

Purpose

After reading this plan, readers will know the following:

- *Where MSAT comes from:* MSAT's connection to the *Alberta-Metis Settlements Accord* and MSAT's structure;
- *What MSAT does:* MSAT's mandate, vision, and mission;
- *How MSAT does its work:* MSAT's objectives, strategies, performance measures and resources.

MSAT's Origins & Structure

The Government of the Metis Settlements of Alberta (later named the Metis Settlements General Council) and the Government of Alberta reached an *Accord*¹ in 1989 that established the framework for Metis self-government in Alberta. The goals of the Accord were to develop systems to protect Settlement lands, and to establish local and collective Metis governments responsible for building and governing viable, vibrant, Metis communities in Alberta.

MSAT was formally established by statute in 1990. Its statutory mandate is to resolve disputes that would otherwise inhibit progress under the Alberta Metis Settlements Accord.

Dispute resolution services are provided by seven Board members. Three of the Board members are appointed by the Metis Settlements General Council (General Council). Another three are appointed by the Minister responsible for the Accord. The seventh member, the Chair, is appointed by the Minister from a list of nominees provided by General Council. The Chair is responsible for MSAT's administrative affairs.

The Board and Chair are supported by a Tribunal Secretary and six staff. Board members and staff work together as a team to develop and implement effective dispute resolution systems and planning frameworks.

Mandate

As set out in the *Metis Settlements Act* [RSA 2004], MSAT may act when named in provincial statutes, General Council Policies, Settlement Bylaws, Contracts, and when disputants agree in writing for the Tribunal to resolve their dispute.

¹ Signed in 1989, the *Alberta-Metis Settlements Accord* ushered in a new era. The Accord called for joint action by Alberta and the Metis Settlements General Council to protect Settlement lands and to build viable and vibrant Metis communities with good local and collective governance systems. The Accord provided tools for developing a full body of Metis Settlement law through General Council Policies, local by-laws, and judicial (MSAT) decisions.

Currently, MSAT enjoys 23 different areas of authority, including conflict of interest matters, land disputes, right of entry orders, election of General Council officers, timber disputes, membership disputes, and oil and gas matters. The areas of authority grow, or shrink, depending on the introduction of new laws and contracts that name MSAT, or the amendment of current laws and contracts that remove MSAT as the dispute resolution body.

Vision

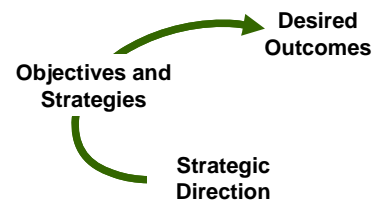
MSAT's vision is of viable, vibrant, Metis Settlements with access by all members and stakeholders to fair and effective dispute resolution systems that preserves and enhances Metis culture and identity.

Mission

MSAT's mission is to strengthen Metis self-governance and to preserve and enhance Metis culture and identity by resolving disputes through effective, fair, culturally appropriate mediation, adjudication, and education initiatives.

Strategic Plan for 2010-2013

MSAT's strategic direction comes from its mandate to resolve disputes whenever named by statute, General Council Policy, Settlement Bylaw, contract, or where the parties agree in writing for MSAT to resolve their dispute. Its overriding statutory consideration is to promote Metis culture and identity when resolving disputes.



Given its strategic/mandated direction, MSAT has identified three key strategic objectives. These objectives are:

1. **Top Performance:** MSAT will resolve all disputes before it in a timely, cost-effective, fair and independent manner;
2. **Increased Presence:** MSAT will be accessible to all stakeholders; and
3. **Transparency:** MSAT will meet its statutory obligations, as well as other obligations set out by agreement of the General Council and Government of Alberta.

Properly resourced and executed, MSAT's strategic objectives will produce the following outcomes:

- ▶ **Knowledge:** Those who use or follow MSAT's decisions or mediated agreements, or participate in MSAT's outreach initiatives, will better understand key laws, procedures, and cultural imperatives within the Metis Settlements self-governance framework.
- ▶ **Increased usage:** As awareness and confidence builds in MSAT's services and record of resolving disputes, MSAT will become the dispute resolution body of first choice for the Metis Settlements and their partners/stakeholders.
- ▶ **Respect:** MSAT will continue to be highly valued for the transparency and integrity of its management and reporting systems that meet all statutory obligations, and any other obligations imposed by agreement between the General Council and Government of Alberta.

Strategic Objective 1: Top Performance

MSAT will resolve all disputes before it in a timely, cost-effective, fair and independent manner.

MSAT is a legislated alternative to court. As such, it is meant to avoid the cost, legalities, and time it takes to resolve a matter in court. While MSAT is bound by the same standards of administrative fairness expected of all adjudicative bodies, it is empowered to set rules and procedures that promote swift, community-based, resolutions to disputes.

