



Assembly of Manitoba Chiefs
EMPOWERING OUR NATIONS

CONSTITUTION OF THE ASSEMBLY OF MANITOBA CHIEFS

Adopted on September 1994

Amended July 31-August 1, 2019
Brokenhead Ojibway Nation

**CONSTITUTION OF THE
ASSEMBLY OF MANITOBA CHIEFS**

PREAMBLE

The Chiefs of the General Assembly of the Assembly of Manitoba Chiefs, having been convened, and

AFFIRMING that our peoples are the original peoples of this land having been put here on Turtle Island (North America) by the Creator; and

RECOGNIZING that through the Creator laws were developed to govern all our relationships for us to live in harmony with nature and mankind; and

DECLARING that the primary law of First Nation governments is the spiritual law through which the Creator defined our rights and responsibilities; and

STATING that we as autonomous peoples, have maintained our freedoms, languages, culture and traditions from time immemorial; and

ACKNOWLEDGING that the rights and responsibilities ascribed to us as peoples by the Creator cannot be altered, abrogated or diminished by any other Nation; and

NOTING that our aboriginal (First Nation) title, aboriginal (First Nation) rights and international Treaty rights exist and are recognized by International law; and

ACCEPTING that the Royal Proclamation of 1763 is binding on both the Crown in right of the United Kingdom and Canada; and

STATING that the Constitution of Canada is an instrument which protects our Aboriginal title, aboriginal rights (collective and individual), international Treaty rights and the inherent right to self-determination; and

AFFIRMING that as Nations, our governmental powers, authorities and responsibilities are inherent and have existed since time immemorial; and

NOTING that recognition of the existence of the Canadian Constitution does not dilute, impair or undermine the sovereign status of First Nations of Manitoba; and

AFFIRMING that the right to self-determination and self-government of First Nations of Manitoba transcends the confines or circumscription of the Canadian state; and

DECLARING that our Nations are part of the International community;

ARE DETERMINED to be guided by the mission statement:

To protect our First Nation governments from further encroachment and to prevent any action by any Nation, group, jurisdiction or government from violating the integrity and freedoms of self-determination and from violating individual and collective rights of First Nations;

To reaffirm our belief in the sovereign equality of Nations and the fundamental rights of First Nations peoples;

To seek justice for the obligations arising from our International Treaties; and;

To promote and ensure social progress, harmony and the quality of life among our peoples;

AND FOR THESE ENDS,

To ensure respect of our culture, our diversity, our independence and our distinctiveness;

To practice tolerance, consensus and strive for harmony;

To unite our strength to maintain our security, traditions and nationhood;

To utilize domestic and international means for the promotion of the political, economic, spiritual and social advancement of our peoples; and

To join together our First Nations in political unity and solidarity for the collective advancement of our peoples on issues of common interest.

SO, WE THE CHIEFS HAVE RESOLVED TO COMBINE OUR EFFORTS TO ACCOMPLISH COMMON POLITICAL RIGHTS AND FREEDOMS.

ACCORDINGLY

our respective governments, through the Chiefs of First Nations of Manitoba assembled in the City of Winnipeg on September 14, 1994 agree to affirm the establishment of the Assembly of Manitoba Chiefs and now agree to the present Constitution of the Assembly of Manitoba Chiefs.

DEFINITIONS

ABORIGINAL

First Nations in Manitoba prefer to use the term First Nations or terms such as the Anishinaabeg, Anishiniwak, Dakota Oyate, Denesuline, Nehethwuk / Ininwak to describe themselves as peoples. The term Aboriginal is used in the same context found in the Canadian Constitution especially section 25 and 35.

CONFLICT OF INTEREST

A conflict of interest occurs when a member of the Chiefs-in-Assembly acts, votes, has information or makes a decision in the course of his or her official duties which either purposefully or coincidentally furthers their own person interests and/or provides a personal gain, pursuant to Article 12(2).

FIRST NATION

A generic term to describe the original peoples of this land. Only status treaty peoples have the right to use this terminology. Some years ago, the term aboriginal meant the original peoples, and since the Constitution of Canada in 1982, the term aboriginal has been used in a wide context.

INDEPENDENT FIRST NATION

A First Nation in this province that does not belong to a Tribal organization or a regional organization but is a member of the Assembly of Manitoba Chiefs.

PROXY

A person who is designated elected representative from the First Nation of a Chief who is substituted or deputed to represent and act for him or her pursuant to Article 6(3).

QUORUM

The number of members who must be present in a deliberative body before business may be transacted.

TRADITIONAL TEACHINGS

A term used by Elders and traditional peoples to describe their way of life and daily conduct. This term includes the following: (a) wisdom; (b) love; (c) respect; (d) bravery (courage); (e) honesty; (f) humility; (g) truth.

IDEALS

ARTICLE 1

In every forum of the Assembly of Manitoba Chiefs, diplomatic and political relations as well as governmental comity between First Nations shall be guided by the following ideals:

- (a) By virtue of our rich heritage, historical experience, contemporary experience and traditional values of sharing, non-interference, trust, honour, respect, harmony and traditional teachings; the First Nations possess common interests and aspirations to exercise their political will in collective approaches and strategies through consensus.
- (b) By virtue of the recognition and affirmation of our mutual freedom to determine our political status and self-determination, First Nations possess the knowledge and political will to respect the sovereignty of each First Nation.
- (c) By virtue of the recognition and respect for our mutual sovereign equality, and sovereign autonomy, First Nations can establish collective political relations in a cooperative manner.
- (d) By virtue of our mutual belief in justice and respect for our jurisdictions, First Nations can establish collective political relations that will not prejudice a single First Nation.

PRINCIPLES

ARTICLE 2

The Assembly of Manitoba Chiefs, in Assembly, in the pursuit of the ideals stated in Article 1 and under their guidance, shall subscribe and maintain the following principles:

- 1. We state and accept that each First Nation has the inherent right to self-determination and to self-government by virtue of its nationhood and its autonomy and sovereignty is not impaired by decisions of other First Nations.
- 2. We accept that First Nations in Manitoba, as independent Nations, signed international covenants known as Treaties and accordingly these Treaty rights must be upheld and maintained. First Nations recognize that collective power and action is necessary for the preservation and integrity of these Treaty rights.
- 3. We recognize and accept that First Nations have an inherent and fundamental relationship with the land and natural environment. First Nations assert that this relationship and the rights thereto include rights to lands, resources and jurisdictions over our traditional territories.

4. We accept that the right of First Nations to self-determination and self- government is inherent and not derivative. The plenary power and authority of the First Nations in Manitoba can give cause to exist, a delegated form of authority known as the Assembly of Manitoba Chiefs. Any or all action by the Assembly of Manitoba Chiefs that exceed the purpose, authority, responsibility and jurisdiction will be of no force or effect.
5. We acknowledge and accept that the Assembly of Manitoba Chiefs, an organization formed to act on behalf of the First Nations of Manitoba derives its power, mandate and responsibility from the sovereignty of those First Nations. The institutions entrusted to exercise this delegation, function with the fullest respect for the sovereignty of each First Nation and the ascribed duty and performance will comply with such delegation.
6. We acknowledge and accept that the Assembly of Manitoba Chiefs serves to advance the rights and aspirations of First Nations in Manitoba and to protect the best interests of First Nation peoples of Manitoba and future generations.
7. We accept that where it is necessary to identify, prioritize and initiate collective action on certain issues that such decisions shall occur at regularly convened Assemblies.
8. We accept that duties, responsibilities and contributions involved in our collective efforts shall be shared on an equitable basis between First Nations and their various institutions.
9. We state that our collective efforts undertaken by First Nations in Manitoba shall respect and enhance the political and legal equality of our peoples, the fundamental human rights of individuals, the equality of men and women and deference to First Nation Elders. These efforts are in concert with our respect for and the promotion of our collective and individual rights.
10. We state that any collective action by the Assembly of Manitoba Chiefs shall never derogate or deny our inherent aboriginal and Treaty rights.
11. The Assembly of Manitoba Chiefs shall not affiliate itself with any other Provincial or Territorial or National or International First Nation organization without the support of the member First Nations of the Assembly of Manitoba Chiefs.

MANDATE

ARTICLE 3

The Mandate of the AMC is, through the Chiefs-in-Assembly, to devise collective and common political strategies and mechanisms for coordinated action by First Nations and their organizations to:

1. Promote, preserve, and protect Aboriginal and Treaty rights for First Nations people in Manitoba;
2. Preserve and enhance the rights and freedoms of First Nations in Manitoba as distinct peoples;
3. Strengthen and restore the foundations of First Nations cultures, traditions, languages, economies, and societies;
4. Affirm First Nations rights as peoples to exercise and practise self-determination and self-government; and
5. Protect the integrity and authority of each First Nation's customs, laws, and practises;
6. Preserve and enhance the role and equal participation of First Nation women within the political, economic and social spheres of First Nation governments and organizations.

For the greater certainty, the AMC will function as a political coordinating entity only on the common issues and strategies mandated by the Chiefs-in-Assembly and not as a program and service delivery entity.

The AMC will support specific First Nations issues as mandated by the Chiefs-in-Assembly.

MEMBERSHIP

ARTICLE 4

1. All First Nations in Manitoba have the right to seek membership in the Assembly of Manitoba Chiefs. The Assembly Secretariat shall maintain a schedule of First Nation members.
2. The Chiefs-in-Assembly may recognize the formation of a new First Nation and the right of that Nation to seek membership in the Assembly of Manitoba Chiefs.
3. The Chiefs-in-Assembly may confer special membership or participation rights upon First Nation organizations.
4. Membership entails a commitment among member First Nations in Manitoba to strive for political unity and to support the Assembly of Manitoba Chiefs and its instruments.

INSTRUMENTS

ARTICLE 5

1. The principal instruments of the Assembly of Manitoba Chiefs are designated as:
 - The Chiefs in Assembly
 - The Executive Council of Chiefs
 - The Assembly of Manitoba Chiefs Secretariat Inc. (the "Assembly Secretariat")
 - The Chiefs Committees of the Assembly of Manitoba Chiefs
2. Subsidiary committees or instruments that are necessary or required, may be established by the Manitoba Chiefs-in-Assembly.
 - The Council of Elders
 - Grandmothers Council
 - Women's Council

THE CHIEFS-IN-ASSEMBLY

ARTICLE 6

1. The Chiefs-in-Assembly shall consist of all the Chiefs of those First Nations in Manitoba who choose to exercise their right to be members of the Assembly of Manitoba Chiefs.
2. Each First Nation in Manitoba which is a member of the AMC shall have one elected representative from that First Nation in the Chiefs-in-Assembly.
3. In the absence of a Chief of a First Nation in Manitoba, a Proxy, who is a designated elected representative from that First Nation and who is accredited officially in writing by the Chief of that First Nation for that purpose, may participate in the Chiefs-in-Assembly forum. This written accreditation shall be provided in advance of the Chiefs-in-Assembly meeting to the AMC Secretariat.
4. In the absence of a Chief who may not have an elected Council, designated representatives or proxies who are accredited officially in writing by that member First Nation for that purpose, may participate fully in the Chiefs-in-Assembly forum. This written accreditation shall be provided in advance of the Chiefs-in-Assembly meeting to the AMC Secretariat.
5. A Proxy whom is appointed by a Chief of a First Nation but does not meet the requirements set out in Article 6(3) above will be precluded from acting as a Proxy for a Chief of a First Nation.
6. A Chief of a First Nation shall ensure that any Proxy appointed has reviewed the AMC Constitution, in particular Appendix A Chief-in-Assembly Rules of Procedure prior to attendance of the Chief-in-Assembly.
7. A Proxy whom is appointed by a Chief of a First Nation must adhere and follow all Chief-in-Assembly Rules of Procedure, failing which the Grand Chief in consensus with the Chair of the Assembly has the authority to revoke the Proxy.

FUNCTIONS AND POWERS

ARTICLE 7

1. The Chiefs-in-Assembly is a political forum for First Nations in Manitoba to conduct nation-to-nation discussions and to address common issues and concerns for the purpose of developing and accepting common strategies and initiatives.
2. The Chiefs-in-Assembly as a political forum and source of all authority for collective action shall function as a coordinating and cooperative body for common strategies and initiatives.
3. The Chiefs-in-Assembly shall elect the Grand Chief of the Assembly of Manitoba Chiefs.
4. The Chiefs-in-Assembly shall elect the Regional Chiefs of the Assembly of First Nations. The Chiefs-in-Assembly shall recognize the right of Chiefs of First Nations which are not members of the Assembly to vote for the Regional Chief of the Assembly of First Nations.
5. The Chiefs-in-Assembly shall ensure that the composition of all its delegated committees reflect the principles of: respect for diversity, equal regional representation; and shared decision making responsibility.
6. The Chiefs-in-Assembly may, by resolution mandate the establishment of working groups or Chiefs Committees on any particular subject matter to facilitate the implementation of the decisions or resolutions made by Chiefs-in-Assembly.
7. The Chiefs-in-Assembly may instruct the Executive Council to proceed with an implementation process regarding any subject matter.
8. The Chiefs-in-Assembly as outlined in Article 14 may remove the Grand Chief of the Assembly of Manitoba Chiefs.
9. The Chiefs-in-Assembly may remove the Regional Chief of the Assembly of First Nations as outlined in Article 15.

