

**IDENTIFICATION**

Position Number	<i>Position Title</i>		
18-3814	Implementation Negotiator		
<i>Department</i>	<i>Division/Region</i>		<i>Location</i>
EXECUTIVE	ABORIGINAL AFFAIRS		YELLOWKNIFE

**PURPOSE OF THE POSITION**

(Main reason why the position exists, in what context and what is the overall end result.)

This position was created to negotiate Implementation Plans for Lands, Resources and Self-government Agreements on behalf of the GNWT. Under the direction of the Manager, Implementation Negotiations, the incumbent will ensure that the GNWT positions and views are articulated at main table and implementation negotiations. The incumbent is responsible for ensuring that the best interests of the GNWT and the people it represents are taken fully into account throughout the negotiations.

**SCOPE**

(Describe in what way the position contributes to and impacts on the organization.)

The position is located in Yellowknife and reports to the Manager, Implementation Negotiations. The incumbent has responsibility for the effective and efficient coordination of the successful negotiation of Implementation Plans for Lands, Resources and Self-government Agreements on behalf of the GNWT. The incumbent makes decisions regularly during negotiating sessions as to whether or not a proposal conforms to GNWT policies and guidelines and/or will otherwise be acceptable to the GNWT before agreeing with such provisions. Recommend new policies or changes in policies, determine applicability of various proposals to NWT Acts, Regulations and Policies, recommend proposals of compromise or alternative positions and decide whether a working group should be established. Each negotiating table is unique and the incumbent must be able to adapt to new thinking and make decisions that are innovative and new, creative decision making is essential. The incumbent has a great amount of latitude provided the policies and guidelines of the GNWT are complied with. The incumbent, in consultation with negotiating team members and senior departmental officials decides how the goals are to be achieved within the scope of guidelines. The incumbent exercises daily control and must exercise discretion when representing the GNWT at negotiations. General instructions are channeled directly to the incumbent from the Manager, Implementation Negotiations. Other work is assigned verbally and in writing. Cabinet direction is also sought from time to time. Unusual situations are discussed with the Ministry's Deputy Minister, Assistant Deputy Minister, Director of Policy, Director of Implementation, Executive Director of Negotiations and Manager of Planning and Analysis. The incumbent must ensure all duties are performed under various NWT Acts and Regulations, Executive

Council Decisions, GNWT principles and policies, Deputy Ministers' Self-government Working Group broad principles and policies and Federal policies and procedures on negotiations. Incorrect interpretation of GNWT policies and guidelines may cause: considerable conflict and possibly delay negotiations; political backlash from claimant groups or other affected parties; preclusion of certain options for future political and constitutional development in the NWT; considerable embarrassment for the Minister and the Executive Council and unnecessary financial costs to the GNWT.

### **RESPONSIBILITIES**

(Describe major responsibilities and target accomplishments expected of the position. Describe the typical problems encountered in carrying out the responsibilities. For management positions, indicate the subordinate position(s) through which responsibilities are accomplished.)

1. Negotiates Implementation Plans for Lands, Resources and Self-government Agreements that involve GNWT jurisdiction, mandate and interests and manages the GNWT implementation negotiating team.

### **Main Activities**

- Represents and participates on behalf of the GNWT in the implementation negotiation of settled Lands, Resources and Self-government Agreements;
- Analyses Aboriginal positions and proposals from a GNWT policy and legislative context;
- Coordinates, directing and conducting GNWT participation in all phases of implementation negotiations;
- Interprets GNWT policies, legislation and regulations and applying them in proposals for negotiation;
- Recommends positions, new policy and changes in policy as appropriate to the Minister and Executive Council;
- Develops implementation negotiating strategies;
- Establishes departmental/agency interdepartmental/agency working groups where appropriate to review GNWT policy, legislation and regulations in the context of claimant proposals and developing strategies and responses;
- Establishes ongoing communication links with key contact personnel within GNWT departments and agencies;
- Meets from time to time with senior management officials in various departments to resolve issues relating to development of GNWT positions;
- Involves key departmental personnel directly in discussions at implementation negotiations when deemed desirable and appropriate;
- Consults from time to time with authorized representatives of native peoples, the federal negotiator, other federal representatives and public interest groups concerning certain aspects of implementation negotiations; and
- Briefs senior managers, Ministers and the Executive Council on the progress of implementation negotiations and topical issues on a continuing basis.

