

FIXING INDIGENOUS GOVERNANCE

Why the civil service is a basic essential for Indigenous sovereignty

Ken Coates and Greg Finnegan



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Executive summary

Indigenous governments are expanding rapidly and concurrent with that growth has been the rapid and comprehensive development of an Indigenous civil service across the country. The emergence and growth of this professional class, providing Indigenous communities with the managerial and policy-making expertise, is one of the central elements in the transformation of Indigenous government in Canada.

The paper is able to provide some context to the challenges facing Indigenous civil services. It examines the significant growth of Indigenous government employment, the relative importance of such employment, and the differences in earnings between Indigenous and non-Indigenous employees. It analyses the Yukon specifically because it offers some useful lessons in the value of First Nations self-government. Finally, it delves into issues of employment seasonality and the extent to which wages are not keeping pace within Aboriginal public administration compared to other levels of government.

The paper identifies a number of challenges Indigenous governments face. Among them are that many are simply too small to have the expertise, training, or administrative support to leap through complex bureaucratic hoops. They lack the human resources and professional capacity to fully engage with the more senior levels of government. This makes them often dependent upon outside consultants, who do the work, but pass little of the learning and knowledge through to Indigenous governments and their staff.

One long-term solution is the development of a First Nations professional civil service. Such a solution would start with Indigenous governments developing their own civil service with the ability to define their own social and economic priorities and develop policies that reflect their traditional cultures.

Yukon provides a good example of what can be done. It has been one of the fastest growing Canadian jurisdictions for years now – it grew by 42.5 percent from 2001 to 2021. Even more impressive is that employment in Aboriginal public administration increased from 867 in January 2002 to 2,052 in June 2022 – a growth rate of 136.7 percent.

The Yukon administrative environment has been transformed by Aboriginal land claims agreements. Since the finalization of an agreement in 1990, 11 Yukon First Nations have brought into effect final land claim settlements and self-government agreements. Each of these First Nation governments started to build a bureaucratic structure with civil servants managing a wide range of portfolios. Indigenous people working in Aboriginal public administration in the Yukon in 2016 had incomes that were far higher than those of Indigenous Aboriginal public administration employees across Canada on average.

Despite Yukon's achievements in Indigenous civil service, most northern governments have not yet figured out the best way of managing the small size of many of their communities. The result has been the significant over-governance of the North generally, although most of the northern provincial regions (with the exception of Northern Quebec and most of Labrador) suffer from a problem of under-governance. A comprehensive review of the appropriate service levels and administrative support provided to smaller settlements is required.

There are a number of other steps that the various levels of government should consider. Indigenous governments should seek to broaden greater cooperation among each other through such measures as establishing a single Indigenous tourism promotion unit for the North. Special attention must be paid to the prospects for aligning major government programs – health, education, and economic development – with Northern realities. Further, where possible, the governments of small and remote Indigenous communities should work with regional Indigenous leaders to determine if they can realistically provide services collectively to reduce overhead and redundancies.

The transformation of Indigenous governance in the last 50 years has been remarkable. It has evolved from tiny Indian band administrations run and dominated by federally appointed Indian agents to, in a growing number of cases, constitutionally protected self-government nations with long-term funding arrangements and substantial, locally controlled administration. To a substantial degree, the emergence of an Indigenous civil service may prove to be one of the most important innovations in the past half-century.

Sommaire

Les gouvernements autochtones sont en pleine expansion. Et cette croissance est accompagnée partout au pays par le développement rapide et global d'une fonction publique autochtone. L'émergence et la croissance de ce secteur d'activité porteur d'expertise de gestion et de prise de décisions au profit des collectivités autochtones sont des éléments centraux de la transformation du gouvernement autochtone au Canada.

Ce document permet de contextualiser les difficultés auxquelles font face les fonctions publiques autochtones. Il porte sur la croissance notable et l'importance relative de l'emploi autochtone ainsi que sur les différences entre les revenus gagnés par les employés autochtones et non autochtones. L'analyse présentée est centrée sur le Yukon parce que ce territoire permet de tirer des leçons quant au mérite de l'autonomie gouvernementale des Premières Nations. Enfin, il s'intéresse de façon poussée à la saisonnalité de l'emploi et à la mesure dans laquelle les salaires au sein de l'administration publique autochtone prennent du retard par rapport aux autres paliers de gouvernement.

Ce document cerne également certains des défis que doivent surmonter les gouvernements autochtones. Parmi ceux-ci, on compte la taille tout simplement insuffisante de plusieurs de ces derniers pour bénéficier de l'expertise, de la formation ou du soutien administratif nécessaires à la levée d'obstacles bureaucratiques complexes. Les gouvernements autochtones ne disposent pas des ressources humaines et des capacités professionnelles nécessaires pour s'engager à fond auprès des paliers supérieurs de gouvernement. Cela les oblige donc souvent à dépendre d'experts-conseils de l'extérieur, qui accomplissent les tâches, mais ne transmettent que peu de savoir et de connaissances à l'administration autochtone et au personnel en place.

Une solution à long terme consiste à développer une fonction publique des Premières Nations professionnelle. Le développement par les gouvernements autochtones de leur propre fonction publique dotée de la capacité de définir leurs priorités sociales et économiques et d'élaborer des politiques soucieuses de leurs cultures traditionnelles serait un point de départ.

Le Yukon constitue un bon exemple de ce qui peut être fait. Cela fait des années que ce territoire enregistre l'une des croissances les plus rapides à l'échelle nationale – en hausse de 42,5 pour cent entre 2001 et 2021. La croissance du nombre d'emplois dans l'administration publique autochtone a été d'autant plus impressionnante, car les effectifs sont passés de 867 en janvier 2002 à 2 052 en juin 2022 – une progression de 136,7 pour cent.

Les accords sur les revendications territoriales des Autochtones ont transformé l'environnement administratif du Yukon. Depuis la finalisation d'un accord en 1990, 11 Premières Nations ont mis en œuvre le règlement définitif de leurs revendications territoriales et les accords d'autonomie gouvernementale auxquels elles sont parvenues. Le gouvernement de chacune de ces Premières Nations a commencé à mettre sur pied une structure bureaucratique reposant sur un corps de fonctionnaires chargés d'un large éventail de portefeuilles. En 2016, les Autochtones travaillant dans les administrations publiques autochtones du Yukon percevaient en moyenne des revenus bien plus élevés que les Autochtones rattachés à l'ensemble des administrations publiques autochtones du Canada.

Malgré les réalisations du Yukon en matière de fonction publique autochtone, la plupart des gouvernements du Nord cherchent encore à définir les pratiques de gestion les plus efficaces pour gérer la petitesse de bon nombre de leurs collectivités. Dans ces conditions, même si un important excès de gouvernance est généralement apparu dans le Nord, la plupart des régions provinciales nordiques souffrent de sous-gouvernance (à l'exception du Nord-du-Québec et de la majeure partie du Labrador). Il convient de procéder à un examen approfondi pour déterminer les niveaux de service et de soutien administratif appropriés pour les établissements humains plus petits.

Diverses autres étapes doivent être envisagées par les différents paliers de gouvernement. Les gouvernements autochtones doivent s'efforcer de collaborer davantage entre eux afin d'instaurer des mesures comme la création d'une unité unique de promotion du tourisme autochtone pour le Nord. Ils doivent prêter une attention particulière aux possibilités d'arrimer les principaux programmes gouvernementaux – santé, éducation et développement économique – aux réalités nordiques. De plus, dans la mesure du possible, les gouvernements des petites collectivités autochtones éloignées doivent collaborer avec les dirigeants autochtones régionaux pour déterminer s'ils peuvent, concrètement, fournir des services collectivement afin de réduire les frais généraux et les redondances.

La gouvernance autochtone s'est remarquablement transformée au cours des 50 dernières années. Elle est passée de façon croissante d'une structure regroupant de minuscules bandes indiennes dirigées et dominées par des représentants indiens nommés par le fédéral à celle de nations autonomes protégées par la Constitution et dotées d'accords de financement à long terme et d'une vaste administration contrôlée localement. Pour une large part, l'émergence d'une fonction publique autochtone pourrait s'avérer être l'une des innovations les plus importantes du dernier demi-siècle.

Introduction

Indigenous governments are expanding rapidly, a function of self-government agreements, modern treaties, the downloading of federal programming to Indigenous authorities, court mandated changes in government operations, and the growing activities and capacity of First Nations, Métis, and Inuit communities. As a consequence, Indigenous policy-making – as distinct from the imposition of federal government policies on Indigenous peoples – has emerged as a crucial element in Canada’s administration of Indigenous affairs. Connected to this, and unfolding well below the radar in Canada, has been the rapid and comprehensive expansion of the Indigenous civil service across the country.

The emergence and growth of this professional class, providing Indigenous communities with the managerial and policy-making expertise that they require to tackle an ever-growing list of responsibilities, is one of the central elements in the transformation of Indigenous government in Canada. Yet we have all too few windows into this rapidly changing environment and there appears to be a dearth of research on the topic to date.

This paper argues that the growth of an Indigenous civil service at the community level is beneficial not just for their own communities but for Canada as a whole; in particular, it increases transparency, improves local decision-making, and creates a level of governance that allows local people to have input into local problems that are being addressed by a resident civil service. The recognition of an Indigenous civil service is a relatively new concept within Canada and Statistics Canada did not report on it as a level of public administration in this country until 2010. This study cannot be a comprehensive analysis of the growth of an Indigenous civil service in Canada; the surveys, reports, and analyses just do not yet exist. What exists is one Statistics Canada dataset that was called up by the Yukon’s Director of Statistics in 2010 and which that body has updated monthly since, allowing for a strong 20-year run of data, using “backcasting” to the early 2000s.

The paper introduces “Aboriginal” Public Administration – line 914 from Statistics Canada’s Survey of Employment, Payroll, and Hours (SEPH), which provides a detailed breakout of Aboriginal government employment

data – at a national level of analysis and then focuses in on the Yukon as a case study in the growth and development of an Indigenous public service in the one region of Canada where the majority (11 of 14) of First Nation communities have successfully transitioned from *Indian Act* bands to self-governing status. Statistics Canada tracks the growth of the Indigenous public service from 2001 to early 2022, showing the numbers employed and the rising levels of income associated with that employment across Canada. The incomes of Aboriginal public administration employees are compared over time as well as between provinces and territories and to the other three levels of public administration in Canada: federal, provincial/territorial, and municipal. The SEPH also documents differences in employment between men and women.

Unfortunately, the data do not enable us to disaggregate First Nation governments that are self-governing compared to those operating under the *Indian Act*, nor to distinguish Métis from First Nation, nor break out Indigenous umbrella organizations at the higher levels of governance such as the Assembly of First Nations or regional bodies such as the Council of Yukon First Nations. (Nunavut is treated differently from the other two territories in SEPH, as it is totally separated out and included within line 912 with the provinces.) Nor can the data be segregated according to the different types of governments that may be in operation in different regions of the country, or operating from the local community level of, say, a reserve through to a national organization fighting for greater Indigenous rights or developing policies that could improve social and economic opportunities. The research in this paper necessarily works with aggregated data and as such has limitations. Despite those limitations, the data are nonetheless foundational, tracking the development of Indigenous governance over the first two decades of the 21st century through the increasing level of employment in Indigenous government bodies and the significance of these jobs and the income associated with them to their communities.

This paper's analysis proceeds as follows. First, it provides some context to the importance of and challenges facing Indigenous civil services, especially in light of the COVID-19 pandemic. Second, it examines the significant growth of Indigenous government employment, the relative importance of such employment for the communities involved, and the differences in earnings between Indigenous and non-Indigenous employees. Third, it analyses the Yukon, which offers some useful lessons in the value of First Nations self-government. Finally, it delves into issues of employment seasonality and the extent to which wages are not keeping pace within Aboriginal public administration compared to other levels of government.

Of note, Appendix 1 explains the paper's terminology to describe the First Peoples in Canada. The paper also uses data from Statistics Canada's SEPH sources in its analysis; Appendix 2 provides further information about this data.

Context

Recent developments have highlighted the importance of the Indigenous civil service in Canada. As the COVID-19 pandemic swept across the world in 2020 and 2021, the House of Commons Standing Committee on Indigenous and Northern Affairs heard repeatedly that First Nations, Inuit, and Métis people and their communities were more vulnerable than other Canadians to the virus (Canada, Indigenous and Northern Affairs 2021).

Many of these vulnerabilities are rooted in systemic health and socioeconomic inequities dating back to before Confederation and compounded by the residential schools and systemic racism. The report points to a plethora of concerns raised by witnesses, including those present prior to the pandemic: inequalities in housing, water and wastewater treatment, health, broadband/telecommunications, and even more basic connectivity (road, rail, air). In 2020 the list grew to include COVID-19 protective gear, access to medical treatment and amplified mental health problems, the need for vaccination education and communications, and increased food insecurity (Polsky and Garriguet 2022).

In *A Disproportionate Burden*, Angele Alook, Sheila Block, and Grace-Edward Galabuzi show that “On average, over the period July 2020 to June 2021, 28% of Indigenous Peoples ... lived with economic insecurity compared to 16% of white households” (2021, 4). They noted that Indigenous workers were more likely to be employed in industries hardest hit by layoffs (accommodation and food services, information, culture and recreation, and wholesale and retail trade) and in occupations most susceptible to infection based on physical proximity of work; these continue to be pressing matters.

