

COO Restructuring

**CHIEFS OF ONTARIO CHARTER
WEBINAR/INFORMATION SESSION**

April 15, 2021

Background

- June 2018 – Chiefs in Assembly accept the COO Restructuring Project Final Report prepared by Jenny Restoule-Mallozzi
- November 2018 – Chiefs in Assembly pass resolution 45-18 mandating the establishment of a Technical Committee on Restructuring
- April 2019 – Chiefs in Assembly pass resolution 05-19 mandating the Technical Committee to proceed with work on the constituting documents

Technical Committee & Chiefs Oversight Committee

- The Technical Committee and the Chiefs Oversight Committee have worked together to draft the COO Charter and other governance documents
- Both Committees are comprised of representatives of PTOs, treaty organizations, independents, Six Nations

COO Charter

- The overarching governing document of the organization
- Includes a Preamble, Mission Statement, Vision Statement, Mandate, and description of Entities (Chiefs in Assembly, Leadership Council, ORC, Leadership Council, etc.)
- Appendices - (A) Electoral Rules and Traditional Election Process, (B) LC Terms of Reference, (C) Complaints and Disputes

Article 1 – Mission Statement

- The Chiefs of Ontario supports all First Nations in Ontario as they assert their sovereignty, jurisdiction, and their chosen expression of nationhood.

Article 2 – Vision Statement

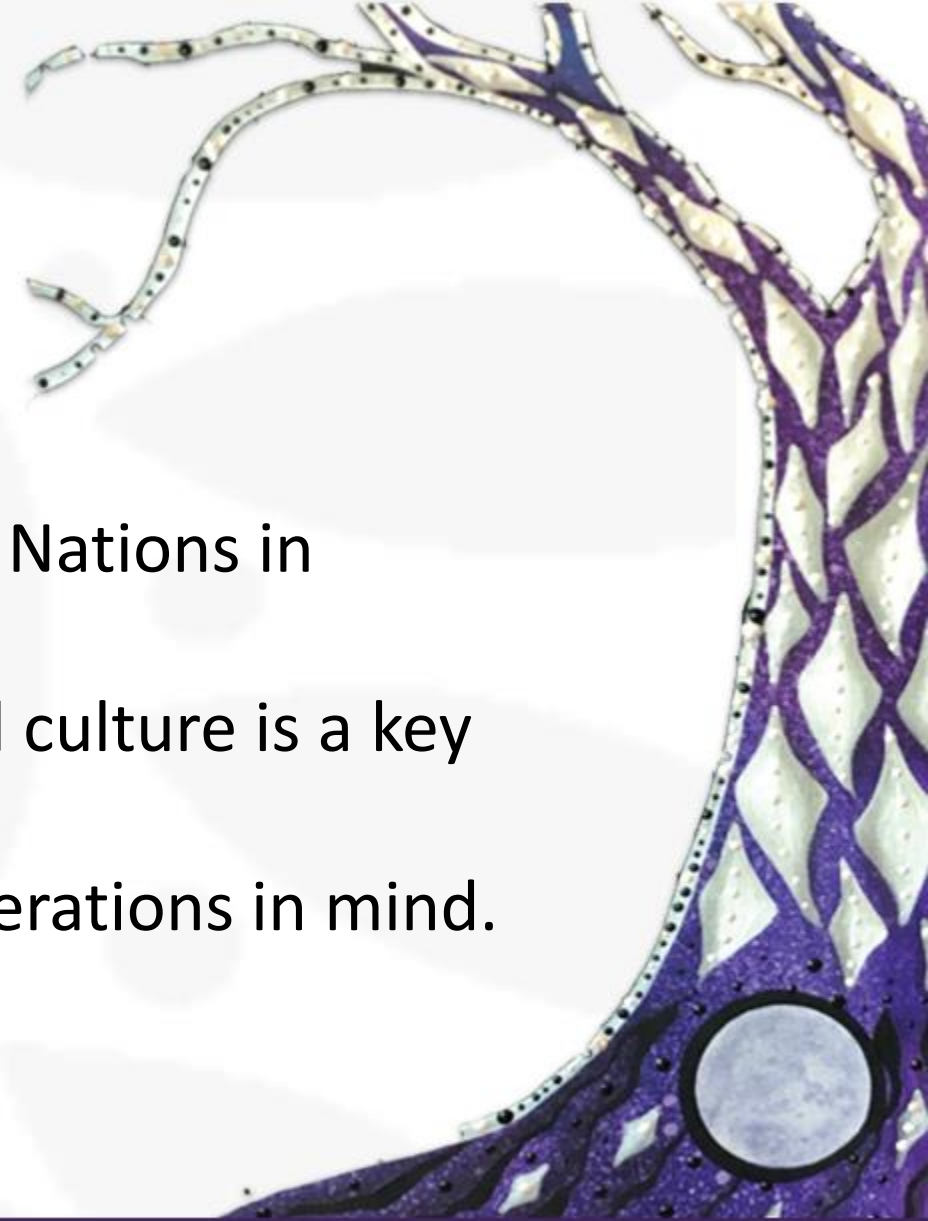
First Nations in Ontario are united towards self-sufficiency and vibrancy while never forgetting who we are; this unity is facilitated through the Chiefs of Ontario. We envision a future where our inherent laws, lands, and traditions are recognized and respected by governments, industry and the general public.