MSAT is enjoying success in this regard by having its Investigation Officers meet with appellants, Settlement Councils, and respondents shortly after appeals are received. The purpose of these meetings is to confirm the issues at hand, identify applicable legislation and evidence, and, primarily, to encourage the parties to meet with each other and try to work matters out amongst themselves. Over the past year, this approach has resulted in about 20 to 25 percent of MSAT appeals being resolved without the need for further mediation or a hearing. We hope to build on this success into the future by continuously reviewing and improving our procedures.

MSAT is also committed to evaluating and improving the core competencies of MSAT members and staff. The expiry of the four year term for current Board members presents the usual challenges because history has showed that not all members are re-appointed. If some new members are appointed, orientation and additional training may be required, and is anticipated. Anticipating and planning for possible changes, and new training needs, will ensure that MSAT continues to meet its statutory duties of resolving disputes in a timely and fair manner.

MSAT Business Plan for 2010 - 2013

The ultimate goal of improving MSAT’s efficiency is to enable MSAT to effectively and fairly deal with more disputes. In so doing, MSAT will expand its catalogue of decisions that can be used by all Settlement members and stakeholder to expand their knowledge of key issues, laws, processes, and Metis culture and history.

Objective 1: Top Performance -- Strategies and Performance Measures

	2010 - 2011	2011 - 2013
Top Performance	Objective 1 MSAT will resolve all disputes in a timely, cost-effective, fair and independent manner	Outcomes Timely decisions, mediated agreements, and resolutions that enhance <i>knowledge</i> of Settlement laws and Metis culture and identity
Key Strategies	» Employ community-based approaches that promote conciliation and mediation of disputes » Develop and apply rules and procedures that enhance efficiency of decision-making processes while maintaining administrative fairness » Evaluation of core competencies and training to improve competencies	
Performance Measures	» Disputes are routinely resolved without having to go to a hearing » Jurisdictional issues are efficiently ruled on while rights of appeal are respected » Core competencies of Board and staff are enhanced	

Strategic Objective 2: Increased Presence

MSAT will be accessible to all stakeholders

Settlement members and other stakeholders must know when and how to access MSAT’s services. To accomplish this, information about MSAT, including its Code of Conduct, Rules of Procedure and its decisions must be distributed to all MSAT stakeholders.

In addition to physically distributing decisions to affected parties, including the General Council and the Minister, MSAT has a dedicated website upon which it posts its decisions, and relevant information about MSAT, such as its application forms for those who want to file an appeal or request an amendment to right of entry orders. MSAT continues to monitor and review its website to ensure it meets all FOIP requirements and to improve its presence and usability. For example, MSAT will be developing a *Facebook* page in the near future, and exploring other social media platforms to broaden its audience base.

MSAT sees great value of outreach initiatives and, resources permitting, will attend community or school information sessions whenever invited to do so. MSAT will also continue to meet with the General Council and the Minister to fulfil its reporting requirements and to discuss any emerging issues affecting MSAT’s operations.

MSAT Business Plan for 2010 - 2013

MSAT will also continue to work with the Government of Alberta to move MSAT’s offices to a location in Edmonton that is more accessible to members and other stakeholders.

With improved access, awareness and confidence in MSAT, it is reasonable to suggest that as statutes, General Council Policies, Settlement Bylaws and contracts are developed, MSAT will be considered as the dispute resolution body of choice for the Metis Settlements.

Objective 2: Increased Presence -- Strategies and Performance Measures

	2010 - 2011	2011 - 2013
Increased Presence	Objective 2 MSAT will be accessible to all stakeholders	Outcomes MSAT will become the dispute resolution body of first choice for the Metis Settlements and their stakeholders
Key Strategies	<ul style="list-style-type: none"> » Continue to improve website by conducting FOIP audit of information, developing interactive forms, and use of <i>Facebook</i> page and other social media » Enhance communications by using community newsletters to convey updates and by meeting in and with communities whenever appropriate and feasible » Work with Government of Alberta to move MSAT offices to better location 	
Performance Measures	<ul style="list-style-type: none"> » MSAT's website is used by Settlement members and others to learn about MSAT's services and decisions, and to access MSAT's services » Settlement leaders and others consider naming MSAT as the dispute resolution body when developing or amending legislation or contracts » MSAT's offices move to a more accessible location 	

Strategic Objective 3: Transparency

MSAT will meet all statutory and other obligations jointly set out by the General Council and the Government of Alberta.

MSAT greatly values transparency and accountability and will continue to meet all statutory planning and reporting requirements.

MSAT will also continue to work with the General Council and the Government of Alberta to develop a *Mandate and Roles Document* (MRD). The MRD will respect MSAT’s independence and, amongst other things, possibly clarify existing or new competency benchmarks for MSAT members, methods of appointment, self-evaluation, and also likely commit the parties to a joint review of MSAT’s future mandate as the Settlements’ dispute resolution body.