There are lessons to be learned from the pandemic, including: the need for improved pandemic and disaster planning, improved communications between all levels of government, and greater level of support for Indigenous communities and their small-scale governments that are often of limited capacity. The solution is at hand within each Indigenous community – their governments, and, most promising, a growing and evolving cadre of public servants who understand their communities far more intimately than distant federal or provincial civil servants ever could.

One plea the committee heard was for improved intergovernmental coordination, which assumes connectivity between all parties and an Indigenous civil service capable of interacting on an equal footing with federal and provincial authorities as well as industry representatives. Predictably, Indigenous communities do not yet have the resources needed to manage all these intergovernmental portfolios while also administering their own public services.

Alexandra Flynn and Signa Daum Shanks (2021) outline the limitations under

which First Nations have worked throughout COVID, even where they are operating under modern land treaties, with self-government agreements, and where Canadian governments have endorsed Indigenous decision-making in relation to their lands. Many First Nations struggled to protect citizens through community lockdowns, and had to fight for funding for COVID-19 testing and treatment. As Flynn and Shanks noted:

Moreover, federal government allocations to First Nations fall woefully short of what is needed to adequately address the needs of community members. At the start of the second wave of the pandemic in the fall of 2020, Canada's top doctor warned about rising Indigenous case numbers. These fears were realized as the pandemic continued, with the number of active cases rising sharply over the fall and winter of 2020, from 275 cases on October 4, 2020, to a peak of 4,977 in early January 2021. (2021, 258)

Brian Lee Crowley, in an address to an audience of Canadian accountants and auditors focusing on improved Indigenous governance, stated as one of his five lessons learned:

Many Indigenous communities suffer from a lack of capacity: they are simply too small and don't have the expertise, training and administrative support to leap through complex bureaucratic hoops that are paternalistic in their conception and that prize bureaucratic control over empowering Indigenous communities to make their own decisions (and their own mistakes). Lest I be misunderstood, and you think that "capacity" is some code word for Indigenous incompetence, let me clarify: All I am saying is that Indigenous governments have vast needs but very small administrations, which have to balance everything from constitutional and legal issues to housing, policing, education, health care, social welfare and economic development. These communities have small populations, tiny civil services and incredible complicated policy needs. Any community on a similar scale with comparable responsibilities facing similar circumstances would invariably have these issues. (2022, 4)

Historically, and in most cases at present, Indigenous governments lack the human resources and professional capacity to fully engage with the more senior levels of government. When they engage, they are often dependent upon outside consultants including lawyers, accountants and auditors, social workers, human resource experts, medical advisers, engineers, environmentalists and planners, business development experts, grant writers, and others. These specialists are essentially paid to undertake what should

be foundational public service work (Harley 1982).¹ While the work gets done, little of the learning and knowledge gets passed through to Indigenous governments and their staff (Widdowson and Howard 2008). This means that the cycle of professional dependency only continues.

The solution lies not in arguing that self-government does not work – as skeptics like Frances Widdowson and Albert Howard (2008) imply when they describe First Nation self-governments as amounting to mere tribalism or when public commentators routinely and inaccurately imply that Indigenous governments are often corrupt – but rather in investing and developing capacity within First Nation governments to give them the tools to provide essential services. This may require the pooling of resources given the small populations of most Indigenous communities and their role in providing collective services for several participating communities.² An additional challenge is that very little of the money that a First Nation spends on goods and services stays in the First Nation community.³

The challenge is to develop Indigenous government models that reflect Indigenous cultural values but are also able to effectively communicate with non-Indigenous government bodies and their civil services.⁴ Having representative governments and civil services able to engage with the state is an essential step towards deflecting negative policy outcomes, ensuring that consultation and engagement are not merely checkboxes in the bureaucratic process.

Flynn and Shanks (2021) argue that there are important policy reasons for including Indigenous knowledge in decision-making from the start to the end of health crises.⁵ First Nations are better positioned to understand the impact of policy decisions in their lands, such as the conditions of access roads, what a health care unit should include, what language revitalization requires, and whether youth should participate in school hunting or outdoor adventure trips. These local circumstances are meaningful when making decisions about policy responses to events as diverse as the COVID-19 pandemic, local economic development opportunities, or school curriculum reform. For these reasons and many more, there needs to be a greater investment in an Indigenous public service that builds a stronger, better equipped, and more sustainable civil service for Indigenous people living on-reserve and for their members living off-reserve.

Furthermore, the current limited investment in an Indigenous civil service does Canada no favours as we see in the number of court decisions being declared related to the “duty to consult.”⁶ Historically, the federal and provincial or territorial governments have not routinely considered the impacts of certain actions or decisions on Indigenous communities. As a result, the duty to consult has become a fallback position to attempt to address the imbalances of power between non-Indigenous governments and First

Nations, Métis, and Inuit peoples in Canada (Brideau 2019). This litigious approach to government-to-government dealing could be better managed at the bureaucratic level were the parties to work collaboratively through their representative civil services. Given the growing number of duty-to-consult cases making their way to the Supreme Court of Canada, a greater investment in First Nation government is required.

According to Gerald Taiaiake Alfred (2009), the cumulative and ongoing effects of this crisis of dependency form the living context for most First Nations. In his view, colonialism resulted in political chaos and social discord within First Nations communities and their collective dependence upon the state. As he concludes, “band councils and government-funded service agencies...have been for the most part shaped and organized to serve the interests of the Canadian state. Their structures, responsibilities, and authorities conform to the interests of Canadian governments, just as their sources of legitimacy are found in Canadian laws, not in First Nations interests or laws. These institutions are inappropriate foci for either planning or leading the cause of indigenous survival and regeneration” (Alfred 2009). Importantly, this problem is not restricted to Canada.⁷

During COVID-19, the challenge of effectively delivering public goods and services in Indigenous communities was exacerbated as many First Nation governments and organizations went into lockdown to reduce contagion. Indigenous communities across Canada lacked the resources needed to allow staff to work from home, while in remote regions limited and/or expensive broadband services created barriers to effectively working from home. Home-based employment requires access to a private workspace. Given that First Nation communities, especially those on-reserve, suffer from crowded housing conditions with homes often needing major repairs, this was hardly a conducive alternative.⁸

In the North, the constraints on Indigenous governments meant that the Canadian Rangers had to be called in to deliver water, food, and medicine as well as manage essential services (Canada, Department of National Defence 2020). Even this became problematic, as provincial governments were delinquent in calling the states of emergency that are required before the Canadian military can intervene in distant communities such as Bearskin Lake in northwestern Ontario (CBC News 2022a). In other First Nations’ development corporations, which are often located in larger centres, staff volunteered to drive essential supplies and medicines to distant and remote communities, dropping them off at community member manned roadblocks.⁹

Many of the issues discussed above are not new. Historical underfunding and systemic barriers have made Indigenous communities vulnerable to infectious diseases both in the past and today. Co-morbidities are not uncommon, with poor water and wastewater systems resulting in the spread

of disease. Overcrowded housing and housing in need of major repairs, including mould mitigation, lead to respiratory illnesses. That and the higher rates of tobacco and alcohol use as well as limited medical health services and lower educational rates, all contribute to poorer health outcomes and greater vulnerability to flus and pandemics (Auditor General of Canada 2021). The House of Commons Standing Committee report concluded that the “Committee believes that the government must take immediate actions to remedy to this situation. The government must also commit to implementing long-term solutions.”

One long-term solution, in the hands of the First Nations themselves, is the development of their own professional civil service, a cadre of local First Nation people with the skills, training, experience, and resiliency to take on the challenges of overseeing the management of their own communities. This would include more effectively and equally liaising with provincial and federal levels of government and with industry while providing public goods and services to their communities regardless of the challenges thrown at them. Such a solution would start with Indigenous governments developing their own civil service with the ability to define their own social and economic priorities and develop policies that reflect their traditional cultures.

The growth in Indigenous government employment, 2001-2022

The federal government currently recognizes more than 630 First Nation communities across Canada, working with more than 50 distinct languages (Canada, Crown-Indigenous Relations and Northern Affairs 2021a). Between June 2011 and June 2022, employment in Indigenous public administration expanded rapidly, growing by over 44 percent and adding some 20,000 new jobs over that period (Figure 1). In contrast, growth in the federal civil service slowed compared to the previous decade, increasing by only 12.1 percent or by less than 39,000 workers. This was a considerable change in hiring practices compared to the previous decade, which saw the Canadian federal public service grow by 27.1 percent, adding almost 68,000 jobs from June 2001 to June 2011, while Indigenous public administration grew by only 9.3 percent, adding fewer than 4000 jobs.¹⁰

Between January 2001 and October 2005, employment in Aboriginal public administration grew by 13.7 percent. Of note, this was prior to the election of Stephen Harper’s Conservative government, which sharply reduced funding for Indigenous organizations and governments. The first seven years of Conservative government policies saw Aboriginal public administration employment numbers shrink from 44,942 in October 2005 to 43,442 in September 2011. From October 2011 to the start of the COVID-19 pandemic, employment in Indigenous government grew steadily, from 43,442 to 63,142

FIGURE 1: EMPLOYMENT IN ABORIGINAL PUBLIC ADMINISTRATION, ALL EMPLOYEES IN CANADA, JANUARY 2001 TO JUNE, 2022



Source: Statistics Canada 2022b

employees in January 2020, prior to the extensive lay-offs that occurred through the winter and into the summer of 2020 as pandemic lockdowns resulted in layoffs and fewer seasonal hires. Aboriginal public administration as an employment sector added over 20,000 positions since its nadir in October 2011 under the Harper government with over 10,000 of those new positions being added since the election of the Liberal government in October 2015.

What SEPH data cannot reveal is the continuity of employment. Numbers may be rising annually, with fluctuations occurring seasonally, but SEPH does not document employee turnover, the rate of employee exits, or retention rates. These are questions left for future research, although getting access to this information would likely be very difficult without Indigenous government support and, even then, the best that could be achieved would probably be a biased sample of willing participants. There is a general assumption that Indigenous governments have high turnover rates, although the academic research to explore the question has not been completed and administrative data are not accessible. Statistics Canada (2022b) in tracking the history of job tenure in Canada noted that as of 2021, Indigenous people living off-reserve and landed immigrants tended to have shorter job tenure; on-reserve data are not being collected.

Julie Lahn (2018), working in the Australian federal context, noted that “Australia’s civil service has had some success in attracting substantial numbers of Indigenous employees. But significant numbers also regularly exit the

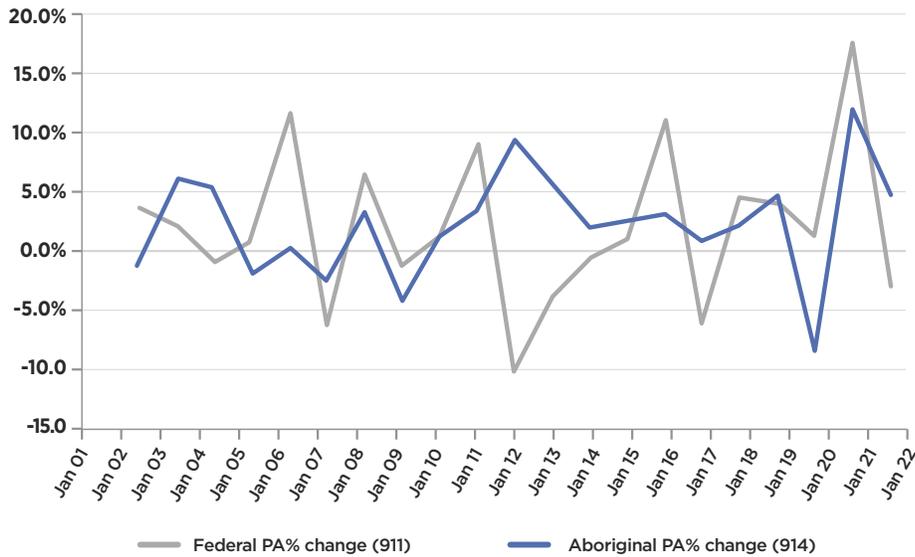
bureaucracy and that retaining Indigenous employees is recognised as an ongoing difficulty for government.” She found that Indigenous forms of experience and understanding go largely unrecognized within the Australian federal government, which in turn constrains their potential to meaningfully contribute to improving government relations with Indigenous people or to enhancing the effectiveness of the bureaucracy more broadly. Lahn concludes that “Work as an Indigenous civil servant emerges as a space of contestation with the possibilities and limits of statecraft” (2018, 13). Given that most First Nation governments in Canada are organized to reflect western structure which has an inherent silo configuration, this might also be reflected in the Canadian experience.

Another limitation is that the SEPH is designed to produce employment counts, not track any change in the number of reporting entities over time. The data in Figure 1 could reflect a combination of employment growth within establishments as well as the addition of new administrative units.¹¹ However, by 2001 the landscape of First Nation governments and governmental agencies in Canada had solidified and the likelihood of substantial numbers of new First Nation or Indigenous governments coming into existence is negligible.¹²

Figure 2 provides another perspective on the growth of the Aboriginal public administration. It looks at the percentage change year-to-year from June 2001 to June 2022 and compares it to data for the federal civil service.¹³ The employment patterns are invariably spiky, showing periods of increase rapidly followed by declines in the percentage change from one year to the next. While there are considerable variations such as the 2002 to 2005 period, between the hiring trends of the federal civil service and the collection of governments captured by the Aboriginal public administration, it is clear that both responded to the 2007-08 financial crisis by hiring more staff in June of 2008, effectively acting as a safety net for some Canadian workers.

