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REPORT TO FIRST NATIONS RELATIONS COMMITTEE MEETING OF WEDNESDAY, FEBRUARY 26, 2020

SUBJECT **Remuneration to Support Increased First Nations Participation**

ISSUE SUMMARY

This report seeks direction for staff to bring back implications and proposed draft amendments to the CRD's Board Remuneration and Travel Expense Policy and a draft First Nations Remuneration Policy

BACKGROUND

First Nations do not have dedicated resources to effectively engage with local governments on matters that are often becoming increasingly complex. The time that a Chief or council spend discussing CRD activities takes away from the core work of supporting their Nation. This capacity limitation impacts their ability to respond effectively to CRD referrals and increases the resource requirements the CRD must then commit toward meaningful engagement. Many of the CRD referrals sent to First Nations call for feedback on highly technical processes or projects. It is common for First Nations to ask that the CRD include the engagement of elders and/or knowledge keepers in various project and initiatives in a similar way to how the CRD will require an engineering consultant or legal review on a project or agreement.

An organization-wide approach that is specifically tailored to reflect the challenges and opportunities for First Nations is needed so that staff and the Nations have a clear understanding of what can be accommodated when requests for compensation are received. Staff have developed high-level protocols and remuneration levels for First Nations involved in providing cultural work to support CRD projects and activities (Appendix A). The policy approach outlined within this staff report will seek to standardize approaches to remuneration of First Nations across the organization.

In December 2016, the CRD Board adopted the suite of recommendations contained within the Year End Report on the Activities of the Special Task Force on First Nations Engagement which included the following recommendation:

- Direct staff to develop options for increased resourcing and financial implications to accommodate greater participation, engagement and reconciliation.

The Special Task Force on First Nations Relations: Final Report, adopted by the CRD Board in October 2018, includes the following recommendation:

- That the Board pursue a proposed First Nations Remuneration Policy, and direct staff to provide recommendations for consideration by the incoming Board (2018-2022).

ALTERNATIVES

Alternative 1

The First Nations Relations Committee recommends to the Capital Regional District Board: That staff bring back draft changes to the *Capital Regional District Board Remuneration and Travel Expense Policy* that outlines remuneration for First Nations elected representatives participating on CRD Standing Committees, Commissions and other Board appointed bodies; as well as a draft First Nations Remuneration Policy that establishes compensation for specific cultural, technical or subject matter expertise on CRD projects and activities.

Alternative 2

The First Nations Relations Committee recommends to the Capital Regional District Board: That this report be referred back to staff for additional information, as directed.

IMPLICATIONS

Intergovernmental Implications

Providing the CRD with the ability to remunerate First Nations elected representatives in discussions will address a key barrier to First Nations participation on CRD business while also strengthening the government-to-government relationship. Remunerating First Nations representatives will also bring a more equitable approach to how CRD Directors, their alternates and, should this effort move forward, First Nation leaders and representatives are compensated for their time and effort. The consideration to include the ability for the CRD to appropriately compensate First Nations elders, knowledge keepers or cultural leaders for their participation in, or support of, CRD projects and activities also indicates a respect and appreciation for these alternative forms of important information and protocol. This will demonstrate that the CRD is aware of, and values and the local First Nations cultural practices.

Financial Implications

In the 2020 CRD Budget, which has received provisional approval, \$12,000 was included in the CRD Board Budget with the intent that these funds would be available to support First Nations participation. This provisionally approved allocation would support remuneration for elected representative from First Nations on Board Standing Committees, Advisory Committees, Commissions, and other board appointed bodies. In the case of a commission, the individual commission budgets would support the costs associated with remuneration.

CRD staff currently take an ad hoc approach to remunerating First Nations for cultural work associated with ongoing CRD activities by way of service agreements. This approach is loosely informed by the practices of the First Nations Relations Division, includes and following categories and remuneration ranges per individual per engagement:

- Elder Participation \$50 - \$125
- Spiritual Ceremony \$100 - \$415
- Event Blessing \$115
- Traditional Welcome \$0

These funds are typically determined on a project-by-project basis, are included within specific project costs and are absorbed into divisional budgets. Taking a corporate approach will help to establish a consistent practice across the organization as well as provide additional cultural confidence by project managers when looking to engage and include First Nations cultural components within CRD activities.

Alignment with Board & Corporate Priorities

The 2019 – 2022 CRD Board Priorities include Reconciliation with First Nations, specifically:

- 3a Look to First Nations for leadership in understanding how to create new regional planning and decision-making systems together on their Traditional Territories.
- 3b Seek partnerships, share information and deliver fair and equitable services in working with First Nations on achieving their economic goals.
- 3c Work with First Nations on taking care of the land and water while providing space for cultural and ceremonial use, food and medicine harvesting, traditional management practices and reclaiming Indigenous place names.

Alignment with Existing Plans & Strategies

The following strategies have been identified as related to the Reconciliation with First Nations board priority:

- Special Task Force on First Nations Relations Final Report and the Statement of Reconciliation;
- Regional Climate Action Strategy;
- Regional Food and Agricultural Strategy;
- Regional Growth Strategy;
- Regional Housing Affordability Strategy;
- Regional Parks Strategic Plan;
- Regional Water Supply Strategic Plan;
- Organizational Development Plan; and,
- Corporate Asset Management Strategy.

Having the capacity to remunerate First Nations elected representatives will support enhanced participation in CRD work, which in turn will enable a higher degree of collaboration on the identified CRD plans and strategies that already include reference to First Nations involvement.

CONCLUSION

First Nations have consistently identified that the key barrier to effective government-to-government relationships lies in the cost of responding to the large number of request and referrals they receive that is related to CRD projects and activities. The ability for the CRD to appropriately compensate the Nations for their time, expertise and advice will provide more opportunities for inclusion and collaboration between the CRD and First Nations. This effort will not be without some additional costs. However, in anticipation of projected costs incurred by way of service agreements and the costs associated with remunerating First Nations for their cultural work when associated with CRD activities, \$12,000 has been provisionally approved in the CRD Board Budget together with other budgeted allowances for capital projects included in divisional budgets. Taking a corporate policy approach will support consistency and clarity for both CRD staff and First Nations while also allowing for an increase in cultural confidence relating to project undertakings as the CRD looks to advance the Board Priority of Reconciliation with First Nations.

RECOMMENDATION

The First Nations Relations Committee recommends to the Capital Regional District Board: That staff bring back draft changes to the *Capital Regional District Board Remuneration and*

Travel Expense Policy that outlines remuneration for First Nations elected representatives participating on CRD Standing Committees, Commissions and other Board appointed bodies; as well as a draft First Nations Remuneration Policy that establishes compensation for specific cultural, technical or subject matter expertise on CRD projects and activities.

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