MSAT Business Plan for 2010 - 2013

Objective 3: Transparency -- Strategies and Performance Measures

	2010 - 2011	2011 - 2013
Transparency	<p>Objective 3 MSAT will meet all statutory and other obligations jointly set out by the Metis Settlements General Council and the Government of Alberta</p>	<p>Outcome MSAT will continue to be respected and highly valued for the integrity of its management and reporting systems</p>
Key Strategies	<ul style="list-style-type: none"> » Issue business plan and annual report in timely fashion and meet ongoing management and related reporting requirements for publically funded institutions » Support development of appropriate <i>Mandate and Roles Document</i> 	
Performance Measures	<ul style="list-style-type: none"> » Management and reporting requirements are met » MSAT continues to be viewed by stakeholders as a leader in corporate governance and integrity. 	

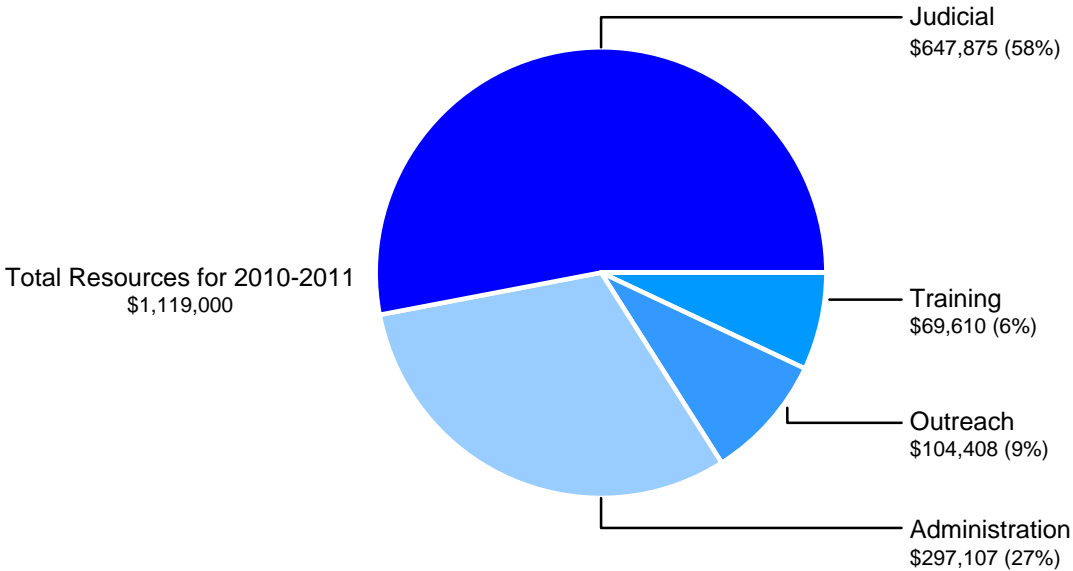
Financial Resources

MSAT will continue to operate within its allocated budget. As always, MSAT is committed to managing its allocated resources in a strategic, workmanlike, and accountable manner. Should funding pressures emerge that threaten to impede MSAT’s core functions or mandate, MSAT will work with the appropriate authorities to address those pressures.

For the purposes of this plan, *judicial* expenditures include hearings, mediations, investigations, and conciliation activities (both by the Board and staff) that lead to the resolution of disputes. *Training* includes money spent to improve mediation, adjudicative, and investigative capacities of MSAT Board members and staff. *Outreach* and communications includes the costs of running community information sessions, developing and offering information sessions to industry, hosting government leaders and other stakeholders and open house sessions, and placing articles in the Metis Messenger newsletter. *Administration* expenditures include monies spent to coordinate the judicial, training, and outreach initiatives and to ensure good and timely oversight and reporting on all MSAT activities.

MSAT Business Plan for 2010 - 2013

MSAT’s challenge is to allocate its resources to meet its mandate and to achieve its objectives of resolving disputes in a fair and timely manner, becoming the dispute resolution of first choice for Settlement members and other stakeholders, and continuing to be transparent and accountable in the way we manage our resources. We believe the following distribution of resources meets the challenge.



Judicial includes: manpower costs at \$255,333, employer contribution at \$45,592, staff travel at \$9,000, office supplies at \$7,000, Rentals at \$600, Hosting at \$1,000, Board honoraria & travel at \$264,000, postage at \$3,000, tel. & comm. at \$2,350, legal fees of \$50,000 and other contracts at \$10,000

Training includes: Board honoraria & travel at \$33,000, Board training at \$25,000, and staff training at \$10,610, Travel at \$1,000

Outreach/Communications includes: manpower at \$53,770, employer contribution at \$10,638, staff travel at \$3,000, office supplies at \$1,000, hosting at \$1,000, Board honoraria & travel at \$33,000, advertising at \$2,000

Administration includes: manpower at \$228,605, employer contribution at \$50,152, travel at \$2,000, office supplies at \$7,000, advertising at \$1,000, tel. & comm. at \$2,350, rentals & repairs at \$500, Freight and postage at \$500, Contracts (other) at \$2,000 and Hosting at \$3,000

For more information, contact us at:

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