Likewise, both governments had a similar response to the COVID-19 pandemic. Aboriginal public administration reduced staff dramatically (by 8.2 percent), which was harsher than the federal response. Federal hires dropped from a period of substantial growth in 2018 of 4.4 percent, to 3.9 percent in June 2019, to 1.1 percent in June 2020. This was followed by a massive employment increase of 17.5 percent from June 2020 to June 2021 (a surge from 312,857 to 367,495 employees), as federal health and social welfare agencies hired more people to manage the ongoing struggle against the pandemic. In a similar manner, Aboriginal government employment grew by 11.8 percent from its deep decline in 2020 to 61,288 people in June 2021 and continued to rise through June 2022, adding another 3045 employees nationwide, a 4.9 percent rate of annual increase. In contrast, Ottawa started to shed employment through the beginning of 2022, dropping around 3 percent or almost 11,000 employees.

FIGURE 2: ANNUAL PERCENT CHANGE IN PUBLIC ADMINISTRATION EMPLOYMENT IN CANADA, JUNE 2001 TO JUNE 2022



Source: Statistics Canada 2022b.

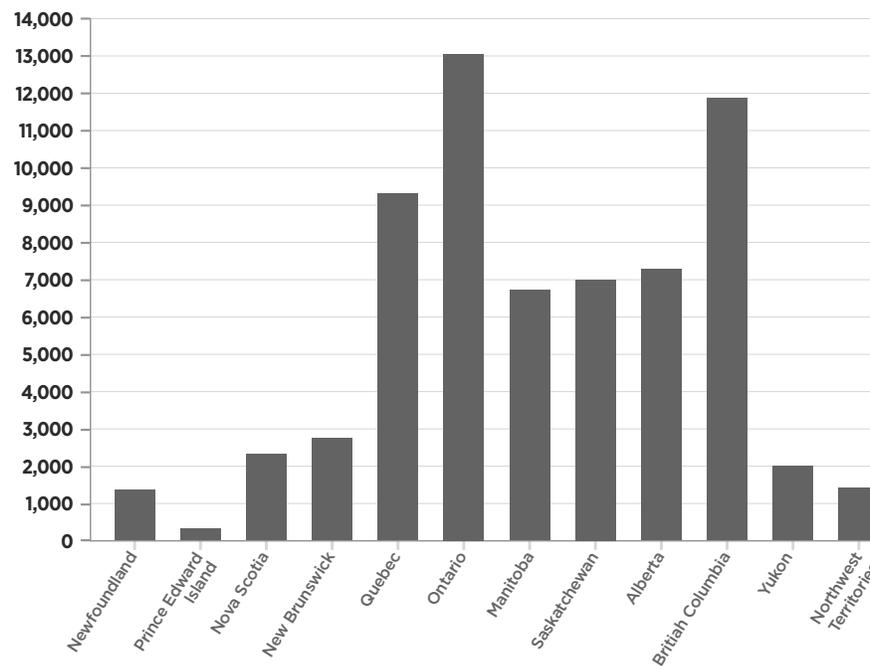
Aboriginal government employment

As of June 2022, Statistics Canada SEPH data estimated that there were 64,927 people employed in Aboriginal public administration across Canada, with Ontario and British Columbia leading the way with 13,035 and 11,896 employees, respectively, followed by Quebec and the three prairie provinces (Figure 3). Within their relatively large labour markets, these figures actually reflect a fairly small proportion of employees. However, employment in public administration that begins to reach levels like the Yukon’s 2052 employees and Northwest Territories’ (NWT) 1460 workers contribute significantly to the regional economies because these employees are usually working for First Nation governments on-reserve, and the reserves are often located in small, remote communities and frequently in economically depressed regions. They are what geographer Robert Bone (2003) calls “non-economic places” or, as they are termed in the current literature, “left-behind places” (MacKinnon, et al. 2022). Given the very few other opportunities for full time work, their job numbers, though limited, matter in these small communities.

This point is made abundantly clear by Robert Miller:

Few of the 300 Indian reservations in the United States have functioning economies in which reservation residents can be employed, spend their money, and find adequate housing. As a result, almost all reservation residents have

FIGURE 3: NUMBER OF ABORIGINAL PUBLIC ADMINISTRATION EMPLOYEES IN CANADA, JUNE 2022



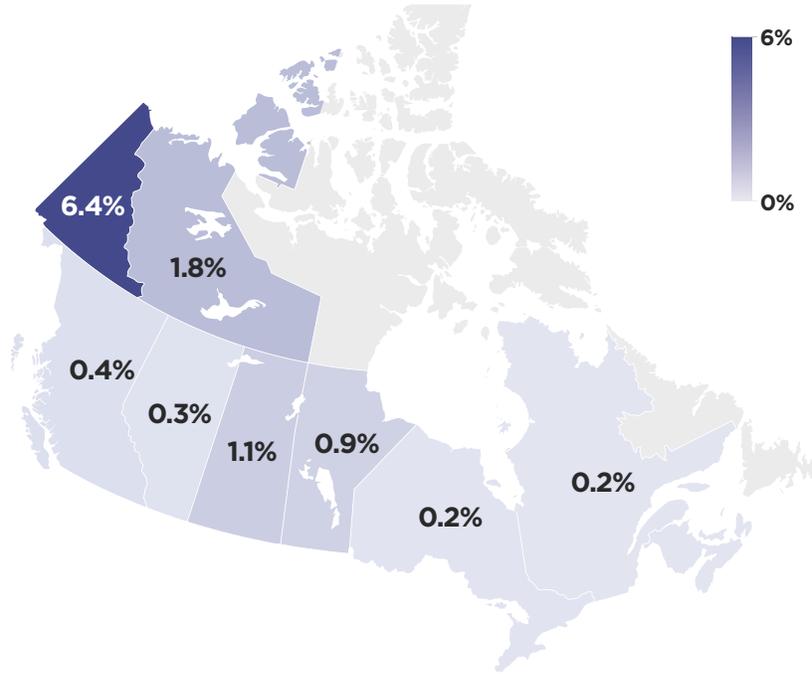
Source: Statistics Canada 2022b.

to travel to distant cities to find banks, businesses, higher education, and jobs. This situation helps state economies but serves to impoverish reservations, where Native people disproportionately live in poverty. (Miller 2021)

Figures 4 and 5 show graphically the significance of employment in Indigenous governments, where the employment numbers are translated into employment in Aboriginal public administration as a percentage of all employment. In larger provincial economies these proportions are insignificant, as Figure 4 shows, with the rate being less than a fifth of 1 percent in 2011 in Ontario and Quebec.

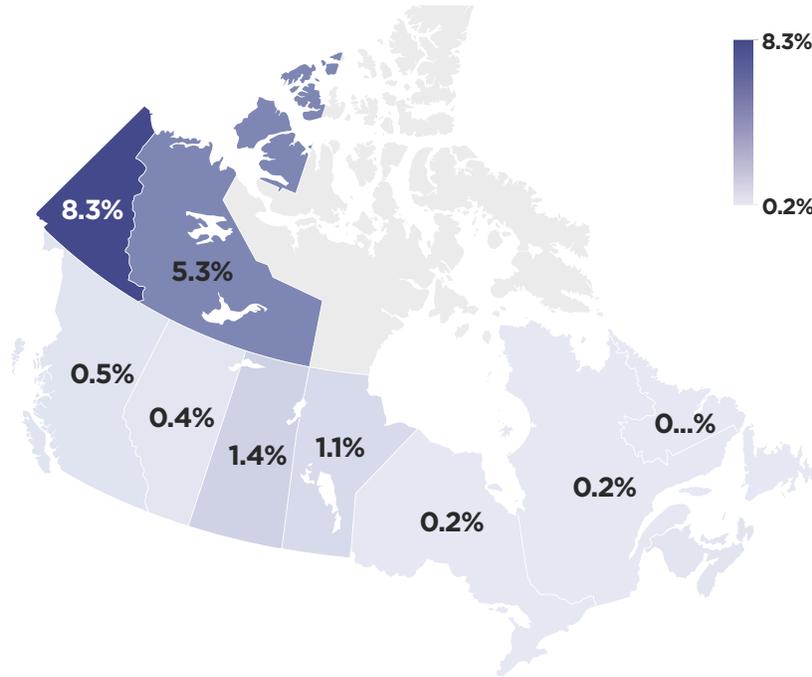
In the Yukon, where self-government treaties have been enacted for 20 years in some cases, the rate stood at 6.4 percent of total employment in 2011. By 2022, employment in Indigenous government in the Yukon had increased to 8.3 percent in what has been one of the strongest performing (albeit government-dependant) economies and fastest growing populations in Canada over the past decade. As self-government expanded in the NWT, Aboriginal public administration employment rates increased as well, moving from 1.8 percent in 2011 to 5.3 percent in 2022 in a slow-moving economy and demographically stagnant population.

FIGURE 4: EMPLOYMENT IN ABORIGINAL PUBLIC ADMINISTRATION IN CANADA AS A PERCENT OF ALL EMPLOYMENT, 2011



Source: Statistics Canada, SEPH database.

FIGURE 5: EMPLOYMENT IN ABORIGINAL PUBLIC ADMINISTRATION, AS A PERCENTAGE OF ALL EMPLOYMENT, 2022



Source: Statistics Canada, SEPH database.

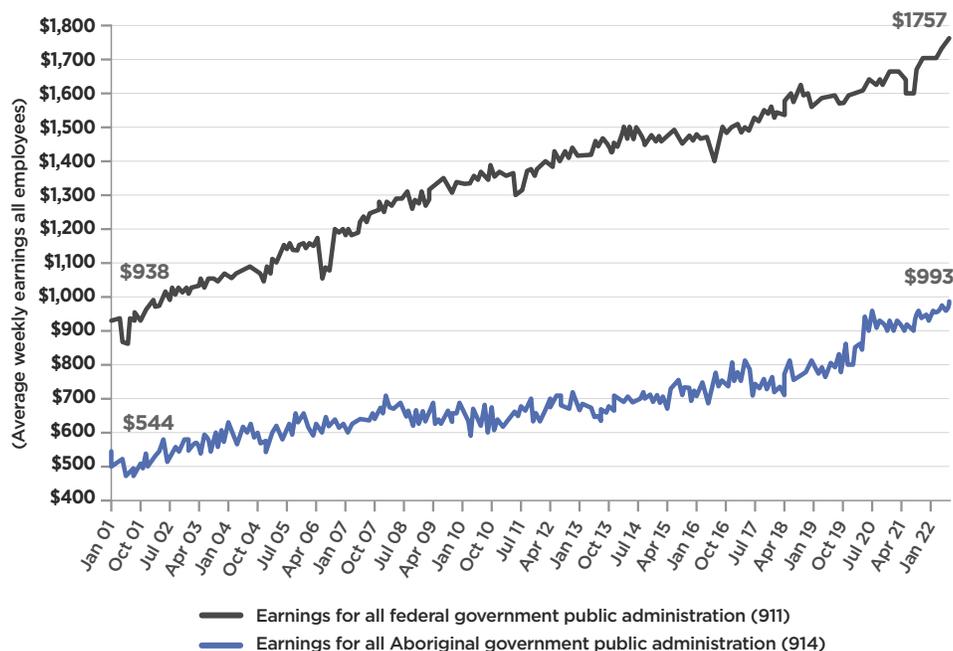
Among the provinces, Saskatchewan with its numerous small Indian reserves had the highest rate of total employment in Aboriginal public administration in 2011 (1.1 percent). The rate moved up slightly to 1.4 percent in 2022. In the Maritime provinces less than 1 percent of total employment is in Indigenous government. In 2022, the rates were 0.8 percent in New Brunswick, 0.5 percent in Nova Scotia, and 0.4 percent in Prince Edward Island.

Contrasting earnings

Federal public servants in Canada and those working in Indigenous government show considerable differences in their average earnings. In 2001, the seasonally adjusted average weekly earnings (including overtime) for all federal employees was \$938 compared to \$544 per week for those working in Aboriginal public administration. By June 2022, these amounts increased by about the same rate with federal earnings moving to \$1757 a week (an increase of 88 percent) compared to \$993 per week for workers in Aboriginal government, or an increase of 82.5 percent (Figure 6).

Federal employees started with much higher weekly earnings and their wages increased moderately over time. Factors contributing to these greater earnings include the higher educational and work experience thresholds for federal

FIGURE 6: AVERAGE WEEKLY EARNINGS ALL EMPLOYEES PUBLIC ADMINISTRATION IN CANADA, FEDERAL VERSUS ABORIGINAL, JANUARY 2001 TO JUNE 2022



Source: Statistics Canada, SEPH database.

civil service hires, including bilingualism, compared to the threshold for local Indigenous government hires, which often include first-time job seekers, often with more limited education and training and fewer years' work experience. Indeed, Indigenous governments often act as a feeder to provincial, territorial, or federal job opportunities. Far fewer provincial or federal employees would move the other way, although senior positions in First Nation governments such as chief administrative officer or chief executive officer of an Indigenous development corporation may entice certain individuals into positions in Indigenous government or quasi-government (i.e., Indigenous economic development corporations).

The average weekly earnings of those employed in Indigenous government may have almost doubled from January 2001 to January 2022, rising from \$544 to \$993. However, people employed in that sector actually lost ground compared to their counterparts in the federal government, who saw their earnings increase 87.3 percent between 2001 to 2022, from \$938 per week to \$1757 per week. In contrast, the earnings of those working in Aboriginal public administration rose by around 82.5 percent, or 5 percent less. The earnings of workers in provincial and municipal levels of government effectively range between the highest paid federal employees and the lowest paid Aboriginal public administration staff.

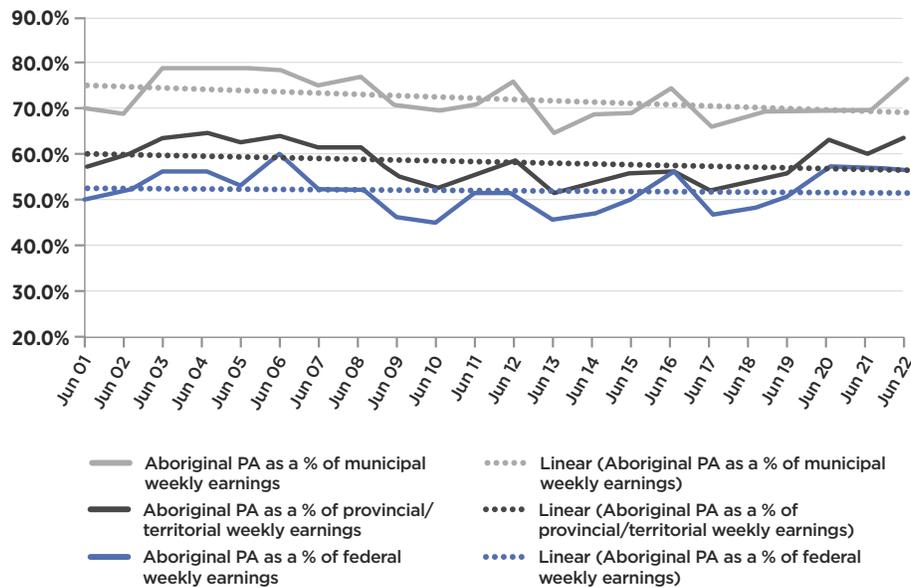
Indeed, staff in Aboriginal government have historically earned less than the average weekly earnings for the industrial aggregated labour force (excluding unclassified businesses) and have done so through the 20-plus years under

TABLE 1: AVERAGE WEEKLY EARNINGS IN DOLLARS IN CANADA, 2001 TO 2022, SELECTED MONTHS (INCLUDING OVERTIME FOR ALL EMPLOYEES)

North American Industry Classification System (NAICS)	June 2001	June 2006	June 2011	June 2016	June 2021	June 2022
Industrial aggregate excluding unclassified businesses	\$657.0	\$752.0	\$870.5	\$957.0	\$1119.7	\$1159.0
Federal government	\$943.5	\$1088.4	\$1317.4	\$1405.2	\$1604.0	\$1757.3
Provincial and territorial	\$835.8	\$1015.3	\$1208.2	\$1366.2	\$1517.0	\$1559.8
Local, municipal and regional	\$677.6	\$829.7	\$950.6	\$1045.0	1323.0	\$1310.5
Aboriginal public administration	\$475.1	\$648.8	\$674.7	\$774.1	\$909.9	\$993.0

Source: Statistics Canada 2022b.

FIGURE 7: EARNINGS IN ABORIGINAL PUBLIC ADMINISTRATION IN CANADA AS A PERCENT OF EARNINGS IN OTHER GOVERNMENTS, JUNE 2001 TO JUNE 2022

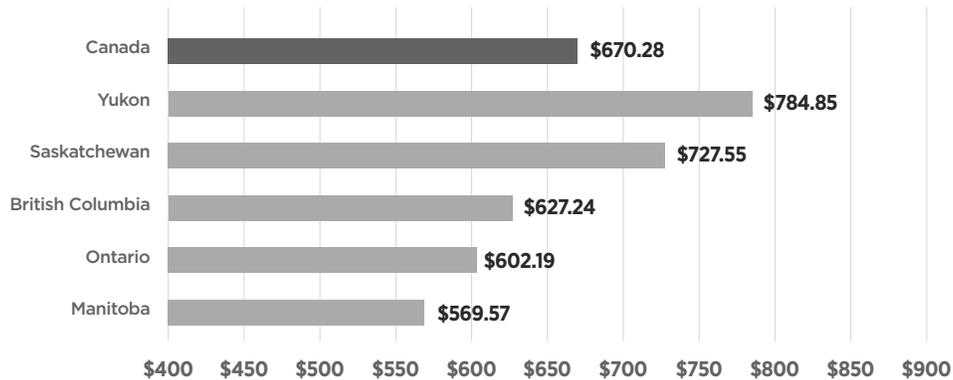


Source: Statistics Canada 2022c, calculated by the authors.

review (Table 1). Further, between 2001 and 2022, this lower income rate is trending downwards compared to earnings in other areas of public administration. Canada may be spending more in 2022 on the Indigenous portfolio but this is not creating a bonanza for Indigenous government employees. Figure 7 shows the trend in Aboriginal public administration earnings as a percent of earnings in other governments between June 2001 and June 2022, with the difference trending downward in all cases when compared with municipal and provincial earnings, and staying flat compared with federal earnings. Only in the last five years have Aboriginal public administration wages started to improve against those paid by the other three levels of government, jumping from a June 2017 average of \$718 to \$932 in June 2020, \$910 in 2021, and reaching almost \$1000 per month in June 2022.

The pay scale for workers in the Aboriginal public administration sector across Canada is also very uneven. Using an example from 2012 in the Yukon where self-government had been enacted for a decade or more in most cases, the earnings of employees in Aboriginal public administration were considerably higher than for similar workers in Canada’s provinces. The Yukon’s Aboriginal civil servants had pay packets that were around \$150 a week higher than the national average, and over \$200 a week higher than for Indigenous government workers in Manitoba (Figure 8).

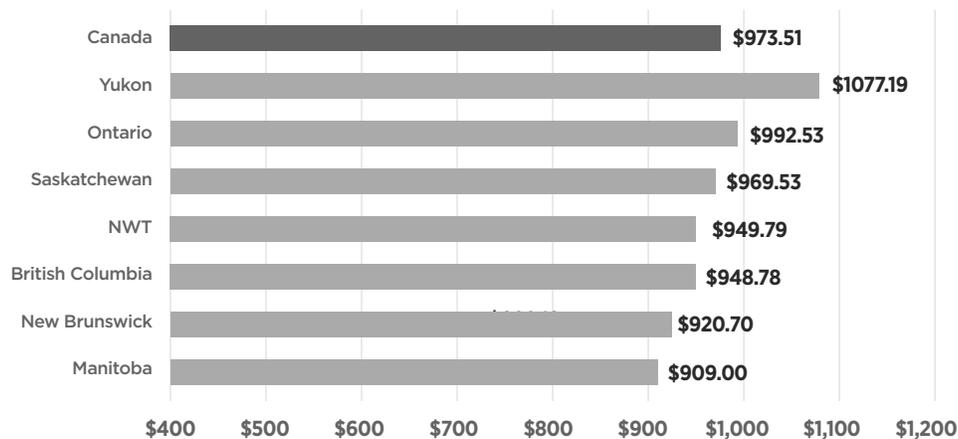
FIGURE 8: AVERAGE WEEKLY EARNINGS (SEPH), MONTHLY, UNADJUSTED FOR SEASONAL VARIATION, JULY 2012



Source: Statistics Canada, SEPH database.

A decade later in April 2022, the gap between Aboriginal public administration workers in the reporting provinces and territories had narrowed considerably (Figure 9). The Yukon still led the nation with an average weekly earning packet of \$1077.19, while the lowest paid workers, those in Manitoba, earned \$168 less; in 2012, the gap between the highest and lowest weekly pay packets was \$215.28, again between the Yukon and Manitoba (Statistics Canada 2022c). This means that the gap has been closing between the highest and lowest paid Aboriginal public administration employees in Canada. The greatest gains appear to have been made in Ontario over this

FIGURE 9: AVERAGE WEEKLY EARNINGS (SEPH), MONTHLY, UNADJUSTED FOR SEASONALITY, APRIL 2022



Source: Statistics Canada, SEPH database.

period, although it was not possible to account for earnings in a number of provinces because the data were too unreliable to be published. We chose April 2022 as the comparator month because it was the best fit with the early 2011 data and had the most jurisdictions reporting. (The x-axis in Figures 8 and 9 has been set at \$400.)

Yukon as a case study

This section tracks the rise of First Nations government employment and the wages this sector earned from just after the inception of the self-government movement in Yukon through to mid-2022. Yukon leads the nation in the number of First Nations (11 out of 14) that operate under self-government administration, a process that began in the early 1990s. As such, there should be a measurable difference in the number of people employed in First Nation government in that jurisdiction, and incomes can be expected to be higher than both the national average and other jurisdictions, which are still dominated by *Indian Act* governance.

The Yukon administrative environment has been transformed by Aboriginal land claims agreements. The proportion of Aboriginal people in the Yukon is much lower than in the other two northern territories. The Council of Yukon First Nations Umbrella Final Agreement was signed on May 29, 1993, as a template for negotiating Final Agreements with Yukon First Nations. Nearly 9 percent (41,595 km²) of Yukon's total land base came under comprehensive Indigenous control under the Umbrella Final Agreement, which allocates responsibility for resource control and land use planning to Yukon First Nations. Eleven Yukon First Nations have the authority to establish bylaws for use and occupation, to develop and administer land management programs, and to levy fees for the use of land within the settlement region (Coates et al. 2014).

Since the finalization of the agreement in 1990, 11 Yukon First Nations have brought into effect final land claim settlements and self-government agreements. The dates in parentheses in the list below indicate the year in which each First Nation's agreement came into effect:

- Champagne and Aishihik (1995)
- Teslin Tlingit Council (1995)
- First Nation of Nacho Nyäk Dün (1995)
- Vuntut Gwitchin (1995)
- Little Salmon/Carmacks (1997)
- Selkirk First Nation (1997)
- Tr'ondëk Hwëch'in (1998)

- Ta'an Kwäch'än Council (2002)
- Kluane First Nation (2004)
- Kwanlin Dün (2005)
- Carcross/Tagish (2006)

As their settlements and agreements came into effect, each of these First Nation governments started to build a bureaucratic structure with civil servants managing a wide range of portfolios from housing, citizenship, and beneficiaries lists to lands and resources, heritage and, in some cases, education, health, and welfare. Meanwhile, the Council of Yukon First Nations has been providing a series of umbrella services for various member First Nations across the Yukon and acts as a lobbyist for improved relations with Canada and the Yukon territorial government. Three other Yukon First Nations (the Ross River Dene Council, the Liard First Nation, and the White River First Nation) have not concluded modern land treaties and remain *Indian Act* bands.

In the Yukon, First Nations self-government has created many employment opportunities and increased wages that have contributed positively to the territory's GDP. While employment is one way in which Yukon's First Nations governments have supported the territorial economy, so have investments in public building programs, expenditures in operations and maintenance, space rental, consulting and contracting fees, expenditures on travel, transportation, and associated accommodations, and a wide variety of business investments that have come through their associated development corporations.¹⁴ Most Yukon First Nations have developed strong own-source revenue streams, purchasing hotels, gas stations, grocery stores, investment in airplane and heavy equipment leasing programs. Eight of them own the highly successful Yukon First Nation Wildfire Corporation.¹⁵ The Vuntut Gwitchin First Nation are 49 percent owners of the regional Air North airline (Vuntut Gwitchin 2016; Yukon First Nation Self-Government Undated).

These post-settlement investments have shifted the balance of economic power in the Yukon. It is also starting to happen in other jurisdictions:

Canada recognizes Aboriginal self-government agreements as being one means of building sound governance and institutional capacity that allow Aboriginal communities to contribute to, and participate in, the decisions that affect their lives and carry out effective relationships with other governments. They also provide greater certainty over rights to natural resources, contributing to a more positive investment climate and creating greater potential for economic development, jobs and growth. (Canada 2021b)

Canada has completed 25 self-government agreements across the country involving 43 Indigenous communities. There are also two education agreements involving 35 Indigenous communities. Canada and the Inuit also established a public government in Nunavut (Canada, Crown-Indigenous Relations and Northern Affairs 2022a; Canada, Crown-Indigenous Relations and Northern Affairs 2020). Currently about 50 self-government negotiations have been tabled across the country.¹⁶ These include the 11 stand-alone self-government agreements negotiated in conjunction with land claims agreements in the Yukon (Canada, Aboriginal Affairs and Northern Development Undated).

The Yukon has been at the forefront of land claim negotiations in Canada since the early 1990s. The negotiation process for Yukon land claims began when Yukon First Nations people presented *Together Today For Our Children Tomorrow* to Prime Minister Trudeau in 1973 (Yukon Indian People 1973). Prior to that, no treaties were in effect between the government and the Aboriginal people of the territory. While initially a bilateral process between Canada and each First Nation, the Yukon government became a full party to the process over time, making the negotiations trilateral.