DECISION MAKING

ARTICLE 8

1. Decisions of the Assembly of Manitoba Chiefs-in-Assembly shall be made by consensus if possible. Unless otherwise specified herein, if a vote is required, a decision is made when it reflects a simple majority of a quorum of Chiefs. A quorum is established when attendance reflects 50% plus one, of Chiefs of the member First Nations when the assembly is called to order by the Chair.
2. In the event of voting, each Chief or duly recognized delegate shall have one vote.

ASSEMBLIES

ARTICLE 9

The Chiefs-in-Assembly shall meet:

1. Once a year within 180 days of the fiscal year end to deal with year-end business. The Assembly Secretariat will cover the basic operational costs of hosting the Assembly (i.e. venue, food and refreshments, contractors, guest speakers, ceremonies) as well as Chiefs' travel and accommodations.
2. In General Assemblies on or about the month of September, December and March depending upon the availability of funds for the Assembly Secretariat to cover the basic operational costs of hosting the Assembly. Chiefs will be responsible for their own travel and accommodation unless the Office of the Grand Chief secures additional funding to cover these unbudgeted expenses.
3. In Special Assemblies to be convened by the Grand Chief of the Assembly of Manitoba Chiefs at the request of the Executive Council to deal with issues of an emergency nature which otherwise cannot be dealt with expeditiously at the General Assemblies, depending upon the availability of funds for the Assembly Secretariat to cover the basic operational costs of hosting the Assembly. Chiefs will be responsible for their own travel and accommodation unless the Office of the Grand Chief secures additional funding to cover these unbudgeted expenses.

PROCEDURE

ARTICLE 10

The Assembly of Manitoba Chiefs-in-Assembly shall adopt its own Rules of Procedure, see Appendix A.

EXECUTIVE COUNCIL OF CHIEFS

Role, Composition and Authority

ARTICLE 11

1. The Executive Council of the Assembly of Manitoba Chiefs shall function as a source of authority between Assemblies and shall be composed of the Grand Chief, 5 Chiefs selected by northern First Nations and 5 Chiefs selected by southern First Nations. The First Nations of the tribal regions and the independent First Nations will identify their respective representatives and alternate representatives on the Executive Council. Quorum for the Executive Council shall consist of six members.
2. The Executive Council may make representations on behalf of the First Nations of Manitoba consistent with properly delegated mandates.
3. The Executive Council shall set priorities on common issues and shall have plenary authority over all Chiefs Committees as a measure of greater cooperation, efficiency and effectiveness.
4. On matters of concern to an individual First Nation that will not prejudice other First Nations, the Executive Council may consider a request from any First Nation and decide on the best course of action or support.
5. The Executive Council will ensure written reports are provided at assemblies indicating progress on mandates and resolutions.
6. The Executive Council shall include the Grand Chief who will chair all Executive Council meetings and shall be responsible for ensuring the Assembly Secretariat implements the decisions of the Executive Council in accordance with the Articles of Incorporation and By Laws of the Assembly Secretariat. Decisions of the Executive Council shall be made by consensus if possible.
7. The Executive Council derives its mandate exclusively from this Constitution and from resolutions passed by Chiefs-in-Assembly. In exceptional circumstances the Executive Council may exercise its plenary powers.
8. The Executive Council shall appoint from among its membership, an Acting Grand Chief who shall assume the responsibility of the Grand Chief in his/her absence.
9. The Executive Council shall meet a minimum of two times a year to provide direction on the decisions made by the Chiefs-in-Assembly and to make decisions on

all issues that arise between Assemblies. The Assembly Secretariat shall cover the costs of these meetings, and attendance may be by way of teleconference.

10. The Executive Council may convene special assemblies.
11. The Executive Council can call special meetings by way of teleconference to deal with emergency matters.

ACCOUNTABILITY

ARTICLE 12

1. The Executive Council shall be accountable to the Assembly of Manitoba Chiefs-in-Assembly.
2. The Assembly of Manitoba Chiefs Chiefs-in-Assembly shall adopt its own rules on Conflict of Interest, see at Appendix B.
3. The Assembly of Manitoba Chiefs Chiefs-in-Assembly shall adopt its own rules on Accountability of Boards and Entities to the AMC Chiefs-in-Assembly, see at Appendix C.

GRAND CHIEF **Role, Authority and Accountability**

ARTICLE 13

1. The Grand Chief derives his/her authority and mandate from this Constitution and resolutions passed by the Assembly of Manitoba Chiefs-in-Assembly and the Executive Council of Chiefs.
2. The Grand Chief is a member of the Executive Council of Chiefs through his/her position as chairperson and functions as a member of a collective leadership.
3. The Grand Chief has a political role and is the principal spokesperson on common issues and accordingly may take a leadership role in advocating the rights and interests of First Nations in Manitoba.
4. The Grand Chief is accountable both to the Assembly of Manitoba Chiefs-in-Assembly and to the Executive Council of Chiefs.
5. The Grand Chief shall be responsible for regular political and financial reports both

to the Executive Council of Chiefs and to the Assembly of Manitoba Chiefs- in-Assembly.

6. The Grand Chief shall maintain and direct the Assembly Secretariat in accordance with the Articles of Incorporation and By Laws of the Assembly Secretariat and with directions set by the Executive Council of Chiefs and the Assembly of Manitoba Chiefs-in-Assembly.
7. The Grand Chief with his Executive privilege may participate as an active member of the Chiefs Committees of the Assembly of Manitoba Chiefs and has the mandate to assist in the coordination of the planning and operations of the various units of the Assembly of Manitoba Chiefs.
8. In the event of a vacancy of the office of Grand Chief or a leave of absence, the Executive Council of Chiefs shall in accordance with Article 11 appoint an Acting Grand Chief from among its membership.
9. The office of Grand Chief is a full time term position with the honoraria being determined by the Executive Council of Chiefs.

ELECTION AND TERM

ARTICLE 14

1. The Grand Chief must be a member of a First Nation in Manitoba.
2. The Grand Chief is elected by the Assembly of Manitoba Chiefs-in-Assembly for a three year term of office.
3. The Grand Chief shall be elected by the Assembly of Manitoba Chiefs-in- Assembly by a simple majority of registered Chiefs or delegates.
4. After the expiration of the three year term, the Grand Chief is eligible for re- election.
5. The Grand Chief may be removed from office during a term by a majority vote of the registered Chiefs or delegates at a Special Assembly convened by the Executive Council of Chiefs for that purpose. Prior to such a vote, the Grand Chief will be allowed a reasonable opportunity to address the Chiefs-in-Assembly on the matter before them.
6. The Grand Chief may be reprimanded by the Chiefs-in-Assembly for conduct that may include but is not limited to: not following traditional teachings; the lack of

integrity or professional conduct; and / or not following the principles of the AMC Constitution. Reprimand may include, but is not limited to a verbal or written censure, or leave with or without pay.

7. In the event that the office of Grand Chief becomes vacant, whether through removal from office, resignation, death or incapacity, the Executive Council of Chiefs shall appoint a Deputy Grand Chief to serve as the Acting Grand Chief until such time that allows for an election to the office of Grand Chief.

ASSEMBLY OF MANITOBA CHIEFS REGIONAL CHIEF Election, Term, Role & Responsibilities

ARTICLE 15

1. The Regional Chief must be a member of a First Nation in Manitoba.
2. The Regional Chief is a spokesperson and liaison elected by the Assembly of Manitoba Chiefs-in-Assembly for a three year term of office.
3. The Regional Chief shall be elected by the Assembly of Manitoba Chiefs-in-Assembly by a simple majority of registered Chiefs or delegates who are members of the Assembly of Manitoba Chiefs.
4. After the expiration of the three year term, the Regional Chiefs is eligible for re-election but may be removed from office by a majority of the registered Chiefs or delegates at a Special Assembly convened by the Executive Council of Chiefs for that purpose. In any removal process, the Regional Chief will be afforded an opportunity to present his/her side of the matter.
5. The Regional Chief may be reprimanded by the Grand Chief, Executive Council of Chiefs, or the Chiefs-in-Assembly for conduct that may include but is not limited to: not following traditional teachings; the lack of integrity or professional conduct; and / or not following the principles of the AMC Constitution. Reprimand may include, but is not limited to a verbal or written censure, or leave with or without pay.
6. In the event that the office of Regional Chief becomes vacant, whether through removal from office, resignation, death or incapacity, the Executive Council of Chiefs shall appoint a First Nation member to serve as Acting Regional Chief until such time that allows for an election to the office of Regional Chief.

7. As the Regional Chief must follow the AMC Constitution, and is accountable to the AMC Chiefs-in-Assembly and the AMC Executive Council Chiefs, and the AMC Grand Chief the Regional Chief cannot act alone when representing the Manitoba Region at the Assembly of First Nations without appropriate direction from the AMC Chiefs-in-Assembly. For greater certainty, this includes:
 - a) voting on any decisions or actions that affect the Manitoba Region at any or all AFN-Executive Committee meetings;
 - b) deciding on fiscal resources for the Assembly of First Nations received on behalf of the Manitoba Region;
 - c) any Manitoba regional appointments to any AFN committees or activities; and,
 - d) reporting which shall include the preparation and presentation of a written report including a financial report after each AFN Executive Committee meeting detailing all resolutions passed; discussions and agenda items considered. The Regional Chief will provide this report to the AMC Executive Council for consideration and to the AMC Secretariat for distribution to all Chiefs-in-Assembly. The Regional Chief shall further make a presentation and take questions, comments, and input from the Chiefs-in-Assembly at each General Assembly.
8. Where there are major or material resolutions tabled at the AFN Executive Committee in advance of the AFN Executive meetings; the Regional Chief shall request a special meeting with the Grand Chief; and if possible the Executive Council to seek input and guidance.
9. Prior to moving or seconding any major or material resolutions to the AFN Executive Committee, the Regional Chief shall request a special meeting with the Grand Chief; and if possible the Executive Council of Chiefs to seek input, guidance, and confirm the resolution accords with the current AMC policies and positions.
10. The Regional Chief will make all efforts to be kept informed and abreast of the issues and positions of the AMC Chiefs-in-Assembly, the Executive Council of Chiefs, the AMC Grand Chief's Office, and the First Nations in Manitoba.
11. At all times the Regional Chief will act and represent his or herself in accordance with the position of the AMC. The Regional Chief shall specifically refrain from speaking publicly in a manner that is contrary to an existing position by the AMC Chiefs-in-Assembly, the Executive Council of Chiefs, or the Grand Chief.

12. At the request of the AMC Executive Council of Chiefs, or by resolution passed at the Chiefs-in-Assembly, the Regional Chief shall take all action or position to the AFN Executive Committee for consideration, pursuant and limited to the AFN Executive Committee's function and powers.
13. Direction and functional guidance will be provided by the Executive Council of Chiefs and the AMC Grand Chief.
14. The Regional Chief shall attend Executive Council meetings in an ex-officio manner.
15. The Regional Chief, upon request, shall be available for other Chiefs' Committee meetings.
16. The Regional Chief shall ensure the interests of First Nations in Manitoba are represented at the national level.
17. The office of the Regional Chief will be housed at the AMC Secretariat Office.
18. The Regional Chief shall reside in Manitoba.

ASSEMBLY SECRETARIAT

Role and Authority

ARTICLE 16

- 1 The Assembly Secretariat was incorporated on May 17, 1988 as a non-share capital corporation under the *Corporations Act (Manitoba)* and a "non-profit organization" under the *Income Tax Act (Canada)* to support the activities and initiatives of the Assembly of Manitoba Chiefs.
- 2 The Assembly Secretariat is dedicated exclusively to the social, cultural, educational and economic development of First Nations people who for the most part live on reserves in Manitoba and is centrally managed and controlled from one or more reserves in Manitoba.
- 3 For greater certainty, the incorporation of the AMC Secretariat does not derogate from the inherent rights of the First Nations of Manitoba, including treaty and aboriginal rights; nor does the said incorporation in any way subject the Assembly of Manitoba Chiefs or this Constitution to Canadian corporate law. The AMC Personnel and Finance Committee carries out the responsibilities of the AMC Secretariat Board of Directors.

Role, Function and Accountability

ARTICLE 17

1. Under the direction of the Grand Chief and its Board of Directors through the AMC Personnel and Finance Committee, the Assembly Secretariat shall implement decisions made by the Assembly of Manitoba Chiefs- in-Assembly and by the Executive Council of Chiefs and by the Chiefs' Committees.
2. The Assembly Secretariat shall be accountable through its Board of Directors to the Grand Chief and to the Executive Council of Chiefs.
3. To assist the Executive Council of Chiefs and Chiefs Committees in formulating responses, positions, strategies and work plans on common issues and concerns.
4. To collect and compile resource material and literature with the objective of providing data and information to substantiate First Nations' positions and assertions on various areas of endeavor and activity.
5. To assist the Executive Council of Chiefs and Chiefs Committees in coordinating their activities on common issues and, in particular, to assist in the organization of workshops, committee meetings, conferences and Chiefs' assemblies.
6. To assist the Executive Council of Chiefs and Chiefs' Committees in coordinating and preparing for meetings with provincial and federal government officials and Ministers on common issues, including Treaty and Aboriginal rights.
7. To provide professional and expert advice and assistance on common issues including organizational assistance, research and planning, advocacy on positions, implementation of mandates, analysis and review of policies, programs, laws, constitutional matters and other matters that affect Treaty and aboriginal rights.
8. To develop a body of knowledge and expertise in the area of self-determination, self-government, land and resource rights, Treaties and Treaty rights, international law and indigenous peoples, and more particularly on those common issues that Chiefs Committees' have been established to address on behalf of all Manitoba First Nations.
9. To prepare budgets, receive, administer and distribute funds and transact business and engage in such activities that are necessary for the maintenance and management of the Assembly Secretariat in order to achieve fruition of designated objectives.

