



VUNTUT GWITCHIN FIRST NATION

ACT TO AMEND THE VUNTUT GWITCHIN GOVERNANCE ACT (2023)

WHEREAS:

- A. The Council of the Vuntut Gwitchin First Nation is composed of one (1) Chief and four (4) Councillors elected to office in accordance with Vuntut Gwitchin First Nation law;
- B. One (1) Deputy Chief is appointed from among the four (4) Councillors;
- C. The positions of Chief and Deputy Chief hold additional and special responsibilities under the Constitution beyond the responsibilities held by other members of the Council;
- D. The salary and benefits for each elected member of Council are currently prescribed by section 35 of the Vuntut Gwitchin Governance Act;
- E. The Vuntut Gwitchin Governance Act currently provides at subsections 35(9) and 35(10) that the salary and benefits of each Council member shall be adjusted each fiscal year for inflation and reviewed every four (4) years. Section 35 of the Governance Act was last reviewed and amended by the Vuntut Gwitchin First Nation in 2011;
- F. General Assembly Resolution 2021-12 directed Vuntut Gwitchin Government to have an independent review of the structure, design, and remuneration of Council completed in order to ensure that the salary and benefits Council members is commensurate with their responsibilities and to promote qualified candidates for Council to seek nomination and election;
- G. The internal review of Council salaries and benefits has been completed and has recommended that regular updates to Council salaries and benefits, including adjustments for inflation, be addressed through the human resources policies and practices of the Vuntut Gwitchin Government; and
- H. The Council of the Vuntut Gwitchin First Nation now wishes to amend the Vuntut Gwitchin Governance Act to implement changes to the provision, administration and management of salaries and benefits for members of Council, including prescribing that the Chief and Deputy Chief shall be remunerated on the basis that their positions are equivalent to full-time employment while the other positions on Council shall be remunerated on the basis that their positions are equivalent to part-time employment.

**NOW, THEREFORE, THE COUNCIL OF THE VUNTUT GWITCHIN FIRST NATION
ENACTS AS FOLLOWS:**

Amendment to Section 35

- 1** Section 35 of the Vuntut Gwitchin Governance Act is hereby repealed and replaced in its entirety with the following provisions:

35(1) Under this Part 4, the following definitions shall apply:

“Council salary table” means the annual salary table for elected Council members approved by Council resolution each year in accordance with this Act.

“Council administration policy” means the human resources policies and practices of the Vuntut Gwitchin Government applicable to the Council from time to time.

- (2) Subject to the appropriation of funds in accordance with this Act, each member of the Council shall:
- (a) be paid an annual salary in accordance with the Council salary table and commensurate with:
 - (i) the nature of the positions of Chief and Deputy Chief as being equivalent to full-time employment;
 - (ii) the nature of the position of Councillor, other than while serving in the capacity of Deputy Chief, as being equivalent to part-time employment and pro-rated to a minimum of 25% of full-time employment. Chief and Council may require Councillors to work at a higher pro-rated amount, up to a maximum of 100%. Increased Councillor hours include special projects, Citizen and community engagement, and administrative duties (such as signing documents, preparation of meetings other than Council meetings, and any other duties that may be identified from time to time); and
 - (iii) Council will consider the overall workload for Councillors and determine the pro-rated amount for each Councillor through a resolution.
 - (b) be entitled to receive benefits comparable to the benefits employees of the Vuntut Gwitchin Government are entitled to receive in accordance with Council administration policy.
- (3) Council shall, with the advice of the Director of Finance and Director of Human Resources, review and approve the Council salary table by Council resolution on an annual basis taking into account:
- (a) the differing scope of responsibilities and expectations associated with the individual Chief, Deputy Chief and other Councillor positions from time to time; and
 - (b) annual inflation and changes in the local cost of living.

- (4) If a member of the Council resigns or is removed from their position in accordance with Vuntut Gwitchin First Nation law during their term of office, that person shall be paid an end of service payment as set out by Council administration policy.

Coming into Force and Effect of Amendment

- 2 This Act to Amend the Vuntut Gwitchin Governance Act (2023) shall come into force and effect immediately following second reading pursuant to the Vuntut Gwitchin First Nation legislative process set out under section 4 of the Vuntut Gwitchin Governance Act.

Publication of Amended Governance Act

- 3 Upon the coming into force and effect of this Act to Amend the Vuntut Gwitchin Governance Act (2023) the Vuntut Gwitchin First Nation shall publish an updated version of the Vuntut Gwitchin Governance Act incorporating the amendment set out in section 1 above.