Between 1973 and 1989, the parties involved worked out the Umbrella Final Agreement, a final version of which was signed in 1993 (Government of Canada, Council for Yukon Indians, and the Government of the Yukon 1993). The Umbrella Final Agreement between the governments of Canada, Yukon, and Yukon First Nations is an agreement on a common template for negotiating First Nation final agreements. The Umbrella Final Agreement, on its own, is not a legally enforceable document. However, because all of its provisions are contained in each First Nation's final agreement, those provisions have lawful effect. Each First Nation final agreement is a treaty recognized in Section 35 of the *Constitution Act*, 1982, and as such, takes precedence over other laws.

The three parties have negotiated land claims for two primary reasons. First, the First Nations had unresolved legal, moral, and equitable claims and, secondly, such participants preferred the certainty of a negotiated agreement to the uncertain results of court decisions. For a region such as the Yukon, which is highly dependent upon natural resource extraction, a third rationale is that the agreements marked the creation of a more stable legal framework through which First Nations would become partners in development rather than adversaries. As Stephen Buffalo, Senior Fellow at the Macdonald-Laurier Institute and President and CEO of the Indigenous Resource Council has said, "Some of our people are asking for sovereignty... You can't get sovereignty if you're still accepting government money under the *Indian Act*. This is our way of trying to address those [development] issues. We need that same opportunity as any other Canadian" (Edwards 2019, quoted in Coates 2020).

Yukon First Nation final agreements represent an exchange of undefined Aboriginal rights for defined treaty rights. In other words, a Yukon First Nation final agreement, which is a modern-day treaty, sets out specific rights for the particular First Nation and its citizens. The exception is that Aboriginal rights continue on settlement land. However, if an Aboriginal right is inconsistent with a negotiated treaty right, then the treaty right prevails. First Nation final agreements provide for the negotiation of self-government agreements between the various First Nations and the governments of Canada and the Yukon. As companion documents to the final agreements, the self-government agreements are not treaties. A self-government agreement establishes the First Nation government as a “legal person,” and ensures that the First Nation has a constitution that sets out its governmental structure. In this way, the First Nation has the capacity to act and govern itself.

“ *Once it achieves self-government,
the Indian Act no longer
applies to the First Nation.* ”

Once it achieves self-government, the *Indian Act* no longer applies to the First Nation. Each First Nation with a self-government agreement has exclusive law-making powers over its internal affairs and over the management of its citizens’ final agreement rights. The First Nation has the power to make citizen-based laws that apply to their citizens, no matter where they live, and can include such areas as child welfare, health care, language, culture, and education. The First Nation also has the authority to make laws in relation to its settlement land, such as land use and zoning, lands and natural resources, forestry and wildlife, and business activity, including mining royalties. These laws are applicable to anyone on settlement land. A First Nation can make laws regarding property taxation on settlement land. A First Nation can also make laws for other direct taxes, such as income or sales tax, and some Yukon First Nations have negotiated sharing agreements with the governments of the Yukon and Canada for the Goods and Services Tax (GST) and income tax. Each First Nation receives most of their government funding through a negotiated Financial Transfer Agreement (FTA) with the government of Canada.

Negotiations can consider matters such as population, own-source revenues, economies of scale, and prevailing fiscal policies. Finally, each First Nation can negotiate, with the governments of Canada and/or the Yukon, the assumption of responsibility for programs and services for their people. The First Nation can negotiate for anything within the scope of its law-making powers, whether or not the First Nation has made a law related to the matter.

SEPH line 914 and Yukon First Nations government

In 2010, Statistics Canada began publishing SEPH administrative data for line 914 (Aboriginal Government), providing for the first time a detailed breakout of Aboriginal government employment levels across Canada, as well as the wages that these organizations generate. In Yukon, SEPH acquires data on 17 First Nation government organizations. Statistics Canada cannot release the names of the organizations, but they are likely to include Yukon's 14 First Nation governments, the Council of Yukon First Nations, and possibly the Northern and Southern Tutchone Tribal Councils. The SEPH line 914 Yukon Aboriginal government data is released in aggregate, creating anonymity. A major drawback in using the Yukon SEPH data is that it is occasionally suppressed to meet the confidentiality requirements of the Statistics Act. This is a common problem for those using Yukon data; as it is one of the demographically smallest jurisdictions in Canada, data for the Yukon is frequently suppressed when national data sets are released at the provincial and territorial level.

Aboriginal public administration is defined by NAICS as follows:

This subsector comprises establishments of Aboriginal governments primarily engaged in providing to their constituents, a wide variety of government services that would otherwise be provided by federal, provincial or municipal levels of governments. (Statistics Canada Undated)¹⁷

The NAICS sector for Aboriginal public administration in SEPH (line 914) includes establishments associated with Indigenous governments, which are primarily engaged in providing government services that would otherwise be provided by federal, provincial, or municipal levels of government. This includes band councils and other First Nations governments, Métis and Inuit governments, tribal courts, tribal police, and national Indigenous organizations. While these organizations are included in the collection scope for this sector, the data collected may not always be consistent.¹⁸ While SEPH provides aggregate information on employment, earnings, and hours, it is not designed to produce counts of establishments for specific sectors, or information on specific establishments included or not in the sample.

SEPH 914 limitations and implications for policy

Data from SEPH line 914 allows for the analysis of the role of Aboriginal self-government across Canada, by jurisdiction as well as through time. Unfortunately, data for the Yukon are regularly suppressed, as noted, while breakouts for salaried employees versus wage-earning employees are not possible due to the territory's small population, so the data presented falls

under the category “All Employees.” Still, it is possible to build an improved understanding of how the First Nations self-government political movement has enabled Aboriginal government in the Yukon to grow, and with it, hopefully, a concomitant increase in First Nation training, increased job retention, and the building of expertise within their communities.

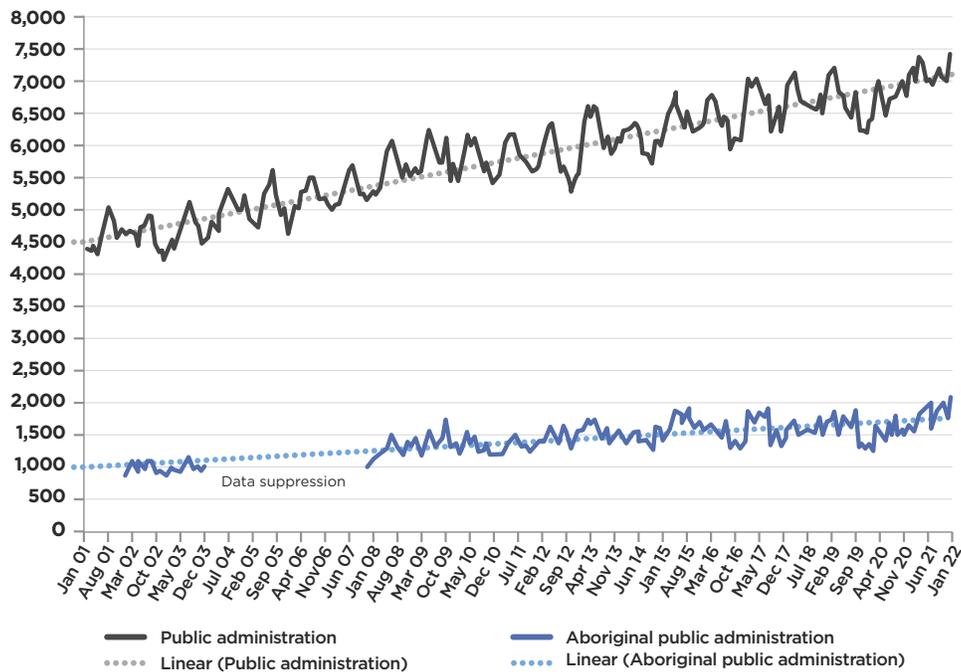
Self-government helps funds be distributed from the core to the periphery, in this case from Ottawa to Yukon, but also out of the greater Whitehorse area – the dominant city in Yukon with 34,467 of Yukon’s some 43,744 residents – to employment in well-paying jobs in remote and rural Yukon communities such as Old Crow, Mayo, Carmacks, Watson Lake, Carcross, and Beaver Creek (Yukon Bureau of Statistics 2022). These are communities that suffer from high unemployment rates, low educational attainment levels, and poor health outcomes.

For example, based on the 2006 Census of Canada, in Beaver Creek 40 of the 75 people employed there worked in public administration; in 2016, 25 of 65 were employed in public administration. The settlement had an unemployment rate of 40 percent (Yukon Socio-Economic Web Portal Undated; Statistics Canada 2017/2019). In Carmacks, the home of the Selkirk First Nation, 30 of the village’s 60 employees held positions in public administration while the unemployment rate for the First Nation stood at 23 percent (Statistics Canada 2017/2019). In Carcross, home of the Carcross Tagish First Nation, 33.3 percent of the employed “Aboriginal population” were in public administration with an official unemployment rate (the effective rate is considerably higher) of over 35 percent (Statistics Canada 2018a).

Even in a community centred around a rich mining region, 33 percent of the employed “Aboriginal” residents of Mayo worked in public administration in 2016; the First Nation had with a 20 percent unemployment rate (Statistics Canada 2018a). Finally, in Whitehorse, the capital city that drives the Yukon economy, the non-Aboriginal unemployment rate was running a low 5.1 percent in 2016, but at 17.5 percent, three times more Indigenous people were unemployed. In this city government jobs dominate the labour market – 505 of the Indigenous communities’ 2190 employed workers (23.1 percent) were in one type or another of public administration (Statistics Canada 2018a).

SEPH does not allow us to break out employees in the Yukon by ethnicity – First Nation, Métis, or non-Aboriginal. It is not yet possible to examine the development of a professional cadre of First Nations professionals using this tool.¹⁹ Such a study would require support and oversight by First Nation governments, the development and launch of a targeted survey instrument, preferably longitudinal, and access to human resources records for First Nation governments. As SEPH provides data in aggregate, it is best used to study change through time and to make comparisons between jurisdictions

FIGURE 10: EMPLOYMENT IN PUBLIC ADMINISTRATION IN THE YUKON (TOTAL) AND MONTHLY ABORIGINAL EMPLOYMENT, UNADJUSTED FOR SEASONALITY, 2001 TO 2022



Source: Statistics Canada 2022b.

as shown earlier at the national level. An analysis of SEPH data provides an improved understanding of the role of Aboriginal government in Yukon's labour economy, both in strength of numbers and wages. The data allows us to analyse:

- total employment in Aboriginal government by month and annually from 2001 to 2022;
- seasonal patterns in employment;
- average wages in Aboriginal government weekly; and
- Aboriginal government wages in the Yukon compared to other public administration categories both nationally and in the Yukon, as average wages and percentage differences.

A look at the growth of Aboriginal employment in public administration over a 20-year period shows its steady if unspectacular growth over time from 867 staff in January 2002 to 2052 staff in June 2022 (Figure 10). This study examines the 17 government agencies that have been in existence in 2001. Some transitioned from *Indian Act* bands to self-governing First Nations; three stayed within the *Indian Act*. It is necessary to place this growth against

the backdrop of the small Yukon population. In 2001, the population of the territory stood at 30,158; it reached 35,411 in 2011, and 42,986 in 2021. Starting from a low base, Yukon has been one of the fastest growing Canadian jurisdictions for years now – it grew by 42.5 percent from 2001 to 2021.

Even more impressive is that employment in Aboriginal public administration increased from 867 in January 2002 to 2052 in June 2022 – a growth rate of 136.7 percent. Even if the new level of post-pandemic employment is unsustainable and the levels drop back to their pre-2020 levels, that is still a range of between 1500 and 1700 employees, or between a 73 and 85 percent increase, far outpacing the already hot Yukon population growth rate. If self-governing First Nations keep drawing down administrative powers from Canada and the territorial government, this growth and the funding required to drive it may prove to be sustainable.²⁰

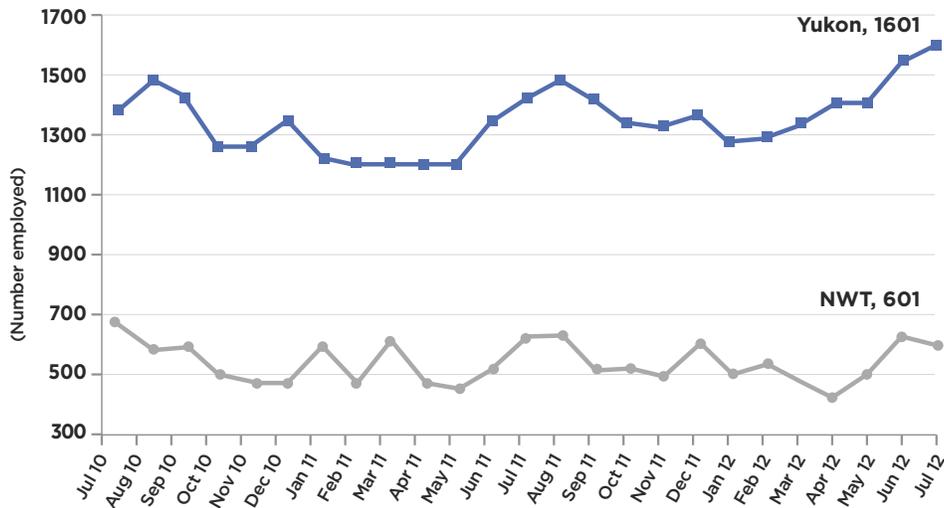
Seasonality and First Nations government, 2002–2012

Seasonality remains one of the key challenges of employment patterns in rural and remote communities across Canada, and especially in the North. In the Yukon, seasonal work is tied to a number of industries. In the summer months those include mineral exploration, construction, road construction and repair, tourism, and landscaping, while in the winter jobs such as snow plowing and removal and trapping account for a percentage of seasonal businesses (Yukon Bureau of Statistics 2009, 2010). Aboriginal public administration follows a similar pattern, but the pattern is more complex.

Figure 11 compares employment in Aboriginal public administration over two years on a monthly basis between July 2010 and July 2012 for Yukon and the NWT. In the Yukon, employment rises in the summer months (see Figure 11: August 2010 – 1469 jobs) and tends to decline in early winter through to spring (see Figure 11: May 2011 – 1191 jobs), prior to increasing again through June, July, and August. This cycle repeats itself annually.²¹ The seasonal nature of work is also in evidence in the NWT, though both increase hiring in December (see Figure 11: 1342 jobs in December 2010 and 1357 jobs in December 2011 in Yukon, and 608 jobs in December 2011 in the NWT) prior to dropping off again in January, suggesting increased hires through the Christmas season.

In the Yukon, over the two-year period, Aboriginal government trended upwards, starting at 1371 employees in July 2010, rising to 1426 in July 2011, and again to 1601 in July 2012 – an increase of 16.8 percent in Aboriginal public administration over the two years. In comparison, employment in Aboriginal government in the NWT declined from 677 in July 2010, to 628 in July 2011, and dropped again to 601 in July 2012 for a loss of 76 jobs, or an 11.2 percent decline in employment over the two years.

FIGURE 11: SEASONALITY IN EMPLOYMENT IN ABORIGINAL PUBLIC ADMINISTRATION IN THE YUKON AND NWT: AN EXAMPLE FROM 2010-2012



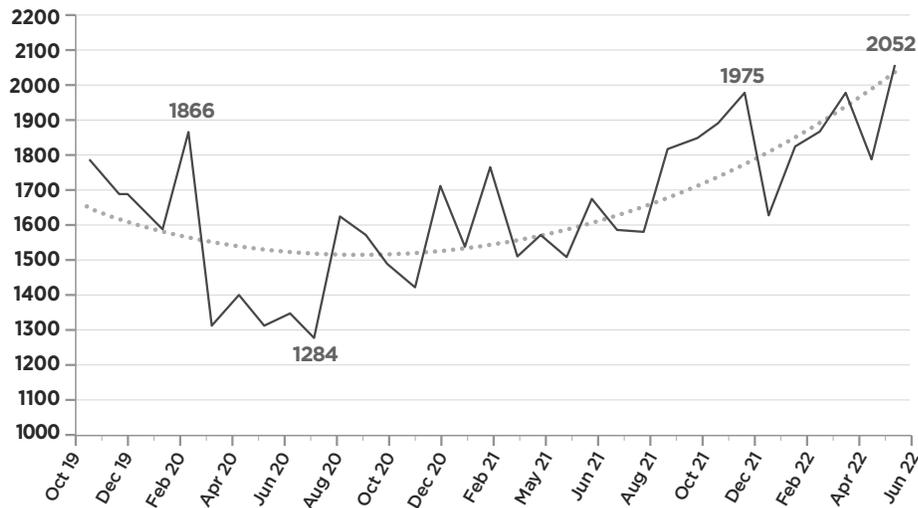
Source: Statistics Canada, SEPH database.

These 2010-12 trends clearly demonstrate the role of broad-ranging and advanced self-government in Yukon in generating jobs, particularly when compared to the NWT, even though the NWT has a significantly larger Indigenous population and 26 recognized First Nations (Canada 2022). One limitation of the SEPH data that has an impact on our analysis of the difference in job numbers between the two territories is the lack of access to data on full-time versus part-time jobs and salary versus wage employment.

From 2019 to 2022, COVID-19 had a stark impact on Aboriginal government employment in the Yukon, but the recovery has been swift and substantial, suggesting once again that First Nation self-government gives First Nations the ability to hire up and support higher levels of employment during difficult periods. The fear of the pandemic as much as the actual case numbers drove government decision-making in the Yukon. The Indigenous population was just too vulnerable and the long history of pandemics and epidemics in their communities remained too vivid a memory for the territory to take a business-as-usual approach.

This can be seen in the loss of almost 600 jobs between February 2020 and July 2020 (see Figure 12). July is usually one of the busiest months in the Yukon’s employment calendar, yet it was the nadir in 2020. However, by August 2020 Indigenous government hiring went back into full swing with

FIGURE 12: YUKON, EMPLOYMENT IN ABORIGINAL PUBLIC ADMINISTRATION DURING COVID-19



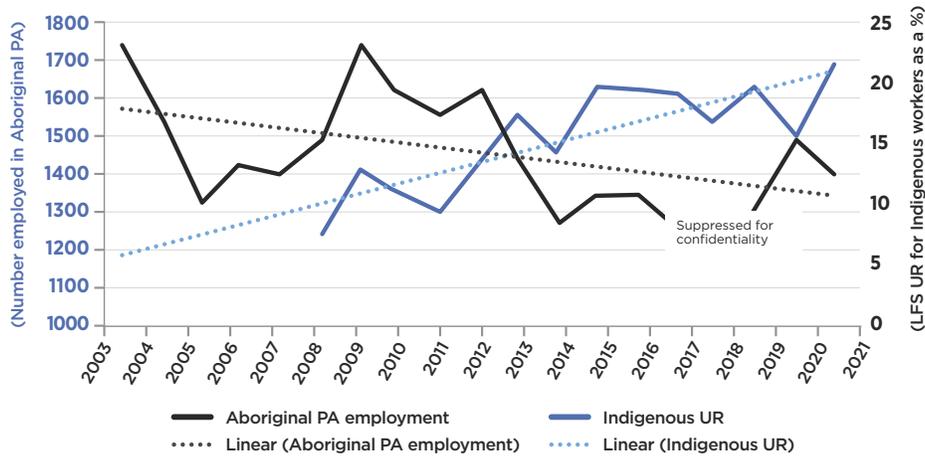
Source: Statistics Canada, SEPH database.

employment hitting 1627 jobs before tailing back off into the late fall. This was followed by a December hiring spike as the governments added employees for the Christmas season. This hiring spike was repeated in December 2022, when the total hires hit an all-time high of 1975 before falling dramatically in January to 1625. The summer hiring season through June 2022 saw a new all-time high number of workers (2052) in Aboriginal public administration.

First Nation governments in Yukon followed generally accepted public health advice and entered a lockdown in March of 2020, but they have expanded quickly through 2021 and into 2022, strategically hiring to support their communities through the pandemic and adding more permanent staff to address new demands created by the pandemic. First Nation governments in Yukon added 349 jobs between October 2019 and June 2022. That is a 20 percent growth rate. Since January of 2021, the trend has been decidedly positive (Figure 12).

Figure 13 plots the number of people employed in Aboriginal governments in Yukon, not all of whom would be Indigenous, against the unemployment rate for Indigenous people in Yukon from the national Labour Force Survey. There appears to be a correlation between rising levels of employment in Aboriginal government and a decline in the Indigenous unemployment rate, with the linear trend lines crossing in 2013.²² In general, more people working in Indigenous government equals lower levels of Indigenous unemployment.

FIGURE 13: THE INDIGENOUS UNEMPLOYMENT RATE IN THE YUKON COMPARED TO NUMBERS EMPLOYED IN PUBLIC ADMINISTRATION, 2008 TO 2021



Note: In 2018, the number of unemployed Indigenous people in the Yukon dropped to below the threshold for allowable in Statistics Canada publications (assumed to be 200), which resulted in the unemployment rate being suppressed that year.

Source: Statistics Canada, SEPH database.

This may be a function of spreading new federal dollars more equitably or the expenditure of newly developed own-source revenue on new jobs in First Nation public services.

As Tom Flanagan and Taylor Jackson (2017) note, own-source revenue can help First Nations raise their standard of living and well-being. Previous research has demonstrated a statistically significant correlation between own-source revenue as a percentage of the band budget and the Community Well-Being Index, the best measure of on-reserve communities' conditions. The correlation persisted even after controlling for several other variables (Flanagan and Johnson 2015, 11-12). In Yukon, economic opportunity is not distributed equally. Some First Nations are literally sitting on gold, silver, and copper mines, while others have valuable, high-demand urban lands. Others are lucky to be able to, at best, help feed their people off their traditional territories.

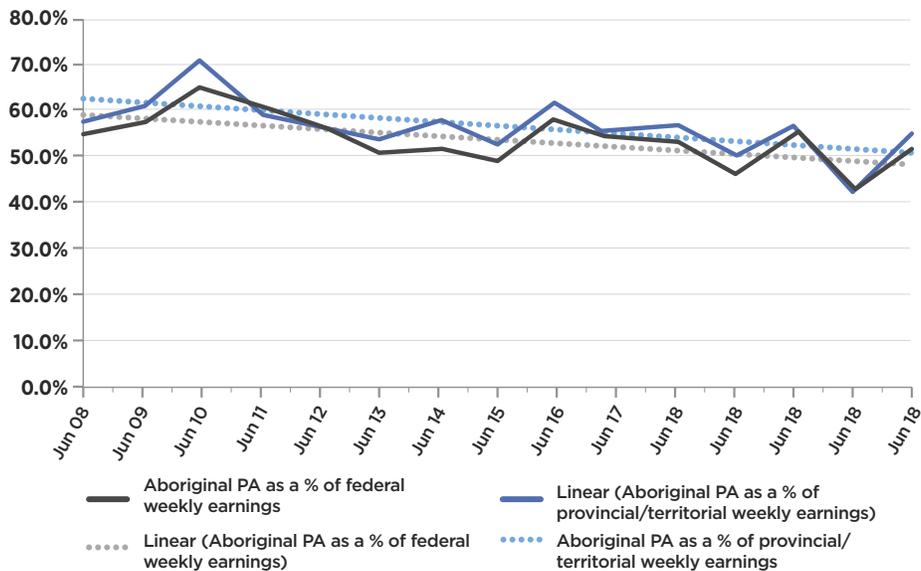
Aboriginal public administration earnings not keeping pace

While employment in First Nation government may be on the increase, their earnings are not keeping pace if measured as a percentage of other government employees' earnings. Comparisons with federal and territorial government employee earnings since June 2008 shows that civil servants in Aboriginal public administration are losing ground income-wise to both their federal and territorial government counterparts. The linear trendline in Figure 14 shows a drop in Aboriginal public administration incomes from around 60 percent of other governments' earnings to just less than 50 percent from 2008 to mid-year 2022.

This decline may be explained by higher turnover rates in Aboriginal public administration, greater job retention in the federal and territorial governments, strong unions in both these levels of government, and/or perhaps higher initial wage offers over this period as federal and territorial governments compete to hire outside expertise, which would be beyond the means of small First Nation governments.

Complex financial arrangements govern the transfer of program responsibilities from the federal and territorial governments to self-governing First

FIGURE 14: DECLINING ABORIGINAL PUBLIC ADMINISTRATION INCOMES IN THE YUKON AS A PERCENT OF OTHER GOVERNMENTS' EARNINGS, JUNE 2008-2022



Source: Statistics Canada 2022c.

Nations (Coates et al. 2014). The emerging self-governing First Nations (and these are still young administrations), in turn, face significant challenges recruiting public servants. This is an issue raised as early as 2007 by David Natcher and Susan Davis who recognized that demographically small Aboriginal communities have special difficulties in recruiting, from their own ranks, enough trained and talented individuals to assume management responsibilities (Natcher and Davies 2007). It appears this is still an issue in 2022. As Coates et al. note:

self-governing communities and their development corporations across the North will collectively require thousands of employees if they are to be effective, adding to the already significant presence of government-related employment and authority in the territorial North. Particularly in the case of self-government, the emergence of these new political actors places enormous pressures on territorial and federal governments to create administrative space and establish appropriate liaison, planning, and accountability procedures. (2014, 36)

The desire to achieve self-government is apparent in the words of Audrey Poitras, president of the Métis Nation of Alberta to CBC News in September 2022:

All my life I've heard about this point; it's about being recognized as being one of the Indigenous people and being able to form our own government. If you're going to be a government, you have to have a constitution that is designed by our people for our people as to how we will operate, how we will elect our officials, how we will design and deliver programs, and how we will support our citizens in every aspect. (CBC News 2022b)

The Yukon, with its some 2050 First Nation government staff as of June 2022, is on its way to developing the critical mass that will be needed to support 11 self-governing First Nations along with their development and community corporations and the three *Indian Act* governments. The NWT has also started to move in the same direction, rising from around 1000 employees in Aboriginal public administration in 2021-22 to nearly 1500 in June 2022 (Statistics Canada 2022d).