10. To work in a coordinated, cooperative and complementary manner with First Nation tribal, political, and other organizations to ensure optimum use of resources.
11. To implement Manitoba First Nations self-determination, control and jurisdiction in research and reliable, accurate statistics, based on First Nations principles of ownership, control, access and possession (OCAP) of First Nations data and information; free prior and informed consent; and First Nations ethical standards
12. The Assembly Secretariat, its Board of Directors and staff shall disclose any conflict of interest to the Executive Council and such a conflict will automatically disqualify the member from any decision making, or information regarding the subject matter of the conflict, except and unless the Executive Council waives the conflict in writing.

CHIEFS COMMITTEES
Role, Function and Accountability

ARTICLE 18

1. The Chiefs Committees of the Assembly of Manitoba Chiefs shall consist of Chiefs selected on a basis of interest, expertise and equitable regional representation. The process for selection will include a notice to Chiefs with a request for an expression of interest for membership on a committee, with a recommendation from the Grand Chief on the Chiefs that should be appointed by the Executive Council to a committee.
2. The Executive Council of Chiefs may appoint Chiefs to various committees as regular members.
3. Councillors may be designated to sit as Committee members in the place of Chiefs at the discretion of their respective tribal organization or First Nation.
4. Committee meetings shall be open to Manitoba First Nation Chiefs who are members of the Assembly of Manitoba Chiefs and who may wish to participate in an ex-officio capacity.
5. The Grand Chief of the Assembly of Manitoba Chiefs may participate on Chiefs Committees.
6. Regular members of Chiefs Committees are responsible for: attending Committee meetings (three consecutive absences will be construed as resignation from regular membership); bringing forward the particular issues, concerns and positions of the First Nations they represent on the Committee; reporting to and consulting with the

First Nations they represent on the Committee concerning the deliberations of the Committee; and fostering coordinated and cooperative efforts in the common interest of First Nations in Manitoba.

7. The Assembly of Manitoba Chiefs-in-Assembly through resolution, has established the following Chiefs Committees:

Self-Determination and Treaties Committee
Health and Social Development Committee
Justice Committee
Child Welfare Committee
Education Committee
Housing Committee
Economic Development Committee
International Affairs Committee
Personnel and Finance Committee

8. Further Committees may be established by Assembly of Manitoba Chiefs-in-Assembly or by the Executive Council of Chiefs as may be necessary to address issues and concerns on an as required basis.
9. The purpose of the Chiefs Committees is to facilitate the implementation of the decisions made by Assembly of Manitoba Chiefs-in-Assemblies or the Executive Council of Chiefs. Chiefs' Committees should also assess requirements for further direction and may recommend resolutions for consideration by the Assembly of Manitoba Chiefs-in-Assembly.
10. The Chiefs Committees are accountable to the Assembly of Manitoba Chiefs-in-Assembly and to the Executive Council of Chiefs. Any questions on Chiefs Committee mandates shall be referred to the Executive Council of Chiefs. Chiefs' Committees shall report on mandates and progress at general assemblies.
11. The Chiefs Committees shall each select a Chairperson from among their respective memberships. Meetings are to be held depending upon the availability of funds for such meetings.
12. A simple majority of the regular members shall constitute a quorum and no business shall be conducted in the absence of a quorum.
13. Any individual Chief whom has an actual or perceived conflict of interest shall refrain from voting on decisions at the Chief Committee, unless this conflict has been disclosed to the Chiefs Committee and explicitly waived by a simple majority.

COUNCIL OF ELDERS
Composition, Role and Function

ARTICLE 19

1. The Council of Elders shall consist of Elders representative of the First Nations in Manitoba. The term of any Elder on the Council will be for five years, and the size and membership of the Council of Elders will be determined by the Executive Council of Chiefs with the advice of First Nations and tribal organizations.
2. The Executive Council will select a representative from the Council of Elders who will assist in Assemblies, Executive meetings and Special Assemblies.
3. The Council of Elders will provide advice and functional guidance to the Chiefs-in-Assembly.
4. The Council of Elders may make recommendations to the Executive Council and to the Assembly of Chiefs-in-Assembly.

GRANDMOTHERS COUNCIL
Composition, Role and Function

ARTICLE 20

1. The Grandmothers Council shall consist of Grandmothers representative of the First Nations in Manitoba.
2. The term of any Elder on the Council will be for five years, and size and membership of the Grandmothers Council will be determined by the Executive Council of Chiefs, and based on the advice of the Grandmothers.
3. The Grandmothers Council will select a representative who will assist in Assemblies, Executive meetings and Special Assemblies.
4. The Grandmothers Council will be called upon to provide advice and functional guidance to the Chiefs-in-Assembly.
5. The Grandmothers Council may make recommendations to the Executive Council and to the Assembly of Chiefs-in-Assembly.

**FIRST NATIONS WOMEN'S COUNCIL
Composition, Role and Function**

ARTICLE 21

1. The Women's Council shall consist of elected female First Nations in Manitoba.
2. The size and membership of the Women's Council will be determined by the Executive Council of Chiefs.
3. The Women's Council will select a representative who will assist in Assemblies, Executive meetings and Special Assemblies.
4. The Women's Council will be called upon to provide advice and functional guidance to the Chiefs-in-Assembly.
5. The Women's Council may make recommendations to the Executive Council and to the Assembly of Chiefs-in-Assembly.

AMENDMENTS

ARTICLE 22

1. The Constitution may be amended by two thirds ($\frac{2}{3}$) of the Chiefs, of the member First Nations of the Assembly of Manitoba Chiefs present at an Annual Assembly or any General Assembly and a positive vote of two thirds ($\frac{2}{3}$) of those present.
2. Notice of amendments must be in writing and given to Chiefs of the member First Nations of the Assembly of Manitoba Chiefs at least thirty (30) calendar days prior to an Annual Assembly or any General Assembly. Such notice must include specific information on the proposed amendments.
3. Amendments shall take effect immediately after being adopted pursuant to Article 22, item 1.

ADOPTION OF THE CONSTITUTION

ARTICLE 23

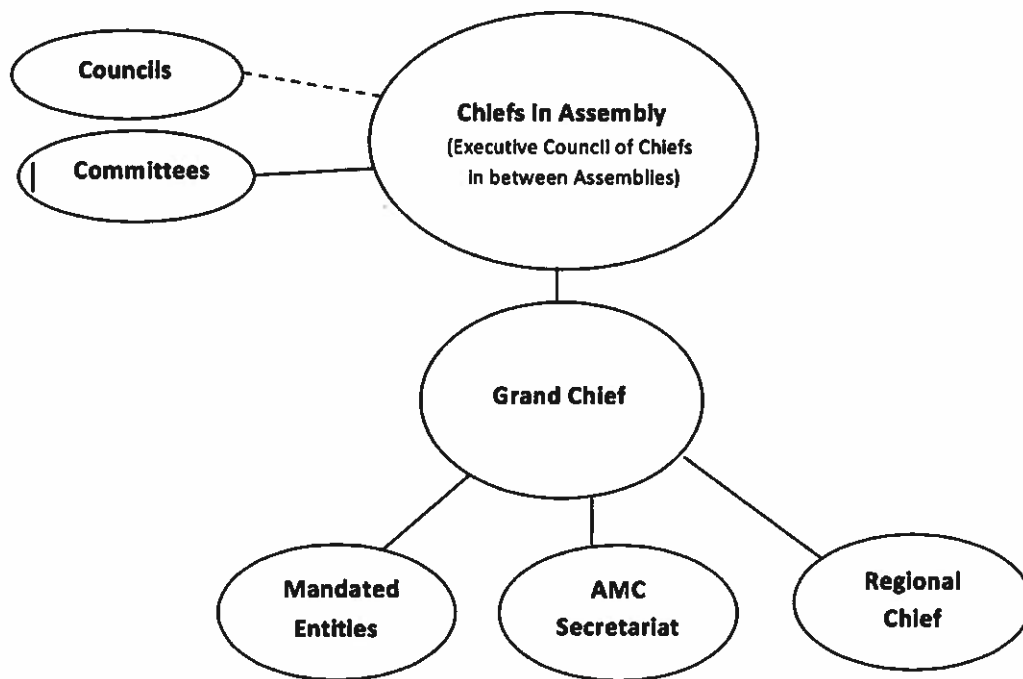
This constitution is adopted by the Assembly of Manitoba Chiefs-in-Assembly on the 14th day of September 1994 at Winnipeg, Manitoba.

PREAMBLE, APPENDIX AND SCHEDULES

ARTICLE 24

The Preamble, Appendix or Schedules form an integral part of this constitution.

ASSEMBLY OF MANITOBA CHIEFS



APPENDIX A

CHIEFS-IN-ASSEMBLY RULES AND PROCEDURES

1. Official Delegates

- 1.1 The delegate must be a Chief of a First Nation in Manitoba who upon registration shall be automatically recognized as the official delegate.
- 1.2 In the absence of a Chief of a First Nation in Manitoba, a Proxy, who is a designated elected representative from that First Nation and who is accredited officially in writing by the Chief of that First Nation for that purpose, may participate in the Chiefs-in-Assembly forum. This written accreditation shall be provided in advance of the Chiefs-in-Assembly meeting to the AMC Secretariat; and accords with the requirements set out in Article 6.
- 1.3 Each member First Nation in Manitoba shall have only one official delegate at all times.
- 1.4 In the absence of a Chief who may not have an elected Council, designated representatives or proxies who are accredited officially in writing by that member First Nation for that purpose, may participate fully in the Chiefs-in-Assembly forum. This written accreditation shall be provided in advance of the Chiefs-in-Assembly meeting to the office of the Grand Chief and accords with the requirements set out in Article 6.

2. Registration

- 2.1 All delegates must be registered daily for the Chiefs-in-Assembly. The registration desk will be open each morning at 8:00 a.m.

3. Quorum

- 3.1 To commence the Assembly, a quorum of delegates representing the majority of member First Nations must be registered on the first day of the Assembly.
- 3.2 A quorum for the Assembly is established when 50% plus one of all the Chiefs/Delegates of the member First Nations are present, when the Assembly is called to order by the Chair.
- 3.3. Once a quorum is established at the commencement of an Assembly on the first day pursuant to Section 3.1, the Chiefs-in-Assembly may conduct business and pass resolutions notwithstanding a quorum does not exist throughout the remainder of the Assembly.

- 3.4 Resolutions will be addressed individually. There will be no blanket resolutions. Resolutions which cannot be addressed in the time available may be deferred until the next assembly or referred to the executive council for consideration and discretionary action.
- 3.5 The agenda shall be adopted by resolution. Once adopted, the Chairperson of the Assembly cannot unilaterally change the agenda.
- 3.6 Each Chief or delegate shall have one vote.
- 3.7 Decisions should be reached if possible by consensus. If consensus appears to be unattainable then a positive vote of a simple majority of registered delegates will be sufficient to carry the resolution or decision.
- 3.8 Only official delegates are entitled to speak to the Assembly and only official delegates may move, second or discuss resolutions. Upon request an advisor, technician or other person may speak to a resolution or agenda topic.
- 3.9 Recognized Elders are entitled to speak to the Assembly.
- 3.10 When addressing the Assembly, delegates must identify themselves and the First Nation they represent.
- 3.11 When speaking to an issue and subject to the discretion of the chair, the initial speaker will be allowed 5 minutes for presentation to the issue. Subsequent delegates will be allowed 3 minutes on that issue. The initial speaker will be allowed supplementary time to further address the issue.

4. Resolutions

- 4.1 The Assembly Secretariat shall be responsible for the formation of a resolution committee.
- 4.2 All resolutions must have a mover and seconder who are identified
- 4.3 All resolutions must be presented to the resolution committee for scrutiny and refinement.
- 4.4 All resolutions presented to the Resolution Committee must include a short briefing note that includes the following:
 - a) background on the resolution (including previous resolutions tabled or adopted related to this resolution or the topic area of the

- resolution);
- b) current status;
- c) consideration and analysis; and,
- d) options and recommendations.

Resolutions shall be moved and seconded by official delegates at the Chiefs-in-Assembly.

- 4.5 The mover and seconder of each resolution must be in attendance at the Chiefs-in-Assembly when a resolution is presented. . If the original mover or seconder that submitted the resolution are not present, the resolution will be tabled until the next meeting of the Executive Council of Chiefs or Assembly.
- 4.6 All resolutions adopted at the Assembly shall be referred to the Executive Council of Chiefs for implementation.
- 4.7 All resolutions adopted at the Assembly shall be deemed to have collective authority of the First Nations of Manitoba.
- 4.8 Draft resolutions and briefing notes prepared by the moving party must be forwarded to the Assembly Secretariat for review by the Resolution Committee and advance distribution to all Chiefs and Councils, no less than four weeks prior to the date of the next Chiefs' Assembly.
- 4.9 The Grand Chief may table a resolution that has not been submitted through the resolution procedure contained within items 4.1 – 4.08 for consideration, discussion, and vote at the Chiefs' Assembly if the Grand Chief deems the resolution of immediate importance and/or in exceptional circumstances.

