferred