

**ASSEMBLY OF FIRST NATIONS**  
**FIRST NATIONS LABOUR MARKET STRATEGY**  
**DRAFT FOR DISCUSSION – NOT FOR DISTRIBUTION**  
**ISSUE PAPER 1 – The Relationship: A Joint Policy Process**

**DESCRIPTION:** To set out the relationship between AFN (based on national resolutions) and ESDC for the development of a new First Nations Labour Market Strategy (FNLMS) so that the FNLMS will be the product of a joint policy process whereby the Government through the Minister of ESDC has agreed to:

- Enshrine the FNLMS through a Statute, and
- Implement a FNLMS as conceived by First Nations through the offices of the AFN including:
- Governance, program policy and design and funding mechanisms ensuring First Nations leadership and autonomous decision-making over labour market programs and services for First Nations people
- This Joint policy process is to be “end to end” from crafting recommendations to Ministers to implementation follow-up.

**OPTIONS:** (each option can be seen as an enhancement to the preceding option)

1. AFN submits an “MC-like” document to Employment and Social Development Canada (ESDC) which serves as input to ESDC cabinet recommendation process and evidence of engagement with First Nations designated officials and representatives for labour market development and concretizes (“resetting”) the new relationship desired by the Government of Canada with First Nations; and which includes opportunity(ies) for the AFN Chiefs Committee on Human Resources to consider and approve proposed approaches.
2. Officials meet as necessary to elaborate, explain, work out areas of disagreement or difficulty and develop solutions.
3. Process concludes with an AFN senior officials and Assistant Deputy Minister meeting(s) to resolve outstanding issues, as appropriate (if necessary), to transmit the final document, to review next steps and time-line for renewal [with an offer to provide a Ministerial briefing to support Minister at cabinet].
4. Joint work will be necessary after cabinet approval including a Treasury Board Submission, program design and roll-out, communications and follow-up (e.g. processes would likely need to include a formative evaluation or implementation audit).

**RATIONALE:**

- As advocate for FN, AFN wishes to move forward with a “new relationship” with the federal government and engage in a process and outcome that reflect autonomous decision-making in areas that are of concern to First Nations
- AFN wishes to input directly into the cabinet approval process based on its mandate to advocate for improved policy and programs supporting First Nations priorities; involvement since Pathways to Success (25 years) in promoting First Nations-managed and delivered employment programs and services; knowledge

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- of First Nations conditions; experience with managing contributions agreements, funding models, and knowledge of program delivery conditions (i.e. federal paternalistic approach, micromanagement, quality-qualifications and lack of cultural sensitivity of Services Canada staff on a federal level and the need for enhanced capacity among First Nations).
- A key issue for Ministers is the expected reception that a policy announcement will receive. In this case, the ESDC Minister will be able to affirm that she has engaged in a joint process and that FN leadership agrees that the FNLMS reflects their input, will be effective in contributing to resetting the relationship with FN and in addressing FN employment issues
  - A joint policy process will impact downstream program development facilitating implementation and operations.

**CONSIDERATIONS:**

Openness to engagement and input will vary with the different aspects of the strategy:

- A joint policy process with AFN will be consistent with a distinct First Nations strategy
- A distinct First Nations strategy requires a change in approach for ESDC but is consistent with Government of Canada declaration of desiring a new relationship:
  - A distinct strategy is consistent with conditions on the ground where First Nations, Inuit and Métis
    - have different rights and live under different jurisdictional regimes,
    - experience very different socio-economic conditions and
    - access different levels of programs and resources;
- The envelope which effects the fiscal framework is the sensitive for Government but AFN has solid arguments and analysis that ESDC can take up (see Issue Paper 4 – The Envelope);
- Program design is the easiest to engage in joint work and the greatest risk will be that the policy intent of a new relationship will be frustrated at the implementation and delivery levels.
- Submitting an "MC-like" document and hoping that it will be reflected in the final policy decisions is an incomplete strategy, and potentially weak, unless supported by First Nations and federal joint leadership in design and development, alongside representations and opportunities to engage and resolve issues in cooperation with officials.

**RECOMMENDED OPTION:**

The combined package of options

**DECISION:**

**DATE AND VERSION:** Draft 2, November 23, 2016