5. Conflict of Interest

- 5.1 Any individual Chief whom has an actual or perceived conflict of interest shall refrain from voting on decisions at the Chiefs' Assembly, unless this conflict has been disclosed to the Chiefs-in-Assembly, and explicitly waived by a simple majority (see Appendix B).

APPENDIX B

CONFLICT OF INTEREST

1. A Chief may necessarily hold more than one elected or appointed positions, including with an AMC-mandated entity or an AMC committee. He or she will endeavour to ensure that those roles will not be in conflict with the interests of the AMC or Manitoba First Nations.
2. Once elected as Grand Chief, an individual is not required to declare a conflict of interest with his or her previous role and responsibilities or disclose commercially sensitive information, unless one may exist on a decision he or she is involved in the capacity as Grand Chief. If applicable, a successful candidate for AMC Grand Chief must resign for all outside boards and committees.
3. Once elected as the Manitoba Regional Chief, an individual is not required to declare a conflict of interest with his or her previous role and responsibilities or disclose commercially sensitive information, unless one may exist on a decision he or she is involved in the capacity as Regional Chief. If applicable, a successful candidate for AFN Regional Chief must resign for all outside boards and committees.
4. The Manitoba Regional Chief must declare to the AMC Executive Council all the Assembly of First Nations committees he or she has been appointed to, and disclose what regional funding has been provided for all Manitoba Assembly of First Nations initiatives or activities.

APPENDIX C

ACCOUNTABILITY OF AMC-MANDATED BOARDS AND ENTITIES

1. The AMC Chiefs-in-Assembly can by resolution mandate an entity that will benefit Manitoba First Nations.
2. Every AMC-mandated entity must provide an annual report and financial audit to each AMC member First Nation and report annually to the AMC Chiefs-in-Assembly.
3. As a requirement for being mandated by the AMC, each entity will:
 - a. be open and transparent and share its Board of Directors meeting minutes with the AMC Grand Chief's Office; and
 - b. demonstrate it is meeting its mandated purposes by working with the AMC Secretariat on a periodic review and evaluation; and
 - c. in the event a board of directors or membership of an AMC-mandated board or entity considers removing an AMC appointed Chief from its board, it must first inform and provide reasons to the Executive Council, and the Executive Council will decide how to proceed.
4. The removal or amendment of an entity's mandate provided by the Chiefs-in-Assembly can only be done by the Chiefs-in-Assembly by first providing that Board with adequate notice and reasons.

CONSTITUTIONAL AMENDMENTS

1. SPECIAL CHIEFS ASSEMBLY ON RESTRUCTURING
May 20, 21 & 22, 1997, Winnipeg, Manitoba

Certified Resolution May-97.012

Re: Constitutional Amendments to Reflect Gender Equality

Amendments are reflected in sections:

- Article 18
- Rules and Procedures

2. 10TH ANNUAL GENERAL ASSEMBLY
September 15, 16, 17, 1998, Dakota Tipi First Nation

Certified Resolution Sept-98.17

Re: Reforming the Composition of the AMC Chiefs Committees

Amendments are reflected in sections:

- Article 18

Certified Resolution Sept-98.18

Re: Changing the Composition and the size of the AMC Executive Council

Amendments are reflected in sections:

- Article 11

3. 11TH ANNUAL GENERAL ASSEMBLY
November 2, 3 & 4, 1999, Sioux Valley Dakota Nation

Certified Resolution Nov.99-05

Re: Amendment of Article 9 - Assemblies

Amendments are reflected in sections:

- Article 9

Certified Resolution Nov.99-06

Re: Amendment of Article 11 - Executive Council / Chiefs

Amendments are reflected in sections:

- Article 11

Constitutional Amendments (cont'd)

Certified Motion

Re: Appendix B - Chiefs in Assembly Rules and Procedures

Amendments are reflected in sections:

- Appendix B - Section 3.2
- Appendix B - Section 3.3

4. GENERAL ASSEMBLY ON THE FRAMEWORK AGREEMENT INITIATIVE

November 27, 28 & 29, 2001, Opaskwayak Cree Nation

Certified Resolution Nov-01.01

Re: Amendment of Assembly of Manitoba Chiefs Constitution - Section 3-Appendix B-Quorum.

Amendments are reflected in sections:

- Appendix B - Section 3.1
- Appendix B - Section 3.3

Certified Resolution Nov-01.02

Re: Amendment of Assembly of Manitoba Chiefs Constitution

- Appendix B - Section 1 - 1.1
- Appendix B - Section 1 - 1.2
- Appendix B - Section 1 - 1.4

5. ASSEMBLY OF MANITOBA CHIEFS GENERAL ASSEMBLY

January 23, 24, 25, 2007, Long Plain First Nation

Certified Resolution Jan-07-01

Re: Constitutional Amendment Article 17 to Provide Specific Mandate for Research

Amendment is reflected in:

- Article 17

Certified Resolution Jan-07-02

Re: Delete Section 3.3, Appendix B – Quorum (adopt new provision)

Amendment is reflected in:

- Appendix B

Constitutional Amendments (cont'd)

6. SPECIAL CHIEFS ASSEMBLY ON TRCM AND FIRST NATIONS HEALTH

March 23 & 24, 2010, Brokenhead Ojibway Nation Certified Resolution Mar-10.02

Re: To Amend the Constitution of the Assembly of Manitoba Chiefs and the Articles of Incorporation of the Assembly of Manitoba Chiefs Secretariat Inc.

Amendments reflected in:

- Article 5(1)(point 3)
- Article 11(6)
- Article 13(6)
- Article 16(1)
- Article 17(1) and (2)

7. 25TH ANNUAL GENERAL ASSEMBLY

July 9, 10, 11, 2013, Opaskwayak Cree Nation Certified Resolution JUL-13.03

Re: Amendment of the Assembly of Manitoba Chiefs Constitution

Amendments reflected in:

- Article 9 (1) (2) and (3)
- Article 11 (9) and (11)
- Article 18 (11)

8. 28th ANNUAL GENERAL ASSEMBLY

September 20, 21, 22, 2016, Swan Lake First Nation Certified Resolution SEPT-16.02

Re: AMC Constitutional Amendment: Quorum Requirements for Assemblies

Amendment reflected in:

- Appendix B – Chiefs-in-Assembly Rules and Procedures (3.3) Certified

Resolution SEPT-16.03

Re: AMC Constitutional Amendment: Definition of Proxy

Amendment reflected in:

- Article 6 (3)
- Appendix A, Glossary of Terms

Constitutional Amendments (cont'd)

9. 29TH ANNUAL GENERAL ASSEMBLY

July 18, 19, 20, 2017, Nisichawayasihk Cree Nation Certified Resolution JULY-17.05

Re: Assembly of Manitoba Chiefs (AMC) Constitutional Amendment: Inclusion of the AMC Grandmothers Council

Amendment reflected in:

- Article 5.2
- Article 20 Certified Resolution JULY-17.06

Re: Assembly of Manitoba Chiefs (AMC) Constitutional Amendment: Change of the First Nations Women's Committee to Women's Council

Amendment reflected in:

- Article 21

10. 31ST ANNUAL GENERAL ASSEMBLY

July 31, August 1, 2019, Brokenhead Ojibway Nation

Jul-19.04 Amendments to the Assembly of Manitoba Chiefs Constitution

Jul-19.05 Role and Responsibilities of the Assembly of Manitoba Chief Grand Chief

Amendments made to Articles 13 and Article 14

Jul-19.06 Role and Responsibilities of the Assembly of Manitoba Chief Regional Chief

Amendments made to Articles 1, 11, 13 and 14

Jul-19.07 Amendments to the Election Rules for the Regional Chief of the Assembly of Manitoba Chiefs

Jul-19.08 The Assembly of Manitoba Chiefs Policies and Procedures for Elected and Appointed Officials

APPENDIX B



Assembly of Manitoba Chiefs
EMPOWERING OUR NATIONS

Role and Responsibilities of the Assembly of Manitoba Chiefs Grand Chief

Adopted July 31, 2019

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1. Authority and Mandate

- 1.1. The Grand Chief derives his/her authority and mandate from the AMC Constitution and resolutions passed by the Assembly of Manitoba Chiefs-in-Assembly and the Executive Council of Chiefs. The Grand Chief is accountable both to the Assembly of Manitoba Chiefs-in-Assembly and to the Executive Council of Chiefs.
- 1.2. The Grand Chief has Executive privilege to participate as an active member of the Chiefs Committees of the Assembly of Manitoba Chiefs and has the mandate to assist in the coordination of the planning and operations of the various units of the Assembly of Manitoba Chiefs.
- 1.3. The Grand Chief shall maintain and direct the Assembly Secretariat in accordance with the Articles of Incorporation and By Laws of the Assembly Secretariat and with directions set by the Executive Council of Chiefs and the Assembly of Manitoba Chiefs-in-Assembly.

2. Election and Term

- 2.1. The Grand Chief is elected by the Assembly of Manitoba Chiefs-in-Assembly for a three year term of office.
- 2.2. The Grand Chief shall be elected by the Assembly of Manitoba Chiefs-in-Assembly by a simple majority of registered Chiefs or delegates.
- 2.3. Upon election to office, the Grand Chief will be a member of the Executive Council of Chiefs and will chair meetings and shall be responsible for ensuring the Assembly Secretariat implements the decisions of the Executive Council in accordance with the Articles of Incorporation and By Laws of the Assembly Secretariat. Decisions of the Executive Council shall be made by consensus if possible
- 2.4. After the expiration of the three-year term, the Grand Chief may seek re-election to the office of Grand Chief.

3. Diplomatic and Political Relations

- 3.1. All diplomatic and political relations of the Grand Chief shall be guided by First Nation traditional values of sharing, non-interference, trust, honour, respect, harmony and traditional teachings. Traditional teachings as identified by our Elders and traditional peoples to describe a way of life and daily conduct that includes: Wisdom; Love; Respect; Bravery; Courage; Honesty; Humility; and Truth.
- 3.2. The Grand Chief has a political role and is the principal spokesperson on common issues regionally, and to articulate regional positions and messages nationally with the Prime Minister, various federal ministers, and federal agencies and bodies, and accordingly may take a leadership role in advocating the rights and interests of First Nations in Manitoba.

4. Reporting and Accountability

- 4.1. The Grand Chief is accountable both to the Assembly of Manitoba Chiefs-in-Assembly and to the Executive Council of Chiefs.
- 4.2. The Grand Chief shall be responsible for regular political and financial reports both to the Executive Council of Chiefs and to the Assembly of Manitoba Chiefs-in-Assembly.
- 4.3. The office of Grand Chief is a full time term position with the honoraria being determined by the Executive Council of Chiefs.

5. Statement of Values

- 5.1. The Grand Chief is the principal spokesperson on common issues for the Assembly of Manitoba Chiefs and expected to carry out such duties and time in office with the utmost integrity and honour of all First Nations they represent.
- 5.2. At all times while in the position of Grand Chief, the Grand Chief shall adhere to the following values and principles:
 - a. **Respect for Democracy:** The Grand Chief recognizes that they are an elected official accountable to the Chiefs in Assembly and the Executive Council of Chiefs and will carry out their duties as directed by the Assembly of Manitoba Chiefs electorate.
 - b. **Respect for People:** The Grand Chief shall treat all people with respect, dignity and fairness. As well as make all efforts to contribute to a safe and healthy environment that promotes engagement, openness, transparency and respectful communication.
 - c. **Integrity:** The Grand Chief will undertake the highest ethical standards and will work to conserve and enhance public confidence in the honesty, fairness, and honour of the First Nations in Manitoba.
 - d. **Honour of the Office:** The Grand Chief will act all times with integrity and in a manner that will bear the closest public scrutiny and maintain the honour of the office of Grand Chief and the Assembly of Manitoba Chiefs. The Grand Chief acknowledged that this obligation that may not be fully satisfied by simply acting within the law.
 - e. **Avoidance of Conflicts of Interest:** The Grand Chief will not engage in any activity to inappropriately obtain an advantage for themselves or to advantage or disadvantage others. The Grand Chief will take all possible steps to prevent and resolve any real, apparent or potential conflicts of interest between their official responsibilities and their private affairs in favour of the Assembly of Manitoba Chiefs.

- f. **Stewardship:** The Grand Chief is entrusted as the political voice for First Nations in Manitoba and will at all time act in accordance to maintain the highest standards of office. The Grand Chief will effectively and efficiently use resources, funding, property of the Assembly of Manitoba Chiefs having regard for the best interests of the organization as a whole.
- g. **Excellence:** The Grand Chief shall strive for professional excellence in the performance of their duties. In particular, the Grand Chief will serve the Assembly of Manitoba Chiefs in a fair, timely, efficient and effective manner that provides leadership while still encouraging collaborative and innovative approaches.

6. Code of Conduct

- 6.1. The conduct of the Grand Chief and the office of the Grand Chief shall be informed by the AMC Constitution and be guided by traditional teachings, and shall act in an ethical and professional manner, to ensure:
- a. the duties of the position are carried out honestly, conscientiously and loyally;
 - b. prompt, courteous and temperate performance;
 - c. the use initiative solutions to find ways to work as efficiently and economically as practicable;
 - d. to administer and, where necessary, interpret and explain the mandate of the AMC to the general public;
 - e. recommend, within their sphere of responsibility, changes to policy which they believe are appropriate;
 - f. conduct is in a manner that will bring credit to the AMC;
 - g. no engagement in public criticism of First Nations in Manitoba;
 - h. the use information obtained as Grand Chief is used only for the intended purpose, and not for their own personal interests or those of other persons;
 - i. active performance of duties on a full time basis, subject to a valid reason for an absence;
 - j. information on decisions or individuals obtained as Grand Chief is not released or published with appropriate authorization; and,

- k. the use equipment, property or supplies which are owned or rented by the AMC are used for authorized purposes only and/or used in the performance of the duties of the Grand Chief.