Table 2 provides another perspective on Aboriginal public administration incomes, this time gleaned from the 2016 Census, which allows for a breakout of all four categories of public administration employment numbers and average employment income in 2015 in the Yukon, by sex. This cross-tabulation shows that there were 1160 Indigenous people employed across these four sectors of public administration, with the breakout being decidedly

TABLE 2: MALE AND FEMALE ABORIGINAL EMPLOYMENT IN PUBLIC ADMINISTRATION IN THE YUKON, CENSUS OF CANADA, 2016

Industry: North American Industry Classification System (NAICS) 2012 (425)	Total: number of employment income recipients	Average employment income in 2015 (\$)	Total: number of employment income recipients	Average employment income in 2015 (\$)
	MALE		FEMALE	
91 Public administration (total)	435	\$58,091	725	\$58,281
911 Federal government	35	\$85,577	75	\$62,709
912 Provincial & Territorial	155	\$64,301	305	\$65,723
914 Aboriginal	185	\$52,322	325	\$50,509

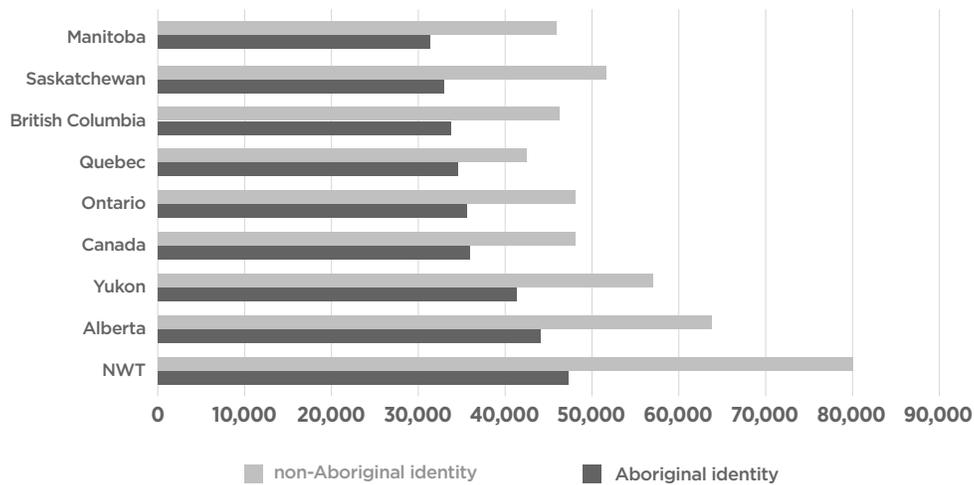
Source: Statistics Canada (2018b).

dominated by female employees (37.5 percent male to 62.5 percent female). The census data reinforce the income differential between federal workers and their counterparts in Aboriginal public administration, with Indigenous men working in the federal civil service earning on average \$85,577 per annum compared to their compatriots in Aboriginal public administration, who earned around \$33,000 less, while Indigenous females earned more in the federal civil service than those in Aboriginal public administration by around \$12,000. Aboriginal men in federal service earned far more income annually than Indigenous or non-Indigenous women working in the civil service – about \$23,000 more – and earned around \$35,000 more per year than women working in Aboriginal public administration.

However, at 110, the number of Indigenous men and women working at the federal level in the Yukon was small. In contrast, the Yukon territorial government employed 460 Indigenous workers, which is around the same number as their own Aboriginal governments employed (510). Incomes in territorial government were higher than those in Aboriginal public administration by between \$12,000 and \$15,000 annually for men and women, but women in territorial government service earned slightly more than women in the federal service by around \$3000 annually.

As a final comparative note, the Indigenous people working in Aboriginal public administration in the Yukon in 2016 had incomes that were far higher than those of Indigenous Aboriginal public administration employees across Canada on average. Based on around 190,000 Aboriginal public administration employees across Canada, the average incomes for men were

FIGURE 15: AVERAGE TOTAL INCOME IN CANADA IN 2015 (\$), ABORIGINAL AND NON-ABORIGINAL POPULATIONS, SELECTED JURISDICTIONS



Source: Yukon Bureau of Statistics (2017), Census (2016).

\$31,157 and were slightly higher for women at \$35,533, around \$21,000 less than Indigenous men were earning in the Yukon and around \$15,000 less than Indigenous women in the Yukon were earning, strongly pointing to the significant role that self-government is playing in developing higher paying jobs for Indigenous people in their own governments.

That said, according to the 2016 Census data the “average income” in the Yukon in 2015 was \$57,130, the third highest in the country, following Alberta (\$63,853) and the Northwest Territories (\$80,286) (Figure 15) (Yukon Bureau of Statistics 2017). In contrast, the average income for Aboriginal Yukoners stood at \$41,443 in 2015 while in the NWT it was again higher at \$47,153. Yukoners working in any category of public administration had earnings above those of the general Aboriginal population; even the lower-paying Aboriginal public administration staff were earning upwards of \$10,000 more than the Yukon average for Indigenous total income.²³

There are differences between the Aboriginal public administration employment numbers in the Yukon from the 2016 Census (which suggest that only 510 Indigenous people were employed) and SEPH (which shows 1556 were employed in May of that year). This is partially explained by a number of factors. These include (but are not limited to): the probability that a high number of those employed in Aboriginal public administration are not Indigenous and as such would align with non-Aboriginal census categories;

that under-enumeration occurred in some Indigenous communities, albeit those would have been at a low level in the Yukon; and that these estimates are derived from different survey instruments, one a census of the population and the other an administrative exercise built around income reporting and Canada Revenue Agency (CRA) databases as submitted by Aboriginal public administration entities.

The census is self-reporting/self-defining, meaning that participants may not include, or accurately include, information on their employment or the employment of a family member. Not everyone completing the census may complete the occupational questions, whereas the SEPH data is CRA-based and linked to actual income and taxation forms. Finally, the census data for income is generated from a 25 percent sample, which in remote communities, as are found throughout the Yukon, may have a higher margin of error, although again, this would probably be minor and corrected for by Statistics Canada.

Conclusion

In his reflection on colonialism and state dependency, Taiaiake Alfred (2009) argues that “it is crucially important for Indigenous people themselves to take the initiative to begin changing their own lives and to contribute to the rebuilding of their communities.” Developing and building their own civil services, ones that better reflect their cultures and emphasize their traditional bond with the land is surely a logical pathway forward. The OECD’s 2020 report *Linking Indigenous Communities with Regional Development in Canada* begins: “This is a rich institutional landscape involving many actors who do not speak with one voice. Public policies and investments on Indigenous lands need to develop ways of meaningfully engaging with this diversity of voices.”

This complex situation involves overcoming inherent power asymmetries and yet it is fundamental to the successful implementation the principles of free, prior, and informed consent (FPIC). Resolving these power imbalances will require a greater investment in the development of professional Indigenous civil servants who are steeped in their social and cultural teachings and are more independent from the non-Indigenous consulting industry upon which they are currently too reliant. This Indigenous civil service, here described as Aboriginal public administration, should then be capable of repositioning their governance structures to better reflect their cultural history and societal needs.

The preferred path forward involves devolved decision-making, partnerships that cross institutional boundaries, recognition of power inequalities, and

improved mutual trust, which is something that can only be developed over time with good faith (Hunt 2013). University of Queensland Professor Brian Head makes it clear that “building capacity for longer-term joint interaction may be as important in the early years of a program as ensuring immediate and tangible on-ground benefits for communities” (2007: 450). Governments, however, tend to want quick results, to maintain control, have heavy reporting demands, and demonstrate low levels of trust in community organizations as decision-makers (Campbell, Wunungmurra, and Nyomba 2007, cited in Hunt 2013). These just do not line up with the interests or the capacity of First Nation governments: on the one side, First Nations governments need to make fewer demands and have more realistic expectations; on the other, First Nations governments need greater support for capacity building and need to make more effective use of existing resources.

As Coates et al. note:

Aboriginal self-government, combined in the North with land claims, gives some of many smaller centres greater political and administrative responsibility and more (but not necessarily sufficient) resources than a comparably sized non-Aboriginal community. This, in turn, puts intense pressure on local leadership, requires numerous committees and other formal structures, and involves the local government in extensive negotiations with other levels of government. Perhaps a shift to regional administrative units, and a downsizing of the government presence and political authority in smaller settlements, would establish a more appropriate and sustainable role for villages and hamlets in the future. (2014, 67)

Northern governments have not yet figured out the best way of managing the small size of many of their communities. The result has been the significant over-governance of the North generally, although most of the northern provincial regions (with the exception of Northern Quebec and most of Labrador) suffer from a problem of under-governance. A comprehensive review of the appropriate service levels and administrative support provided to smaller settlements is required.

At the national level, there is the need to expand on the federally supported but Indigenous designed and managed Centre for First Nations Governance. Headed by Satsan (Herb George), the organization has dealt with inconsistent funding and served as more of a think tank than a training centre or professional development institute. Yet, if it were to be expanded and refocused, the centre has the potential to help build and enhance a professional Indigenous civil service that would have the capacity to address all levels of public administrative issues and pass that learning on through their community governments. One of major recommendations Alfred (2009)

made in *Colonialism and State Dependency* was “the strengthening of familial activities and re-emergence of indigenous cultural and social institutions as governing authorities within First Nations.”

Indigenous governments should also seek to broaden greater cooperation among each other, through such measures as establishing a single Indigenous tourism promotion unit for the North. Special attention must be paid to the prospects for aligning major government programs – health, education, and economic development – with Northern realities. In Yukon, this has already been accomplished through the Yukon First Nation Wildfire Corporation, a model that could be exported nationwide as climate change continues to exert stress on forests. There is a tendency at present to replicate provincial models, structures, and expectations in the North rather than to develop more regionally and culturally appropriate procedures and arrangements.

New Indigenous governments need an Indigenous-centric approach to governance, one that builds on cultural traditions and local realities, rather than importing the historically siloed provincial or federal-based models. Where possible, the governments of small and remote Indigenous communities should work with regional Indigenous leaders to determine

Indigenous governments should also seek to broaden greater cooperation among each other.

if they can realistically provide services collectively to reduce overhead and redundancies. Done properly, the sharing of public sector initiatives and services could prove critical to the sustainability of Indigenous governments and reduce their need to compete for limited and often expensive personnel. Each government needs to examine the programs it has in place for hiring and placing Indigenous, and especially remote, employees to ensure that they are not assigned to positions above (or even beyond) their level of experience and competence or put in situations where they do not have support and mentorship.

The transformation of Indigenous governance in the last 50 years has been remarkable. It has evolved from tiny Indian band administrations run and dominated by federally appointed Indian agents to, in a growing number of cases, constitutionally protected self-government nations with long-term funding arrangements and substantial, locally-controlled administration.

For generations the government of Canada used its control of budgets, programs, policy-making, and hiring to control Indigenous communities. In recent years, supported by constitutional changes, modern treaties, and a national government that recognizes how Ottawa has hurt the communities as much, if not more, than it has helped them, Indigenous governments are fighting back – using the tools of policy development, budget control, and administrative autonomy to rebuild their communities. To a substantial degree, the emergence of an Indigenous civil service may prove to be one of the most important innovations in the past half-century.

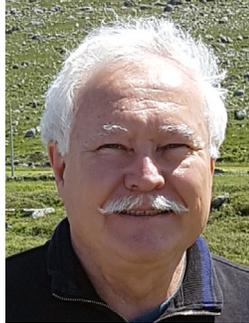
About the authors



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Ken contributes regularly, through newspaper pieces and radio and television interviews, to contemporary discussions on northern, Indigenous, and technology-related issues.



Greg Finnegan was appointed to manage Policy North, an applied research group associated with the Johnson Shoyama Graduate School of Public Policy at the University of Saskatchewan in January 2020. At Policy North, Greg is tasked with building a business environment that can respond to the needs of northern communities for regional economic development, and business and governance solutions that can help build resilient communities.

He was most recently the CEO of the award-winning Na-cho Nyäk Dun development corporation (NNDDC) in the Yukon (2016-2020). At NNDDC, Greg and his team developed a successful First Nation corporation with a diversified multi-million-dollar portfolio that maintained low overheads and high returns on investment within a challenging boom-and-bust resource economy.

Greg holds a doctorate in geography from York university (Toronto) with a specialization in regional economic development. He publishes on Northern and Indigenous labour market issues as well as historical geography. Over his career, he has served as both the acting chief of geography at the National Atlas of Canada (NRCan) and as the chief statistician for the Yukon government. Greg has taught in geography and Canadian studies at various universities including Carleton, York and UBC and is currently teaching geography at the University of Limerick, Ireland.

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Endnotes

- 1 Harley discusses the use of semantics by professionals and how the codes they use need to be totally understood for communication to be effective. In Indigenous government contracted professionals all too often communicate over Indigenous civil services and chiefs and councils directly to other levels of government. What level of this communication is understood, managed, and developed within Indigenous government is questionable.
- 2 In the Yukon, for instance, the Council of Yukon First Nations is a non-profit society working for the First Nations of the Yukon since 1973. Its mandate is to serve as a political advocacy organization, to protect Indigenous rights, titles, and interests. (See <https://cyfn.ca/>).
- 3 New research indicates that economic “leakage rates” for First Nation economies is roughly 90 percent (Mirzaei, Natcher, and Micheels 2020). This means that 90 cents out of every dollar that a First Nation spends on goods and services occurs off-reserve in non-Indigenous communities. In other words, federal dollars intended to support First Nation governments end up with non-First Nation service providers across the province. If policy-makers intend to build on-reserve economies, strategies must be found to recapture off-reserve spending by providing comparable on-reserve goods and services. In the absence of on-reserve economic development, First Nation economic growth will likely remain stagnant.
- 4 This theme is also central to the research of Maggie Walter and Stephanie Russo Carroll (2021). They base their work on James Scott’s seminal 1998 study *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed*, which argues that a combination of four elements are needed to create a social policy disaster of truly epic proportions (Walter and Russo Carroll 2021).