Article 3 - Principles

1. There is a sacred and fiduciary relationship between First Nations and the Crown in right of Canada.
2. Relationships between First Nations shall be governed by the values held in the Great Law and the Seven Grandfather Teachings, which include love, kindness, sharing, respect, truth, courage and humility.
3. The Elders shall be respected. They are the keepers of the traditional law.

Article 3 - Principles

4. The regional and other differences among First Nations in Ontario shall be respected.
5. The protection of all First Nation languages and culture is a key priority.
6. All matters shall be considered with future generations in mind.



Articles 7-11 Chiefs in Assembly

Article 7: Composition

Article 8: Functions and Powers

Article 9: Decision-Making

Article 10: Assemblies

Article 11: Procedure

Article 12 - Leadership Council

- Leadership Council Terms of Reference – Appendix B
- To be reviewed and amended, as necessary, every three years
- Approved by Chiefs in Assembly in February 2020

Article 13 - Board of Directors

- Membership in the Corporation:
 - Association of Iroquois and Allied Indians
 - Grand Council Treaty #3
 - Nishnawbe Aski Nation
 - Union of Ontario Indians
- Role and function outlined in By-law No. 2 Indian Associations Co-ordinating Committee of Ontario Inc.

Article 14-16 Ontario Regional Chief

- Article 14: Role and Function
- Article 15: Authority and Accountability
- Article 16: Election and Term

Article 15 - ORC Authority and Accountability

1. Any authority the ORC may have shall derive exclusively and entirely from the authority granted from time to time by the Chiefs in Assembly.
2. As a leader who exercises delegated mandates, authority, responsibilities and duties, the ORC has a sacred political trust to comply in every respect with the direction given by the Chiefs in Assembly.

Article 16 - ORC Election and Term

- The ORC is elected by a majority of **50% plus 1** of the registered representatives of the First Nations in Ontario at an Assembly convened for the purpose of electing a RC
- The ORC may be removed by **2/3 of registered representatives of the 133 First Nations in Ontario** voting in favour of removal at an Assembly convened for that purpose in accordance with the applicable rules and procedures

Article 17 & 18 - Complaints, Disputes & Discipline

- Article 17: To maintain the integrity of, and public confidence in, COO and its operations, any complaints, disputes, allegations of misconduct regarding the **ORC** – shall be reviewed and resolved in accordance with Appendix C
- Article 18: any complaints, disputes, allegations of misconduct regarding a member of the **LC** – shall be reviewed and resolved in accordance with Appendix C

Article 19-27 Advisory Councils and COO Secretariat

- Outlines composition and functions of the Elders Advisory Council (TOR – yet to be approved), OFNYPC, First Nations Women's Caucus, and COO Secretariat

Article 28 & 29 – Approval and Amendment

- Article 28 – the date the Charter is approved by resolution of the Chiefs in Assembly
- Article 29 – Amendment of COO Charter must be by resolution at AOCC or Special Chiefs Assembly provided 60 days written notice is provided
- Article 30 – Amendment of Appendices

Appendices – A, B & C

Appendix A – Electoral Rules:

- Incumbent ORC must declare **3 months** before the AOCC of the election year
- COO funds must not be used for campaigning
- For any individual that declares candidacy, expenses will not be reimbursed for attendance or participation at any COO-related events for the 3 months leading up to the AOCC of the election year

Appendices – A, B & C

Appendix B – Leadership Council Terms of Reference:

- September 2019 - approved by the Leadership Council
- February 2020 – approved by Chiefs in Assembly
- To be reviewed every three years
- Any amendments to be approved by Chiefs in Assembly

Appendix C – Complaints and Disputes

- To uphold the integrity of the Chiefs of Ontario, an appendix has been added to the Charter setting out a process to receive, review and address any complaints made about LC Members and/or the ORC
- Complaints made in reference to actions or behaviours allegedly committed to representing the Chiefs of Ontario
- Two separate committees created to receive and review complaints:
 - LC Integrity Committee;
 - ORC Integrity Committee

Appendix C – Complaints and Disputes

LC Integrity Committee:

- Composition to include 1 member of the LC, 1 member of Elder Committee, ORC and Chief Operating Officer (coordination role)
- Role:
 - to address any complaints against an LC member;
 - to address an alleged breach of the LC Code of Conduct
- Notice to appropriate PTO or community
- Reports to Leadership Council

Appendix C – Complaints and Disputes

ORC Integrity Committee:

- Composition to include 1 member of the LC, 1 member of Elder Committee, 1 member of COO Board of Directors (coordination role)
- Role:
 - to address any complaints against an ORC;
 - When necessary, refer to the discipline policy to respond to misconduct
- Reports to Leadership Council

Appendix C – Complaints and Disputes

Goal of the Complaints, Disputes and Discipline Policy is to have a process that ensures complaints are addressed, confidentiality is upheld, and the principles of restorative justice are engaged, to ensure safety, dignity and integrity of all COO events and business

Next Steps

- Feedback from webinars will be shared with Technical Committee and Chiefs Oversight Committee
- Additional webinars/info sessions – April 26th & 27th
- Revised draft of COO Charter and ORC Oath of Office will be sent out again to Leadership in May 2021 in advance of AOCC
- June 2021 - Resolutions will be prepared to approve COO Charter and ORC Oath of Office

QUESTIONS AND DISCUSSION