7. Disciplinary / Removal From Office

- 7.1. The AMC Chiefs-in-Assembly or AMC Executive Council of Chiefs will take corrective and / or disciplinary action according to:
 - a. the goal and objectives of the AMC whether expressed in resolutions, motions or otherwise;
 - b. the performance and conduct of the Grand Chief, including;
 - Verbal abuse or threats;
 - Offensive gestures;
 - Condescension which undermines self-respect;
 - Harassment, including personal harassment which is objectionable conduct, comment or display, usually directed at an individual, that demeans, belittles, or causes personal humiliation or embarrassment.
 - Abuse of Authority
 - c. nature of the misconduct and the degree of harm caused to the AMC by the misconduct;
 - d. the Grand Chief's response to past attempts at progressive discipline; and/or,
 - e. any other circumstances which affect the relationship between the AMC Chiefs-in-Assembly, Executive Council, or the Grand Chief.
- 7.2. Where concerns are expressed by Executive Council of Chiefs, or the Chiefs-in-Assembly a meeting will be called; or an addition to an agenda of a duly convened meeting to discuss next steps regarding the Grand Chief's actions. Minutes of the meeting will document the decision of the meeting, severity of the action of the Grand Chief, and what procedure will be followed. These decisions will then be formally provided the Grand Chief in a letter along with the date of the meeting.
- 7.3. When an issue has been identified that the Grand Chief has acted contrary to the AMC Constitution, or this Assembly of Manitoba Chiefs Personnel Policy Manual For Chiefs & Committee Members the AMC may take any of the following measures: a verbal warning; a written warning; suspension with or without pay; and / or removal as set out in item 7.1.
- 7.4. Any remedy or decision is the sole discretion of the AMC and is not subject to an appeal of any kind.
- 7.5. The Grand Chief may be removed from office during a term by a majority vote of the registered Chiefs or delegates at a Special Assembly convened by the Executive Council of Chiefs for that purpose. Prior to such a vote, the Grand Chief will be allowed a reasonable opportunity to address the Chiefs-in-Assembly on the matter before them.

7.6. Cause for removal may include, but is not limited to:

- a. serious misconduct or neglect of duty;
- b. insubordination, insolence or deliberate violation of any of the articles in the AMC Constitution or roles and responsibilities of the Grand Chief as mandated by the AMC Chiefs in Assembly;
- c. breach of the *Canadian Criminal Code*, or *Controlled Drugs and Substances Act*
- d. abandonment of the position;
- e. theft or other dishonesty;
- f. violence against others including any AMC member First Nation Chief or AMC staff;
and,
- g. deliberate or negligent conduct which embarrasses or otherwise damages the reputation of First Nations in Manitoba.

7.7. The removal procedure shall be conducted pursuant to Article 14 of the AMC Constitution.

SCHEDULE 1



Assembly of Manitoba Chiefs
EMPOWERING OUR NATIONS

AMC Grand Chief Oath of Office

I, *INSERT ELECTED CANDIDATES NAME*, promise and swear before the Great Spirit that I will act faithfully and rightfully in my capacity as the AMC Grand Chief.

I will to the best of my ability perform all the duties required under the constitution of the Assembly of Manitoba Chiefs, the by-laws of the Assembly of Manitoba Chiefs Secretariat Inc., the Roles and Responsibilities of the AMC Grand Chief without partiality, fear or favour, for the sake of all First Nations in Manitoba.

Signature of Elected Candidate

Witness

Date

APPENDIX C



Assembly of Manitoba Chiefs
EMPOWERING OUR NATIONS

Role and Responsibilities of the Assembly of Manitoba Chiefs Regional Chief

Adopted July 31, 2019

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1. Authority and Mandate

- 1.1. The Regional Chief is elected by the Chiefs of the Assembly of Manitoba Chiefs. The Chiefs elect the Regional Chief to advance the collective position on behalf of First Nations in Manitoba at the national or inter-provincial level as mandated of the AMC Chiefs-in-Assembly.
- 1.2. The Regional Chief is a representative of the AMC, and reports to and takes direction from: the AMC Grand Chief; the AMC Executive Council of Chiefs; and the AMC Chiefs-in-Assembly.
- 1.3. All activities, meetings, correspondence and statements of the Regional Chief must be in accordance with the AMC Constitution; decisions of the AMC Chiefs-in-Assembly and Executive Council of Chiefs; direction from the AMC Grand Chief's Office; and existing AMC policies and procedures.

2. Diplomatic and Political Relations

- 2.1. All diplomatic and political relations of the Regional Chief shall be guided by First Nation traditional values of sharing, non-interference, trust, honour, respect, harmony and traditional teachings. Traditional teachings as identified by our Elders and traditional peoples to describe a way of life and daily conduct that includes: Wisdom; Love; Respect; Bravery; Courage; Honesty; Humility; and Truth.
- 2.2. Upon election, the Regional Chief shall promise and swear the attached Oath of Office (Schedule 1).

3. Role

- 3.1. The role of the Regional Chief is to liaise with the Assembly of First Nations (AFN) to communicate the position of the AMC is accurately relayed in a timely manner to ensure the rights, interests and aspirations of First Nations in Manitoba are represented at the AFN national level. As such, the Regional Chief is an elected official and is not an employee of the AMC or the AFN.
- 3.2. To effectively do this role, the Regional Chief must work with the AMC Grand Chief which will require regular communication and sharing of information.
- 3.3. Specifically, the Regional Chief shall keep records and books in order to report and take direction from the AMC Chiefs-in-Assembly, the AMC Executive Council of Chiefs, and the AMC Grand Chief, regarding any and all activities, meetings, correspondence and statements, including but not limited to:
 - a. voting on any decisions or actions that affect the Manitoba region at any or all AFN Executive Committee meetings;
 - b. deciding on fiscal resources for the Manitoba Region received by the AFN;
 - c. selecting all Manitoba representatives on any AFN committee or activity;

- d. reporting to the AMC and the AFN;
 - e. carrying out such responsibilities and obligations as may be set out in funding agreement that pertain to the Regional Chief portfolios or areas of responsibilities;
 - f. attending AFN Executive Committee meetings, AFN General and Special Assemblies, policy forums and other functions; and
 - g. Performing the general duties of the AMC Regional Chief.
- 3.4. The Regional Chief shall attend AMC Executive Council meetings in an ex-officio manner, and upon request, shall be available for AMC Chiefs' Committee meetings.
- 3.5. The Regional Chief shall sit on the AFN Executive Committee to liaise and advance the collective position on behalf of First Nations in Manitoba as representative of decisions of the AMC Chiefs-in-Assembly.
- 3.6. The Regional Chief must have:
- a. a demonstrated high moral character, and no history, or issues with substances of any kind, which could bring the office of the Regional Chief into disrepute;
 - b. knowledge of traditional First Nation teachings and contemporary practices;
 - c. a clear criminal record and child abuse registry record;
 - d. the ability and flexibility to travel extensively within Manitoba and Canada on any and all travel required; and
 - e. proficient use of computer software (Microsoft Word, Excel, PowerPoint).

4. Reports, Work Plans and Records

- 4.1. The Regional Chief shall prepare and submit written reports to both the AMC Chiefs-in-Assembly and to the Assembly of First Nations (AFN).
- 4.2. Reports to the AMC Chiefs-in-Assembly will include making a presentation and take questions, comments, and input on:
- a. written reports to AMC General Assemblies and the AMC Executive Council of Chiefs and; and
 - b. a written Annual Report to be provide at the AMC Annual General Assembly.
- 4.3. Reports to the AFN as may be required pursuant to the AMC – AFN contribution agreement(s) relating to portfolio and areas of responsibility, will also be provided to the AMC Secretariat to share with the AMC member First Nations, including:
- a. quarterly reports due one month following the end of each quarter; and
 - b. after each AFN Executive Committee meeting detailing all discussions and agenda items considered, and resolutions passed.
- 4.4. Reports are to be submitted 30 days after the reporting period to the AMC Executive Council of Chiefs, and to the AMC Secretariat for distribution to all AMC member First Nations, and must be made in accordance with the AFN standard template formats (as

amended from time to time), and identified in the AMC - AFN funding agreement for the Regional Chief, and include:

- a. A summary report;
- b. A financial report;
- c. Calendars of national meetings/events including dates and locations; and
- d. Copies of all travel itineraries, boarding passes, hotel receipts, etc.; indication of time spent on portfolios including travel and preparation time.

- 4.5. Books and records of the Regional Chief shall be maintained and prepared including such financial statements as are required by law and as are consistent with prudent business practices and generally accepted accounting principles, as defined within the public sector accounting and auditing Handbook of the Canadian Institute of Chartered Accountants (CICA) handbook as the case may be.
- 4.6. At the AMC's or the AFN's request, the Regional Chief shall provide copies of financial records and supporting documentation to the requesting party. Such copies will be provided within a timely manner.

5. Term

- 5.1. The AMC Chiefs-in-Assembly elects the Regional for a three-year term of office.
- 5.2. After the expiration of the three-year term, the Regional Chief is eligible for re-election.

6. Remuneration

- 6.1. The Regional Chief is remunerated with the honoraria determined by the AMC Executive Council of Chiefs, per the AMC - AFN funding agreement for the Regional Chief.

7. Code of Conduct

- 7.1. All conduct of the Regional Chief shall be informed by the AMC Constitution and be guided by traditional teachings, and shall act in an ethical and professional manner, to ensure:
 - a. the duties of the position are carried out honestly, conscientiously and loyally;
 - b. prompt, courteous and temperate performance;
 - c. no engagement in public criticism of First Nations in Manitoba;
 - d. conduct is in a manner that will bring credit to the AMC;
 - e. the use information obtained as Regional Chief is used only for the intended purpose, and not for their own personal interests or those of other persons;
 - f. active performance of duties every day unless there is a valid reason for an absence;
 - g. information on decisions or individuals obtained as Regional Chief is not released or published with appropriate authorization; and

- h. no interference or attempt to organize to interfere in any way with the authority of the AMC Chiefs-in-Assembly, or AMC Executive Council of Chiefs, or AMC Grand Chief.

8. Disciplinary / Reprimand Process

- 8.1. The AMC Chiefs-in-Assembly, AMC Executive Council of Chiefs and the AMC Grand Chief will take corrective and / or disciplinary action according to:
- a. the goal and objectives of the AMC whether expressed in resolutions, motions or otherwise;
 - b. the performance and conduct of the Regional Chief, including;
 - Verbal abuse or threats;
 - Offensive gestures;
 - Condescension which undermines self-respect;
 - Harassment, including personal harassment which is objectionable conduct, comment or display, usually directed at an individual, that demeans, belittles, or causes personal humiliation or embarrassment.
 - Abuse of Authority
 - b. the nature of the misconduct and the degree of harm caused to the AMC by the misconduct;
 - c. the Regional Chief's response to past attempts at progressive discipline; and
 - d. any other circumstances which affect the relationship between the AMC Chiefs-in-Assembly, AMC Executive Council of Chiefs, or the AMC Grand Chief.
- 8.2. Cause for immediate termination includes, but not limited to:
- a. serious misconduct or neglect of duty;
 - b. insubordination, insolence or deliberate violation of any of the articles in the AMC Constitution or roles and responsibilities of the Regional Chief as mandated by the AMC Chiefs in Assembly;
 - c. breach of the *Canadian Criminal Code*, *Narcotics Control Act*, or *Food & Drug Act of Canada*;
 - d. abandonment of the position;
 - e. theft or other dishonesty;
 - f. violence against others including any AMC member First Nation Chief or AMC staff; and
 - g. deliberate or negligent conduct which embarrasses or otherwise damages the reputation of First Nations in Manitoba.
- 8.3. Where concerns are expressed by the AMC Grand Chief, Executive Council of Chiefs, or the Chiefs-in-Assembly a meeting will be called; or an addition to an agenda of a duly convened meeting to discuss next steps regarding the AMC Regional Chiefs actions. Minutes of the meeting will document the decision of the meeting, severity of the action of the AMC Regional Chief, and what procedure will be followed. These decisions will then be formally provided the AMC Regional Chief in a letter along with the date of the meeting.

- 8.4. When an issue has been identified that the Regional Chief has acted contrary to these Roles and Responsibilities, progressive measures may be taken that can include: a verbal warning; a written warning; suspension with or without pay; and / or a non-confidence vote.

SCHEDULE 1



Assembly of Manitoba Chiefs
EMPOWERING OUR NATIONS

AMC Regional Chief Oath of Office

I, *INSERT ELECTED CANDIDATES NAME*, promise and swear before the Great Spirit that I will act faithfully and rightfully in my capacity as the AMC Regional Chief.

I will to the best of my ability perform all the duties required under the constitution of the Assembly of Manitoba Chiefs, the by-laws of the Assembly of Manitoba Chiefs Secretariat Inc., the Roles and Responsibilities of the AMC Regional Chief without partiality, fear or favour, for the sake of all First Nations in Manitoba.