- 5 For instance, the *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP) lists “the right to autonomy or self-government in matters relating to their internal and local affairs” and “the right to maintain and develop their political, economic and social systems,” both of which emphasize the need to develop solutions suitable for Indigenous people.
- 6 The jurisprudence affirms Crown sovereignty, including the Crown’s authority to make governance decisions in the public interest. At the same time, however, by requiring that the Crown act honourably in its dealings with Indigenous peoples, the duty to consult provisions seek to reconcile Crown authority with the prior existence and ongoing rights of Indigenous communities. (See Lavoie 2019).
- 7 In Australia, the major barriers that exist to engagement between the newcomer governments and Indigenous nations are not limited to questions of capacity, but also the willingness to engage. Marginalized groups may not have the capacities, or even the desire, to engage with newcomer governments. There may also be many practical barriers to their engagement. Government agencies may need to invest in building the capacity of more vulnerable groups to participate through non-government organizations (Hunt 2013).
- 8 Indigenous people were almost twice as likely to live in crowded housing in 2021 compared with the non-Indigenous population (17.1 percent versus 9.4 percent). Indigenous people were almost three times more likely to live in a dwelling in need of major repairs (16.4 percent) in 2021 than the non-Indigenous population (5.7 percent) (Statistics Canada 2022a).
- 9 Personal correspondence with Chris Cowx, CEO of the Copper Nisüü Limited Partnership, the development corporation of the White River First Nation. In another case, a federal civil servant who wishes to remain unnamed volunteered his time in the Yukon with the Ross River First Nation undertaking many roles including ensuring that social support cheques were produced and delivered, that essential services were functioning, and that food was delivered to the community, all at his own expense.
- 10 The Statistics Canada survey of employment and payroll hours, continues to use the term “Aboriginal” public administration in its official releases and the term has been adopted for use in this paper, although the authors recognize that Indigenous is a more inclusive and acceptable term.
- 11 Personal communications with Andre Bernard, Assistant Director, Centre for Labour Market Information, Statistics Canada, Oct. 12, 2022.

- 12 The most recently recognized First Nation community in Canada as of October 2022 was the Binche Whut'en in British Columbia, which was constituted in March 2019. However, there is a considerable move to expand Indian reserve lands through land purchases, especially in urban areas, and there are some 50 modern First Nation treaty negotiations in process (Canada, Crown-Indigenous Relations and Northern Affairs 2021b).
- 13 We selected June as it includes the peak summer hiring period (May to August) and reflects the seasonal peak for summer hires, youth employment, and other seasonal specializations such as wildfire fighting.
- 14 In SEPH, industries are allocated based on activities at the establishment level. Establishments are the most disaggregated and homogeneous level of a business for which the accounting data needed to measure production are available. They usually correspond to locations. Establishments are assigned industries based on key activities within the establishment (personal correspondence, October 5, 2022, with André Bernard, Assistant Director, Centre for Labour Market Information, Statistics Canada).
- 15 The Yukon First Nations Wildfire Corporation was featured in *Maclean's* magazine in 2019 (Edwards 2019).
- 16 The Anishinabek Nation Governance Agreement is the first self-government agreement of its kind in Ontario and marks an important step away from the *Indian Act* for the signatory Anishinabek First Nations. It was agreed to in April 2022 and may not be included in this tally (Canada, Crown-Indigenous Relations and Northern Affairs 2022b).
- 17 While the SEPH provides aggregate information on employment, earnings, and hours, it is not designed to produce counts of establishments for specific sectors, or information on specific establishments included or not in the sample beyond the general information provided above. As such, Statistics Canada does not provide public access to the number or type of agencies that are aggregated for the development of the SEPH national, provincial, and territorial data. For Public Administration defined in NAICS, see Statistics Canada (2021).
- 18 Personal correspondence (October 5, 2022) with André Bernard, Assistant Director, Centre for Labour Market Information, Statistics Canada.
- 19 Nor does the Census differentiate between different levels of public administration; it agglomerates all four levels into one count.
- 20 This issue was addressed as early as 1993 by the Canadian economist Thomas J. Courchene in his submission to the Australian Senate.

- 21 Variations in monthly numbers are due to random rounding of the data drawn down from CANSIM: e.g., 1591 versus 1601.
- 22 Statistics Canada believes that no viable correlation exists between the SEPH line 914 data and Indigenous employment numbers from the Labour Force Survey as the survey is not run on-reserve. However, Yukon is outside the reserve system and a modified LFS is run in the territories which includes a sample for rural communities. According to personal correspondence with André Bernard, Assistant Director, Centre for Labour Market Information, Statistics Canada (October 5, 2022): “We haven’t done a specific assessment of this, but it’s safe to say that the analytical potential of comparing LFS-based unemployment statistics by Indigenous identity and SEPH-based employment numbers for industry 914 would be limited. This is because the LFS-based unemployment numbers would be entirely based on the population living off-reserve (the LFS excludes reserves by design and employs a different methodology for the territories).”
- 23 The components used to calculate total income vary between which is a greater base than that of the earnings from SEPH in Public Administration and which is from a single source. Aboriginal public administration workers could hold other jobs or have other earnings that would not be accounted for in the SEPH data, which is based on data derived from their place of government employment (Statistics Canada 2016/2019).
- 24 This survey is a census with a cross-sectional design; data are collected for all units of the target population, therefore no sampling is done.
- 25 Data quality indicators are based on the coefficient of variation (CV). Quality indicators indicate the following: A - Excellent (CV between 0 and 4.99 percent); B - Very good (CV between 5 and 9.99 percent); C - Good (CV between 10 and 14.99 percent); D - Acceptable (CV between 15 and 24.99 percent); E - Use with caution (CV between 25 and 34.99 percent); F - Too unreliable to publish (CV greater than or equal to 35 percent or sample size is too small to produce reliable estimates). In this study the data quality indicators have been removed to reduce complexity. No “F” quality data is included in the study, although occasional “E” quality comes into play in Yukon for the more recent data points.
- 26 This paper’s co-author, Greg Finnegan, at the time the chief statistician of the Yukon government, originally asked that Statistics Canada populate the SEPH data line 914, a line option not previously populated by the agency prior to 2010. This was essential data for the Yukon in its budgetary planning as the sector clearly was making a significant contribution to the economy and its some 14 governments representing around 25 percent of the territorial population.

- 27 The analytical potential of comparing LFS-based unemployment statistics by Indigenous identity and SEPH-based employment numbers for industry 914 would be limited. This is because the LFS-based unemployment numbers would be entirely based on the population living off reserve (the LFS excludes reserves by design and employs a different methodology for the territories). Personal Correspondence with Andre Bernard, Assistant Director, Centre for Labour Market Information, Statistics Canada, October 11, 2022.
- 28 In measuring the number of jobs, SEPH could record one person as having multiple jobs, be they full and/or part-time; meanwhile, LFS records that the person is working, regardless of the number of jobs held.
- 29 SEPH does not include the staff of First Nation economic development corporations within its universe for line 914. NAICS coding would place these employees within various corporate categories, such as transportation, wholesale and retail, mining, or aviation categories as fits the industry within which they are employed.

Appendix 1

A Note on Terminology

Across the field of Indigenous or First Nations studies, there has been a constant evolution in the language used to describe the First Peoples in Canada and elsewhere. This considerable debate harkens back to the impacts of colonialism on the naming of Indigenous people and a long and evolving history of settler-Indigenous relations. While Statistics Canada has been at the forefront of an improved dialogue with Indigenous people and has supported the use of the term Indigenous, the Survey of Employment, Payrolls and Hours (SEPH) publications, which uses on the North American Industrial Classification System (NAICS) standard, continues to use the term “Aboriginal public administration” in its publications.

This study uses the term Indigenous with its connotation of inclusivity of First Nation, Métis, and Inuit first peoples. Aboriginal public administration is used as required when referencing the findings from the Statistics Canada survey of employment and payroll hours. In the Yukon case study, the term First Nation government can be more accurately used to represent the 14 Yukon First Nation governments that form the core of the SEPH reports. There are no Métis or Inuit governments or agencies in the Yukon SEPH reports.

Finally, Aboriginal public administration is a unique moniker for governments, organizations, and agencies that provide public goods and service to Indigenous people. It is not a fourth, and as such inferior, level of government below the federal, provincial, and municipal levels of government, as many Canadians assume. These are governments and organizations working to provide their membership with equal rights and public goods and services and in the case of First Nation governments control over their traditional territory and resources as nations. They have substantial and real Indigenous and treaty rights that underpin their bona fides as governments (Willmott 2021).

Appendix 2

Explaining the SEPH Data Source

Data from the SEPH originates weekly with each payroll generated by private and public employers in Canada. First Nation governments on reserve are no exception.²⁴ SEPH is produced from the combination of the Business Payroll Survey results and the payroll deductions administrative data that Statistics Canada receives from the Canada Revenue Agency. Statistics Canada acquires the data and processes it using NAICS coding, creating relatively comparable employment and wage categories across Canada.

The data give us a glimpse into the monthly employment levels across the country, as well as into average weekly salaries. The SEHP data for line 914 are only available at the all-employees level of aggregation (monthly and annual) and by weekly wages. In the Yukon case study, more detailed information on salary versus wage employment is not available due to the small size of the population and data quality issues.²⁵ Yukon suffers from limited data runs over time as Statistics Canada's confidentiality requirements mean that two of the smaller jurisdictions are regularly masked and not publicly accessible.²⁶

SEPH is commonly used in combination with two other labour surveys to generate a monthly evaluation of the economy's labour force dynamics: the Labour Force Survey (LFS) and the Employment Insurance Coverage Survey (EI) to generate profiles of national and regional labour markets (Statistics Canada 2012). All three are available for Yukon for the case study. However, LFS is not run on-reserve in Canada.²⁷ Together, these three monthly surveys tell a relatively complete story of current labour market events.

The LFS focuses on its strengths: timeliness and a demographic analysis of the labour market. SEPH reports, which come out some months later, show greater detail by industry and wages. However, LFS and SEPH generate different labour market numbers, with LFS estimating the number of people employed, and SEPH recording the number of jobs in the market.²⁸ The EI results supply substantial detail by geography, using postal codes by type of beneficiary, while LFS data are only broken out at the Whitehorse/non-Whitehorse level, and all SEPH data are published at the territorial level only. While all three surveys are available for the Yukon, Aboriginal data are only available biannually from the Labour Force Survey (LFS), and not at all through Employment Insurance (EI) results. The SEPH line 914 employment data for Aboriginal government provides us with a means of estimating the economic value of self-government in the Yukon, but the data is an aggregation of all people employed by First Nations governments.²⁹

However, it must be recognized that Statistics Canada Surveys like SEPH, LFS, and others are not developed in compliance with, or even recognition of, the

Indigenous communities that they are operating within and those data they are sharing. The datum, of course, are those recorded by the federal surveys and captured through the Canada Revenue Agency (CRA) using federal government designed instruments that were designed without input from the Indigenous communities they are documenting (Andersen and Kukutai 2017, 43).

This issue is raised in a relatively new literature on Indigenous statistical sovereignty and is beginning to take shape around the discussions between Indigenous communities and the settler societies and their governments regarding data ownership, control, access, and possession (Walter, Lovett, Maher, et al. 2021; Kukutai and Taylor 2016; Finnegan 2013, 2012). This includes work by Andersen and Walter (2016), Kukutai and Taylor (2016), Andersen and O'Brien (2017), Anderson and Kukutia (2017), the First Nations Information Governance Centre (Dewar 2019), and Walter et al. (2021), a literature that questions the efficacy of state institutions to collect and disseminate data drawn from Indigenous communities without due consultation and input.

For example, addressing data sovereignty in relation to the COVID-19 pandemic Carroll et al (2021) argue that “since data are critical for decision-making for pandemic planning, mitigation, and response, and Indigenous Peoples’ participation in data stewardship can increase the benefits of data use and decrease the harms, the involvement of Indigenous Peoples’ with COVID-19 data is of paramount importance.” An issue overlooked in this debate is the capacity of small First Nations – the vast majority of the Indigenous communities in Canada – to equitably enter into this discussion, be able to manage the data that may be generated safely and effectively for the security of their membership/citizens, and finally, to ensure the long-term secure storage of that same data (Finnegan 2012). All of these steps require protocols, legislation, data management/applications specialists, and secure data environments. These, in turn, require professionally trained staff and investment in appropriate technologies and training, as well as data sharing agreements between different levels of government.

Finally, the SEPH data are dominated by Indigenous governments on reserve, as well as those defined as self-governing or by agencies managed by unelected officials that provide public goods and services to Indigenous people, either regionally or in urban centres. This means that the considerable urban-Indigenous population is under-represented as they generally do not have stand-alone urban governments but would participate, assuming they can access, municipal government as elected officials or government employees (Heritz 2018). This means that the some 800,000 of Canada’s 1.8 million Indigenous people who live in large cities are probably being underrepresented in local government participation and are probably equally distanced from their reserve-based governments (Statistics Canada 2022e).

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