2. Implements broad principles and policies received from the Executive Council with specific claimant proposals.

#### Main Activities

- Develops compromise positions and trade-offs through diplomacy with key federal and territorial personnel and the claimant representatives;
  - Maintains a close working relationship with aboriginal claimant representatives;
  - Reviews and analyses other claims agreements and implementation plans and determines the applicability of various proposals to NWT Acts and Regulations and Policies;
  - Advises officials, senior managers and Ministers of compromises or alternative positions to bring the claimant proposals into harmony with GNWT positions and policies; and
  - Communicates the status of implementation negotiations to the Director, Implementation and senior GNWT officials on a regular basis with emphasis on outstanding issues that have financial and implementation implications.
3. Resolves anticipated legal, financial and implementation technical problems and issues arising from implementation plan negotiations and initiate policy recommendations.

#### Main Activities

- Researches appropriate financial and implementation documents;
  - Directs the conduct of specific legal, financial and implementation research and analysis through the GNWT departments of Justice and Finance or where appropriate, contracting outside expertise;
  - Develops positions based on research and analysis for Ministerial and Executive Council review; and
  - Maintains a close working relationship with legal counsel within the Legal Division, Department of Justice and staff of FMBS and the Department of Finance.
4. Researches and develop policy recommendations and specific positions as required in negotiating any aspect or element of Implementation Plans.

#### Main Activities

- Acts as advisor to the Minister and the Executive Council with respect to the implementation of final agreements; and
- Minimizes the financial impact on the GNWT of obligations created by the negotiation of Lands, Resources and Self-government Agreements.

#### **KNOWLEDGE, SKILLS AND ABILITIES**

(Describe the level of knowledge, experience and abilities that are required for satisfactory job performance.)

- Undergraduate degree in business administration, commerce, law/political science/public administration with a minimum 5 years related experience complemented with negotiation courses.
- Thorough knowledge of federal government Lands, Resources and Self-government policies.
- Thorough knowledge of GNWT policies and legislation.
- Thorough knowledge of the decision making system and process of government in the NWT, the provinces and Canada.
- Working knowledge of Lands, Resources and Self-government Agreements negotiated in the NWT, Yukon and other provinces of Canada.
- Excellent interpersonal skills.
- Excellent analytical skills. Must be able to interpret various acts, regulations, policies and positions of other negotiating parties.
- Excellent communication skills, both verbal and written.
- Must be able to work independently with minimum supervision.
- Thorough knowledge of the North, its environment, economic, political and social milieu.
- Ability to work in a cross-cultural environment.
- The ability to demonstrate tact and diplomacy are key skills.
- Ability to speak a Dene language or Inuvialuktun would be an asset.
- Must be able to think quickly in high stress situations.
- Must be able to travel extensively, sometimes on short notice.

### **WORKING CONDITIONS**

(List the unavoidable, externally imposed conditions under which the work must be performed and which create hardship for the incumbent. **Express frequency and duration of occurrence** of physical demands, environmental conditions, demands on one's senses and mental demands.)

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### **Physical Demands**

(Indicate the nature of physical effort leading to physical fatigue.)

The incumbent spends a lot of time sitting at a computer workstation. However, the incumbent has the opportunity to move about the office.

### **Environmental Conditions**

(Indicate the nature of adverse environmental conditions to which the incumbent is exposed.)

Incumbent works in a generally comfortable work environment. The incumbent works in a closed office. A considerable amount of travelling is necessary sometimes involving small bush planes. Negotiating sessions are often held in small communities where meeting and accommodation facilities lack "hotel-like" amenities. This may result in stress to the incumbent's home life.

### **Sensory Demands**

(Indicate the nature of demands on the incumbent's senses to make judgments through touch, smell, sight and hearing and judge speed and accuracy.)

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