Signature of Elected Candidate

Witness

Date

APPENDIX D



Assembly of Manitoba Chiefs
EMPOWERING OUR NATIONS

Election Rules for Regional Chief of the Assembly of Manitoba Chiefs

Adopted July 31, 2019

**ELECTION RULES FOR
REGIONAL CHIEF OF THE ASSEMBLY OF MANITOBA CHIEFS**

Adopted July 31, 2019

1. APPOINTMENT OF CHIEF ELECTORAL OFFICER

- 1.1 At least sixty-five (65) days before the date of an election the Assembly of Manitoba Chiefs Secretariat Inc. ("The "Secretariat") shall appoint the Chief Electoral Officer.
- 1.2 The Chief Electoral Officer shall hold office for fourteen (14) days after the date of an election or until the resolution of an appeal.
- 1.3 The Chief Electoral Officer may be removed for cause by The Secretariat.
- 1.4 If for any reason the Chief Electoral Officer is unable to perform his/her duties or is removed pursuant to subsection 1.3 The Secretariat may appoint a replacement.

2. DUTIES OF CHIEF ELECTORAL OFFICER

- 2.1 The Chief Electoral Officer shall:
 - a) exercise general direction and supervision over the administrative conduct of elections;
 - b) enforce fairness, impartiality and compliance with these rules on the part of all election officers;
 - c) issue to election officers such instructions as he/she may deem necessary to ensure the effective execution of these rules;
 - d) chair the Electoral Committee appointed by The Secretariat; and
 - e) perform such other duties as are prescribed by or under these rules or the Constitution of the Assembly of Manitoba Chiefs Secretariat Inc.
- 2.2 The Chief Electoral Officer shall within seven (7) days after each election make a report to The Secretariat and may include any recommendations about amendments to these rules.
- 2.3 In addition to other powers, duties and functions of the Chief Electoral Officer under these rules he/she may, where an emergency, an unusual or unforeseen circumstances or an error makes it necessary or where the Chief Electoral Officer considers it appropriate adapt any provision of these rules and in particular:
 - a) extend the time or dates for doing anything under these rules;

- b) increase the number of election officers;
- c) omit or vary any of the prescribed forms to suit the existing circumstances;
- d) modify a provision of these rules to permit their use at a by-election;
- e) generally adapt the provisions of these rules to existing circumstances; and exercise such other powers as are prescribed by or under these rules;

but he/she may not extend the hour for the opening or closing of the poll or for accepting a nomination paper on the day fixed for close of nominations in an election.

2.4 During an election, the Chief Electoral Officer may:

- (a) remove from office and replace an election officer upon being satisfied that the officer:
 - (i) refuses or neglects or is unable to act;
 - (ii) has failed to perform satisfactorily the duties of his/her office; or
 - (iii) is engaging in partisan political activities; and

(b) order the election officer to deliver up all materials in his/her possession.

3. ELECTION OFFICERS

3.1 The staff of the Chief Electoral Officer shall consist of an officer known as the Deputy Electoral Officer and any other officers that may be required whom The Secretariat shall appoint.

3.2 The Chief Electoral Officer may authorize the Deputy Electoral Officer or any other officer on his or her staff to perform any of the Chief Electoral Officer's functions under these rules.

4. OATH

4.1 Before assuming duties, an election officer shall swear an oath in writing, in the prescribed form, to perform the duties of the office in an impartial manner.

4.2 No election officer shall communicate information obtained in the course of performing his or her duties under these rules, other than for a purpose related to the performance of those duties.

5. ELECTION COMMITTEE

- 5.1 The Secretariat shall appoint members of The Secretariat to the Election Committee who shall deal with questions about the rules.
- 5.2 There shall be no more than five (5) members of the Election Committee.

6. ELIGIBILITY

- 6.1 Only a Chief or his/her proxy of a First Nation which at the time the notice of an election is issued is a member of the AMC and who has registered within the time prescribed may vote.
- 6.2 Where a First Nation which at the time the notice of an election is issued is a member of the AMC and does not have an elected Council the designated representatives or proxies who are accredited officially in writing by that member First Nation for that purpose and who have registered within the prescribed time may vote.
- 6.3 Where a First Nation withdraws its membership from the AMC after the notice of an election has been issued the Chief or his/her proxy may not vote.
- 6.4 Any citizen of a member First Nation which gives notice of its intention to withdraw its membership from the AMC prior to or after the notice of an election is issued may not be a candidate.
- 6.5 Subject to subsection 6.3 any citizen of a member First Nation may be a candidate who:
- a) is 18 years or older on the date of the close of nominations;
 - b) has resided within Manitoba for three (3) months prior to the notice of an election being issued; and
 - c) has duly filed the prescribed nominations form.
- 6.6 Only a Chief of a member First Nation may nominate, second or endorse an eligible person to be a candidate.

7. TIMING OF ELECTION

- 7.1 The election of the Regional Chief shall take place on the afternoon of the second day of an Assembly in accordance with Article 14 (3) of the AMC Constitution.

8. NOMINATIONS

- 8.1 At least sixty (60) clear calendar days before the date of an election the Chief Electoral Officer shall in the prescribed form call for nominations.

- 8.2 The closing date for nominations shall be ten (10) clear calendar days before the date of an election.
- 8.3 To be an eligible candidate a person must have a nominator, seconder and five endorser.
- 8.4 A Chief may nominate, second or endorse only one candidate.
- 8.5 Nominations must have been received by The Secretariat office by 4:00 p.m. on the closing date of nomination in the prescribed form.

9. NOTICE OF CANDIDATES

- 9.1 As soon as practicable but not later than forty-eight (48) hours after the close of nominations the Chief Electoral Officer shall issue a notice of the candidates in alphabetical order of the last name.
- 9.2 Where two (2) or more candidates have the same names, the notice may include the names by which a candidate is commonly known.
- 9.3 The notice shall include the date, time and place of the election.

10. WITHDRAWAL OF CANDIDACY

- 10.1 A candidate may withdraw his/her nomination in writing in the prescribed form to the Chief Electoral Officer no later than forty-eight (48) hours before the opening of the poll at 1:00 p.m.
- 10.2 The Chief Electoral Officer shall give notice to the candidates and member First Nation of the withdrawal as soon as practicable.
- 10.3 Any candidate may withdraw not later than ten (10) minutes prior to the opening of the next poll during the conduct of the voting orally or in writing to the Chief Electoral Officer. The Chief Electoral Officer shall immediately give notice of the withdrawal.

11. CANDIDATES FORUM

- 11.1 The Chief Electoral Officer shall conduct an all candidate forum at any time during an Assembly but before the date of the election.
- 11.2 The Chief Electoral Officer shall conduct the forum as follows:
- (a) The nominator of each candidate shall have five (5) minutes to introduce the candidate.
 - (b) Each candidate shall have ten (10) minutes to speak.

(c) The Chief Electoral Officer shall draw lots to determine the speaking order.

(d) After the candidates have spoken the Chief Electoral Officer shall allow the registered chiefs or proxies to ask questions for at least one half ($\frac{1}{2}$) hour.

12. VOTING

12.1 Voting shall be by secret ballot.

12.2 Voting shall be open for at least one (1) hour.

12.3 Each candidate may appoint in writing a scrutineer who may be present at the polling place.

12.4 Campaign material is not permitted in the polling place and the Chief Electoral Officer shall remove any material that is in the polling place or remove a person who is distributing campaign material or who is in possession of campaign material while being present in the polling place.

12.5 A Chief or proxy must register to vote. The time for registration shall open at 8:00 a.m. and close at 1:00 p.m. on the date of the election. Registration shall be conducted in accordance with *The Chiefs-in-Assembly Rules and Procedures*.

12.6 Each registered Chief or proxy may cast only one (1) vote at each ballot.

12.7 The Chief Electoral Officer must validate the Chief or proxy before giving a ballot.

12.8 The Chief Electoral Officer shall initial the back of the ballot prior to giving it to the Chief or proxy.

12.9 The Chief or proxy shall place an "X" beside the name of the candidate of choice and place the ballot into the ballot box.

12.10 The Chief Electoral Officer shall close the poll before the time fixed for closing the poll if all the registered Chiefs or proxies have voted.

12.11 After consulting the Election Committee, the candidates and upon reasonably determining that a registered Chief or proxy has no intention of voting the Chief Electoral Officer shall close the poll.

13. COUNTING THE BALLOTS

13.1 As soon as practicable after the close of the poll the Chief Electoral Officer shall count the ballots in a manner determined by the Chief Electoral Officer.

- 13.2 The candidate or his/her scrutineer may observe the counting of the ballots
- 13.3 The Chief Electoral Officer shall reject any ballot that is not initialed or not marked in a manner that clearly indicates the intent of the Chief or proxy.
- 13.4 The Chief Electoral Officer shall, after counting the accepted ballots, declare elected the candidate that has votes totaling 50% plus one of the accepted votes cast excluding the rejected votes.
- 13.5 The Chief Electoral Officer shall conduct ballots until a candidate obtains a simple majority pursuant to subsection 13.4.
- 13.6 A candidate who does not attain 20% of the total accepted votes excluding the rejected votes cast shall not be eligible to be a candidate for the next ballot.

14. TERM OF OFFICE

- 14.1 The Regional Chief shall hold office in accordance with Article 15 (2) of the Constitution of the AMC.

15. BY-ELECTION

- 15.1 Where the office of Regional Chief becomes vacant the Chief Electoral Officer shall conduct a by-election in accordance with these rules with appropriate adaptations and in accordance with Article 15 (5) of the AMC Constitution.

16. ACCLAMATION

- 16.1 Where there is only one candidate after the nominations close or only one candidate remains after other candidates have withdrawn, the Chief Electoral Officer shall immediately declare that candidate elected.
- 16.2 The Chief Electoral Officer shall give notice of the acclamation in writing to the candidate and member First Nations which notice shall include a statement that the Chief Electoral Officer will not hold the scheduled election.

17. APPEAL PROCESS

- 17.1 The candidates shall sign a declaration at the time of being declared a candidate to commit to recognizing and adhering to the decision of the Appeal Committee.
- 17.2 At least sixty (60) days before the date of an election, the Executive Council of Chiefs (ECC) shall set up an Appeals Committee composed of five (5) First Nation citizens who have experience in such matters. The ECC shall designate alternate citizens to fill vacancies.

- 17.3 The Appeal Committee shall adopt its own procedures.
- 17.4 The Appeal Committee members shall hold office for fourteen (14) days after the date of an election or until a decision has been rendered on an appeal.
- 17.5 A candidate may file an appeal within ten (10) days of the date of an election.
- 17.6 An appeal must be in writing, dated and witnessed setting out the grounds for the appeal accompanied by supporting documentation.
- 17.7 The appeal must set out reasonable grounds that:
- (a) the person declared elected was not eligible to be a candidate;
 - (b) there was a breach of the rules in the conduct of the election that might have reasonably affected the result of the election; or
 - (c) there was corrupt practice in relation to the election;
 - (d) a corrupt practice is any attempt to prevent, fetter, or influence the free exercise of a voter's right to choose for whom to vote the motive or intent of which is directed to improperly affect the result of an election.

18. APPEAL PROCEDURES

- 18.1 Upon receipt of an appeal, the Appeal Committee shall:
- (a) in the case where the appeal is filed in accordance with section 17.6 forward a copy together with supporting documentation to the Chief Electoral Officer and to each candidate;
 - (b) in the case where the appeal is not filed in accordance with section 17.6, inform the appellants in writing that the appeal will not receive further consideration.
- 18.2 The Appeal Committee may, if the material that has been filed is not adequate for deciding the validity of the election, conduct such further investigation into the matter as deemed necessary.
- 18.3 Any other candidate or the Chief Electoral Officer may within fourteen (14) days of the receipt of an appeal submit in writing a response to the appeal together with supporting documentation.
- 18.4 The Appeal Committee shall within thirty (30) days of receipt of the appeal convene to hear the appeal.
- 18.5 The Appeal Committee shall ensure that:

- (a) there is proper investigation of the grounds of the appeal;
- (b) all parties are given results of the investigations within a reasonable time prior to a hearing;
- (c) all parties are given proper notice of the hearing;
- (d) all parties are allowed every opportunity to present evidence and be heard; and
- (e) all proceedings of the hearing are recorded.

18.6 After hearing and reviewing all of the evidence and submissions that it has received the Committee shall:

- (a) dismiss the appeal if the evidence presented was not sufficiently substantive to determine that
 - (i) a breach of these rules has taken place that might have reasonably affected the result of the election;
 - (ii) the person declared elected was not eligible to be a candidate; or
 - (iii) there was a corrupt practice in relation to the election that might have reasonably affected the results of the election, or
- (b) uphold the appeal by setting aside the election if all evidence and information gathered allows for the reasonable conclusion that:
 - (i) a breach of these rules has taken place that might have reasonably affected the result of the election;
 - (ii) the person declared elected was not eligible to be a candidate; or
 - (iii) there was a corrupt practice in relation to the election that might have reasonably affected its results.

18.7 The decision of the Committee made pursuant to section 18.6 shall be:

- (a) facsimiled to all the offices of the AMC member First Nations;
- (b) submitted to The Secretariat; and
- (c) forwarded to the appellants.

18.8 The decision of the Committee is final and is not subject to appeal.

19. DISPOSITION OF BALLOTS

- 19.1 The Chief Electoral Officer shall deposit all ballot papers in sealed envelopes, including those rejected, spoiled and unused, and shall retain the ballots and all materials in connection with the election.
- 19.2 All ballots and material retained in accordance with subsection 19.1 shall be retained for forty (40) days from the date of the election was held or until a decision on an appeal is rendered whichever date is later, after which time the Chief Electoral Officer may, unless directed otherwise by the Election Committee, destroy them in the presence of two witnesses who shall make a declaration that they witnessed the destruction of those papers.

20. AMENDMENTS

- 20.1 The Secretariat shall review these rules within a year after the date an election was held together with the recommendations of the Chief Electoral Officer and make recommendations to the Executive Council of Chiefs of the AMC.
- 20.2 The Chiefs-in-Assembly shall ratify any amendments.

21. EFFECTIVE DATE

- 21.1 These rules come into effect on the date that the Grand Chief certifies a resolution that the Chiefs-in-Assembly passed to ratify these rules.

APPENDIX E



Assembly of Manitoba Chiefs
EMPOWERING OUR NATIONS

Policies and Procedures for Elected and Appointed Officials

Adopted July 31, 2019

**ASSEMBLY OF MANITOBA CHIEFS
POLICIES AND PROCEDURES FOR ELECTED AND APPOINTED OFFICIALS**

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INTRODUCTION

This manual contains policies and procedures for the AMC Grand Chief of the Assembly of Manitoba Chiefs, the AMC Regional Chief, the Chiefs-in-Assembly, anyone elected or appointed to an AMC Committee or Council, AMC board or entity, or any other board or entity representing the AMC (herein after these people will collectively be referred to as the “AMC Representatives”).

These policies and procedures specifically excludes AMC Employees; whom are governed by a separate Employee Personnel Policy Manual.

This manual has been prepared to:

- ensure consistency in the response and process regarding matters affecting AMC Representatives engaged in AMC business;
- provide a reference document for elected officials generally and in particular when performing functions and duties of the AMC; and
- serve as a record for the procedure addressing concerns.

In the event a situation arises that is not covered within these policies and procedures, the AMC Executive Council of Chiefs shall use its discretion to deal with the matter and report the action taken to the AMC Chiefs-in-Assembly.

1.0 AMC REPRESENTATIVES CODE OF CONDUCT

1.1. Conduct

The following Code of Conduct may not cover every situation; it must nonetheless serve as a guide concerning the expectations of AMC with regard to the AMC Representatives.

All AMC Representatives are expected to:

- carry out all duties of their position within the AMC honestly, conscientiously and loyally;
- represent the AMC in a positive manner;
- cooperate and communicate with AMC staff;
- administer and, where necessary, interpret and explain the mandate of the AMC to the general public;
- recommend, within their sphere of responsibility, changes to policy which they believe are appropriate;
- conduct themselves in a manner that will bring credit to them and the AMC while on duty and in the public;
- not engage in public criticism of approved organizational policies;
- use information obtained from the AMC for the intended purpose, not for their own interests or those of other persons;
- make all efforts to attend AMC meetings, AMC assemblies, and / or entity or board meetings;
- not make any public or private statements on behalf of the AMC without specific authorization of the AMC; and,

- use equipment, property or supplies which are owned or rented by the AMC for authorized purposes only.

1.2. Confidential Information

All documents, records and other information relating to the internal operations of the AMC or a First Nations member of the AMC shall be treated as confidential information and may not be disclosed except to authorized individuals. Failure to comply with this provision is grounds for disciplinary action including dismissal from an elected AMC position; elected AFN Regional Chief position; AMC committee; and AMC board/entity.

1.3. News Media Relations

Unless otherwise directed by the Grand Chief, an AMC Representative shall not make statements to the media (all forms of media including social media) on behalf of the AMC.

2.0 CONFLICT OF INTEREST

2.1. Definition

The following definition of conflict of interest may not cover every situation; it must nonetheless serve as a guide as to potential conflict of interest may arise regarding an AMC Representative:

- a. A conflict of interest occurs when an AMC Representative acts, votes, has information or makes a decision in the course of their official duties which either purposefully or coincidentally furthers their own person interests and/or provides a personal gain; or a gain of their First Nation to the detriment of the AMC or another First Nation.
- b. A conflict of interest occurs where AMC Representative has the power to exercise authority, decision making, or has access to information from the AMC that provides the AMC Representative with the opportunity to further their personal or financial interests, including the interests of their relatives or friends or the financial interests of their First Nation to the detriment of the AMC or another First Nation.
- c. A conflict of interest occurs where an AMC Representative or a relative of an AMC Representative has a material personal or financial outside interest, or has received a gratuitous gift or benefit, that results in the actual conflict; or appearance that the AMC Representative cannot be objective in their actions or decisions regarding the AMC.

2.2. In the Event of a Conflict - AMC Grand Chief

Upon election to the office of the AMC Grand Chief, the AMC Grand Chief shall remove themselves from all outside boards or committees. Should the AMC Grand Chief wish to remain on an particular outside board or committee, they will advise the AMC Executive Council of Chiefs and/or AMC Chiefs-in-Assembly.

In the event that the Grand Chief is, or is potentially, in a conflict of interest with the AMC, the Grand Chief must either:

- a. Recuse / Remove him/herself from any discussion, or decision regarding the conflict or potential conflict, with a notification of this recusal to the Executive Council of Chiefs or the Chiefs-in-Assembly.
- b. Disclose all relevant facts in the matter to the Executive Council of Chiefs for the Executive to vote on whether to waive the conflict for the Grand Chief or disqualify the Grand Chief from any decisions regarding the subject matter of the conflict. The Grand Chief is not permitted to be present for this vote. A simply majority of votes (51%) is sufficient to render a decision.

The Executive Council of Chiefs may make any decision or provisions they see fit in the situation; including but not limited to:

- i. Keeping the vote confidential;
- ii. Publishing the vote to the Chiefs-in-Assembly;
- iii. Publishing the vote to the public generally; and,
- iv. Allowing the Grand Chief to take certain actions so that they are not longer in a conflict of interest (ex. Resigning from another board/entity, divesting themselves of any competing financial interests, etc).

If the AMC Grand Chief fails to disclose a conflict the Executive Council of Chiefs may institute disciplinary or remedial action as set out in item 6.0 below.

2.3. In the Event of a Conflict – Regional Chief

Upon election to the office of the AMC Regional Chief, the AMC Regional Chief shall remove themselves from all outside boards or committees. Should the AMC Regional Chief wish to remain on an particular outside board or committee, they will advise the AMC Executive Council of Chiefs and/or AMC Chiefs-in-Assembly.

In the event that the AMC Regional Chief is, or is potentially, in a conflict of interest with the AMC, the AMC Regional Chief must either:

- a. Recuse / Remove him/herself from any discussion, or decision regarding the conflict or potential conflict, with a notification of this recusal to the AMC Grand Chief or the Executive Council of Chiefs, or the Chiefs-in-Assembly.
- b. Disclose all relevant facts in the matter to the Executive Council of Chiefs for the Executive to vote on whether to waive the conflict for the AMC Regional Chief or disqualify the AMC Regional Chief from any decisions regarding the subject matter of the conflict. A simply majority of votes (51%) is sufficient to render a decision.

The Executive Council of Chiefs may make any decision or provisions they see fit in the situation; including but not limited to:

- i. Keeping the vote confidential;
- ii. Publishing the vote to the Chiefs-in-Assembly;
- iii. Publishing the vote to the public generally; and,
- iv. Allowing the AMC Regional Chief to take certain actions so that they are not longer in a conflict of interest (ex. Resigning from another board/entity, divesting themselves of any competing financial interests, etc).

If the AMC Regional Chief fails to disclose a conflict the Executive Council of Chiefs may institute disciplinary or remedial action as set out in item 6.0 below.

2.4. In the Event of a Conflict – Other AMC Representatives

In the event that an elected AMC Representative other than the AMC Grand Chief or the AMC Regional Chief is, or is potentially, in a conflict of interest with the AMC, the Chief must take one of the following three steps:

- a. Recuse / Remove him/herself from any discussion, or decision regarding the conflict or potential conflict, with a notification of this recusal to the Grand Chief or the Executive Council of Chiefs, or the Chiefs-in-Assembly.
- b. If the conflict, or potential conflict, arises during the course of an Assembly, and the Chief has not recused him/herself, the Chief must disclose all relevant facts in the matter to the Chiefs-in-Assembly to vote on whether to waive the conflict for the Chief or disqualify the Chief from any decisions regarding the subject matter of the conflict. The Chief may not present for this vote. A simple majority of votes (51%) is sufficient to render a decision.

The Chiefs-in-Assembly may make any decision or provisions they see fit in the situation; including but not limited to:

- i. Keeping the vote confidential;
 - ii. Publishing the vote to the Chiefs-in-Assembly;
 - iii. Publishing the vote to the public generally; and,
 - iv. Allowing the Chief to take certain actions so that they are not longer in a conflict of interest (ex. Resigning from another board/entity, divesting themselves of any competing financial interests, etc).
- c. If the conflict or potential conflict arises outside of an Assembly, and the Chief has not recused him/herself, the Chief must disclose all relevant facts in the matter to the Executive Council of Chiefs to vote on whether to waive the conflict for the

Chief or disqualify the Chief from any decisions regarding the subject matter of the conflict. The Chief may not present for this vote. A simply majority of votes (51%) is sufficient to render a decision.

The Executive Council of Chiefs may make any decision or provisions they see fit in the situation; including but not limited to:

- i. Keeping the vote confidential;
- ii. Publishing the vote to the Chiefs-in-Assembly;
- iii. Publishing the vote to the public generally; and,
- iv. Allowing the Chief to take certain actions so that they are not longer in a conflict of interest (ex. Resigning from another board/entity, divesting themselves of any competing financial interests, etc).

If a Chief fails to disclose a conflict the Executive Council of Chiefs or the Chiefs-in-Assembly may institute disciplinary or remedial action as set out in item 5.0 below.

2.5. In the Event of a Conflict – Member of an AMC Committee/Council/Board/Entity

In the event that a member of an AMC Committee/Council/Board/Entity is, or is potentially, in a conflict of interest with the AMC, the member must take one of the following three steps:

- a. Recuse / Remove him/herself from any discussion, or decision regarding the conflict or potential conflict, with a notification of this recusal to their respective committee/board/entity. The Committee/Council/Board/Entity will then notify the Grand Chief or the Executive Council of Chiefs, or the Chiefs-in-Assembly as they see fit.
- b. If the member does not want to recuse themselves, the member may raise the conflict or potential conflict to their Committee/Council/Board/Entity. The member must disclose all relevant facts in the matter to their Committee/Council/Board/Entity, as well as notify the AMC Secretariat and the Grand Chief of the issue.

The Committee/Council/Board/Entity must allow the AMC Secretariat and/or the Grand Chief (or an authorized representative) to participate in a discussion and vote if the AMC Secretariat and/or Grand Chief elect to do so. The committee/council/board/entity may not discuss or vote on whether to waive or disqualify a member, until they have received written confirmation from the AMC Secretariat and the Grand Chief as to whether they intend to participate in the vote.

Once the Committee/Council/Board/Entity confirms the participation of the AMC Secretariat and the Grand Chief, the Committee/Council/Board/Entity will hold a discussion and vote on whether to waive the conflict for the member or disqualify the member from any decisions regarding the subject matter of the conflict. The member may not present for this vote. A simply majority of votes (51%) is

sufficient to render a decision, however the AMC Grand Chief may veto any decision made and substitute it with their decision as they see fit.

The Committee/Council/Board/Entity may make any decision or provisions they see fit in the situation; including but not limited to:

- i. Keeping the vote confidential;
- ii. Publishing the vote to the Chiefs-in-Assembly;
- iii. Publishing the vote to the public generally; and,
- iv. Allowing the member to take certain actions so that they are not longer in a conflict of interest (ex. Resigning from another board/entity, divesting themselves of any competing financial interests, etc).

If a member fails to disclose a conflict the Executive Council of Chiefs or the Chiefs-in-Assembly may institute disciplinary or remedial action as set out in item 5.0 below.

2.6. Appointed Positions

All AMC Representatives must disclose to the AMC Secretariat and the AMC Grand Chief all Committee/Council/Board/Entity memberships, including and in particular any memberships outside of the AMC.

2.7. Business Interests

An AMC Representative must not accept work outside the AMC if:

- it conflicts with the duties of their position within the AMC;
- it brings discredit upon the AMC;
- it causes them to exploit for personal gain other employees or acquaintances made through the AMC; and,
- it requires them to make unauthorized use of information, property or facilities belonging to the AMC.

All AMC Representatives must provide written disclosure regarding outside employment that includes contracts, economic business ventures and/or consulting businesses to the attention of the AMC Secretariat and Grand Chief Staff.

3.0 BENEFITS & HONORARIUM

3.1. Benefits

All AMC Representatives must report to the AMC all benefits, whether financial or in-kind, that they are offered or provided in the course of their exercise of AMC duties.

4.0 LEAVE

4.1. Allowance

All AMC Representatives may take leave from their position for up to 30 days, unless expressly authorized to take a longer leave from the Grand Chief or the AMC Executive Council.

4.2. Requirement

All AMC Representatives are required to take a leave from their position when they are not able to fulfill the obligations of their position, whether due to illness; bereavement, or any reason.

4.3. Required Form

All AMC Representatives must notify the Grand Chief, AMC Secretariat and Executive Council in writing as soon as practicable prior to taking leave of their position.

This notification must include:

- a. The AMC Representative's contact information that may be used to contact the AMC Representative while on leave;
- b. The AMC Representative's next of kin's contact information so that the AMC may contact this person should they not be able to contact the AMC Representative;
- c. The date of the start of the leave;
- d. The expected return date from the leave;
- e. All important dates and deadlines for which the AMC Representative would be responsible for, or expected to attend, or relevant to their position during the leave and for a period of 90 days after the expected return date from the leave;
- f. Contact information for any associate, person, or organization for which the AMC Representative has been working with prior to the leave, or would be expected to work with during the leave and within the 90 days after the expected return date;
- g. A brief status memo for any major or time sensitive issues or projects, or work in progress of the AMC Representative; and,
- h. Any other information that the AMC Representative believes may assist the AMC during their leave.

5.0 DISCIPLINARY ACTION

5.1. Disciplinary Procedures – AMC Representatives, excluding the AMC Grand Chief

The AMC Chiefs-in-Assembly, AMC Executive Council of Chiefs and the AMC Grand Chief will take corrective and / or disciplinary action according to:

- a. the goal and objectives of the AMC whether expressed in resolutions, motions or otherwise;
- b. the performance and conduct of the AMC Representative, including;
 - Verbal abuse or threats;
 - Offensive gestures;
 - Condescension which undermines self-respect;
 - Harassment, including personal harassment which is objectionable conduct, comment or display, usually directed at an individual, that demeans, belittles, or causes personal humiliation or embarrassment; and
 - Abuse of Authority.
- c. the nature of the misconduct and the degree of harm caused to the AMC by the misconduct;
- d. the AMC Representative's response to past attempts at progressive discipline; and/or,
- e. any other circumstances which affect the relationship between the AMC Chiefs-in-Assembly, AMC Executive Council of Chiefs, or the AMC Grand Chief.

5.2. Disciplinary and Reprimand

Cause for immediate termination from the position includes, but not limited to:

- a. serious misconduct or neglect of duty;
- b. insubordination, insolence or deliberate violation of any of the articles in the AMC Constitution or roles and responsibilities of the AMC Representative as mandated by the AMC Chiefs-in-Assembly;
- c. breach of the *Canadian Criminal Code*, *Controlled Drug and Substance Act*, or *Food & Drug Act of Canada*;
- d. abandonment of the position;
- e. theft or other dishonesty;
- f. violence against others including any AMC member First Nation Chief or AMC staff; and/or,

- g. deliberate or negligent conduct which embarrasses or otherwise damages the reputation of First Nations in Manitoba.

This section may be applied to terminate an AMC Representative's position, including on a Committee/Council/Board/Entity; however subject to safety concerns, this section shall not be applied to prevent a Chief from attending an AMC Chiefs-in-Assembly.

5.3. Record of Discipline

Where concerns are expressed by the AMC Grand Chief, AMC Executive Council of Chiefs, or the AMC Chiefs-in-Assembly, a meeting will be called; or an addition to an agenda of a duly convened meeting to discuss next steps regarding the AMC Representative's actions. Minutes of the meeting will document the decision of the meeting, severity of the action of the AMC Representative, and what procedure will be followed. These decisions will then be formally provided the AMC Representative in a letter along with the date of the meeting.

5.4. Remedies

When an issue has been identified that the AMC Representative has acted contrary to the AMC Constitution, or this Policy, the AMC may take any of the following measures: a verbal warning; a written warning; suspension with or without pay; and / or a non-confidence vote.

Any remedy or decision is the sole discretion of the AMC and is not subject to an appeal of any kind.

5.5. Disciplinary Procedures – AMC Grand Chief

The AMC Chiefs-in-Assembly or AMC Executive Council of Chiefs will take corrective and / or disciplinary action according to:

- a. the goal and objectives of the AMC whether expressed in resolutions, motions or otherwise;
- b. the performance and conduct of the Grand Chief, including;
 - Verbal abuse or threats;
 - Offensive gestures;
 - Condescension which undermines self-respect;
 - Harassment, including personal harassment which is objectionable conduct, comment or display, usually directed at an individual, that demeans, belittles, or causes personal humiliation or embarrassment; and
 - Abuse of Authority.
- c. the nature of the misconduct and the degree of harm caused to the AMC by the misconduct;
- d. the Grand Chief's response to past attempts at progressive discipline; and/or,
- e. any other circumstances which affect the relationship between the AMC Chiefs-in-Assembly, Executive Council, or the Grand Chief.

5.6. Procedure

Where concerns are expressed by Executive Council of Chiefs, or the Chiefs-in-Assembly a meeting will be called; or an addition to an agenda of a duly convened meeting to discuss next steps regarding the Grand Chief's actions. Minutes of the meeting will document the decision of the meeting, severity of the action of the Grand Chief, and what procedure will be followed. These decisions will then be formally provided the Grand Chief in a letter along with the date of the meeting.

5.7. Remedies

When an issue has been identified that the Grand Chief has acted contrary to the AMC Constitution, or this Policy, the AMC may take any of the following measures: a verbal warning; a written warning; suspension with or without pay; and / or removal as set out in item 6.8.

Any remedy or decision is the sole discretion of the AMC and is not subject to an appeal of any kind.

5.8. Removal of Grand Chief – Article 14 AMC Constitution

Cause for the calling of Special Assembly for the purpose of a vote on the removal of the Grand Chief, pursuant to Article 14(5) of the AMC Constitution, include but are not limited to:

- a. serious misconduct or neglect of duty;
- b. deliberate violation of any of the articles in the AMC Constitution or roles and responsibilities of the Grand Chief as mandated by the AMC Chiefs-in-Assembly;
- c. breach of the *Canadian Criminal Code*, *Controlled Drug and Substance Act*, or *Food & Drug Act of Canada*;
- d. abandonment of the position;
- e. theft or other dishonesty;
- f. violence against others including any AMC member First Nation Chief or AMC staff; and/or,
- g. deliberate or negligent conduct which embarrasses or otherwise damages the reputation of First Nations in Manitoba.

The removal procedure shall be conducted pursuant to Article 14 of the AMC Constitution.

6.0 RESPECTFUL ATMOSPHERE POLICY

6.1. Harassment

Harassment means any improper behavior by a person employed by the AMC, or associated in an official capacity with the AMC (including and in particular AMC Representatives), which is directed at and offensive to any other employee; person associated in an official capacity with the AMC; or public, which that person knew or reasonably should have known would be unwelcome or offensive.

It is objectionable conduct, comment or display made on either a one time or continuous basis that demeans, belittles, or causes personal humiliation or embarrassment to an employee or person.

Examples of harassing behavior are as follows:

- Unwelcome remarks, jokes, innuendoes or taunting about a person's body, attire, age, marital status, ethnic or national origin, religion, gender, sexuality, etc.;
- Physical touching;
- Unwelcome sexual advances;
- Displaying or distributing racist, pornographic and other offensive material;
- Practical jokes based on sex or race or other grounds that cause embarrassment;
- Unwelcome invitations or requests, particularly if they are based on intimidation;
- Verbal abuse or threats;
- Offensive gestures;
- Condescension which undermines self respect; and/or,
- Physical assault.

6.2. Prohibited Grounds

This policy includes applies to all prohibited grounds for discrimination, which include:

- Race;
- National or ethnic origin;
- Colour;
- Religion;
- Age;
- Sex (gender), including pregnancy and childbirth;
- Sexual orientation;
- Marital or family status;
- Pardoned conviction;
- Political belief or association; and/or,
- Physical or mental disability (including dependence of alcohol or drugs).

6.3. Personal Harassment

Personal harassment is objectionable conduct, comment or display, usually directed at a co-worker or person, that demeans, belittles, or causes personal humiliation or embarrassment to an employee or person. It is harassment of an individual which is not based on a prohibited ground set out in item 7.2, as described above.

6.4. Abuse of Authority

Abuse of Authority is a form of harassment when a person in authority improperly uses the power of his/her position to endanger an employee's job, undermine the performance of that job, threaten the economic livelihood of the employee, in any way inappropriately interfere with the career of the employee.

It includes intimidation, threats, blackmail or coercion. Abuse of authority also includes favouritism of one employee to the disadvantage of another.

It does not include the exercise of legitimate management functions such as organizing or reorganizing work, objectively evaluating performance or taking justifiable disciplinary action.

7.0 RESPONSIBILITY

All AMC Representatives can contribute to promoting a respectful atmosphere which is free from harassment. AMC Representatives can:

- demonstrate respect in their dealings with other others;
- intervene if they feel it is appropriate and they feel they are able to resolve a situation before it becomes more serious if a AMC Representative observes a situation of potential harassment;
- act as a role model for others in demonstrating respect;
- initiate corrective action without requiring a complaint when a situation of potential harassment is observed or is believed to be taking place;
- inform others of the AMC respectful atmospheres policies for an harassment free atmosphere; and/or,
- inform others of procedures for handling workplace harassment complaints.

8.0 PROCEDURES

8.1. Early Intervention

Where an AMC Representative observes a situation which could be perceived as harassment, they can attempt to intervene, whenever possible; however they are required to notify the AMC Grand Chief and AMC Secretariat.

If the AMC Grand Chief and/or the AMC Secretariat decide the situation has not resolved and/or requires their attention; the AMC Grand Chief and/or the AMC Secretariat (or their designated representatives) shall take immediate action to deal with the harassment. This may involve one or more of the following, depending on the circumstances:

- informal resolution process by the AMC Grand Chief and/or the AMC Secretariat (or their designated representatives) which is agreeable to the principals;
- informal resolution process by an Elder or other appropriate individual that is agreeable to the principals;
- mediation by an outside, trained mediator that is agreeable to the principles;
- an investigation initiated by the AMC Grand Chief and/or the AMC Secretariat (or their designated representatives); and/or,
- a written complaint from the complainant, followed by an investigation.

If the situation can be resolved by one of the first three (3) options, and the resolution is acceptable to both principals, a formal investigation will not be done.

The AMC Grand Chief and/or the AMC Secretariat may designate the AMC Director or Human Resources, or a third party to act as their designated representative in the section.

8.2. Formal Investigation

Notwithstanding the resolution process an employee or person has a right to request an investigation into an alleged incident(s). This may involve one or more of the following, depending on the circumstances:

- A formal investigation can be initiated by the AMC Grand Chief and/or the AMC Secretariat (or their designated representatives) in their role to maintain a harassment free atmosphere, by the complainant, by the respondent, or by a third party to the harassment.
- The complaint shall be made in writing and should describe the nature, time and frequency of the offensive behavior.
- The written complaint shall be given directly to the AMC Grand Chief and/or the AMC Secretariat (or their designated representatives), whom will immediately initiate an investigation.
- If the alleged harassment is based on actions of the AMC Grand Chief the complaint will be directed to the Executive Council of Chiefs for action.
- When a formal complaint is made, the AMC Grand Chief and/or the AMC Secretariat (or their designated representatives), will make every effort to minimize the necessary contact between the principals during the process of the investigation.
- The AMC Grand Chief and/or the AMC Secretariat (or their designated representatives), will ensure that the respondent is immediately informed of the nature of the complainant and has a reasonable opportunity to respond.
- The AMC Grand Chief and/or the AMC Secretariat (or their designated representatives), will maintain confidentiality and will advise others and the investigators of the importance of maintaining confidentiality regarding the nature of the complaint, for the protection of all parties.
- The AMC Grand Chief and/or the AMC Secretariat (or their designated representatives), will require that the investigation is completed in a timely manner and a written report of findings is prepared.
- Following a written report on the findings of the investigation, the AMC Grand Chief and/or the AMC Secretariat (or their designated representatives), will determine the corrective action that will be taken. Action may include disciplinary action, up to and including termination from an AMC position.
- The AMC Grand Chief and/or the AMC Secretariat (or their designated representatives), will inform the complainant of the corrective action taken.

9.0 RIGHTS AND RESPONSIBILITIES

9.1. Complainants' Rights

Complainants have the right to:

- file a written complaint and to obtain a review without fear of embarrassment or reprisal;
- be accompanied by a person of their choice during the investigation interviews;
- obtain information about outcome of the review of their complaint. To be informed of the corrective action taken; and,
- have details of a complaint remain confidential.

9.2. Complainants' Responsibilities

Complainants have the responsibility to:

- make their disapproval or unease about a person's actions known to that person if possible. The complainant, however, is not required to initiate corrective action before filing a complaint if they do not feel comfortable in confronting the individual;
- cooperate with those responsible to resolve or investigate the complaint;
- meaningfully participate with the investigation or remediation measures;
- allow the AMC time to conduct an investigation if required;
- keep the complaint and/or investigation confidential until such time as the complaint is determined to be valid and disciplinary action taken, subject to any immediate dangers of harm or safety; so that the integrity of the investigation may be maintained; and,
- immediately advise the AMC of any other complaints or investigations which may be relevant (ex. criminal investigations, regulatory investigations, other complaints, etc).

9.3. Respondent's Rights

Respondents have the right to:

- be informed immediately that a complaint has been filed against them;
- be provided with a written statement of the allegations and given an opportunity to respond to them;
- be accompanied by a person of their choice during any investigation interviews with them related to the complaint;
- have details of a complaint remain confidential; and
- be assured that any written complaint or comments related to the fact that a person initiated a complaint will not be made public, until such time as the complaint is determined to be valid and disciplinary action taken and with the express permission of the complainant.

9.4. Respondent's Responsibilities

Respondents have the responsibility to:

- cooperate with those responsible for investigating or reviewing the complaint;
- cease any and all contact with the complainant during the course of the investigation;
- take all remedial steps that are directed where disciplinary action is warranted; and,
- maintain the privacy of the complainant.