

**REPORT TO:** Mayor and Members of Council

**PREPARED BY:** Donna VanHooydonk, Executive Assistant

**DEPARTMENT:** Administration & Finance

**DIVISION:** Clerk

**MEETING DATE:** Wednesday, May-08-19

**SUBJECT:** Pregnancy and Parental Leave for Council Members

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### **RECOMMENDATION**

Be It Resolved that the Report entitled “Pregnancy and Parental Leave For Council Members” Policy be received; and

That the Policy be hereby enacted as presented.

### **EXECUTIVE SUMMARY**

This policy was developed in response to new legislative requirements enacted through Bill 68 (An Act to amend various Acts in relation to municipalities) under Section 270 (1) of the *Municipal Act, 2001* as amended. The Municipality of North Middlesex is required to adopt a policy to permit pregnancy and parental leave of members of Council.

### **LINK TO STRATEGIC PRIORITIES**

**With Open, Respectful and Responsible Leadership**

### **BACKGROUND**

Bill 68 approval required the Municipality to adopt a policy to permit pregnancy and parental leave of members of Council. This policy provides guidance on how the Municipality of North Middlesex addresses a Member’s pregnancy and/or parental leave in a manner that respects a Member’s statutory role as an elected representative. This requirement will be proclaimed in force effective March 1, 2019.

### **DISCUSSION**

This policy was provided to Policy Committee for their input and review on April 11, 2019 and was subsequently recommended for Council consideration. The policy attached meets the requirements of the Municipal Act, 2001 as amended by Bill 68. The act allows an absence of up to 20 weeks for pregnancy and parental leave and that is what this policy proposes. The policy was drafted to ensure as much flexibility as possible for members of Council, recognizing their unique representative role.

**FINANCIAL**

*Not Applicable*

**ATTACHMENT**

Pregnancy and Parental Leave for Council Members.

Prepared By: Donna VanHooydonk, Executive Assistant

Reviewed By: Jonathon Graham, Interim CAO/Director of Operations

Approved By: Jonathon Graham, Interim CAO/Director of Operations

<b>Section:</b>	Council Policies
<b>Subject:</b>	Pregnancy and Parental Leave For Council Members
<b>Policy Number:</b>	TBD
<b>Version:</b>	1
<b>Review Frequency:</b>	As Required
<b>Approved by:</b>	Council
<b>Approval Date:</b>	May 8, 2019
<b>Application:</b>	All members of Council
<b>Notes:</b>	

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**Legislative Authority:** *Ontario Municipal Act, 2001 as amended*

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### **PREGNANCY AND/OR PARENTAL LEAVE FOR MEMBERS OF COUNCIL**

#### **Policy Statement:**

The Municipality of North Middlesex recognizes a Member of Council's right to take leave for the Member's pregnancy, the birth of the Member's child or the adoption of a child by the Member in accordance with the *Municipal Act, 2001* and the *Procedural By-law*.

#### **1) Purpose:**

This policy provides guidance on how the Municipality of North Middlesex addresses a Member's pregnancy and/or parental leave in a manner that respects a Member's statutory role as an elected representative.

#### **2) Scope**

This policy applies to the Council Members of the Municipality of North Middlesex.

#### **3) Definitions:**

Pregnancy and/or Parental Leave means an absence of twenty (20) consecutive weeks or less as a result of a Member's pregnancy, the birth of a Member's child or the adoption of a child by the Member in accordance with Section 259(1.1) of the *Municipal Act, 2001*.

### 4) Application:

In accordance with Section 270 of the *Municipal Act, 2001*, this policy applies to Members of Council.

### 5) Policy Requirements:

The Municipal Council supports a Member of Council's right to pregnancy and/or parental leave in keeping with the following principles:

1. A Member of Council is elected to represent the interests of his or her constituents.
2. A Member's pregnancy and/or parental leave does not require Council approval and his or her office cannot be declared vacant as a result of the leave.
3. Legislative and administrative matters requiring action during a Member's pregnancy and/or parental leave should be addressed in a manner that is consistent with the Member's wishes.
4. A Member of Council on pregnancy and/or parental leave shall reserve the right to exercise his or her delegated authority at any time during their leave.

### 6) Guidelines:

1. Where a Member of Council will be absent as a result of the Member's pregnancy, the birth of the Member's child or the adoption of a child by the Member, the Member of Council shall provide the Clerk with written notice of being absent twenty (20) consecutive weeks or less. Once the notice has been provided, the following process shall be followed and the resulting information brought forward for Council consideration at the Council meeting immediately following the Clerk's receipt of the written notice:
  - a. In the written notice, the Member of Council, shall indicate which Member of Council whom he/she wishes to delegate temporary authority on matters within the Councillor's Ward during the Councillor's absence; and
  - b. In the written notice, the Member of Council shall indicate the Member(s) of Council whom he/she recommends to be appointed as a representative on the Board and/or Committee that the Councillor represents for the duration of the Councillor's leave.

2. After receiving the Member's written notice, Council shall enact a resolution as follows:
- to appoint a Member of Council to provide temporary coverage for matters within the Councillor's Ward;
  - to appoint a Council Representative to act in place of the Member on a Board and/or Committee on an interim basis;
  - to authorize the continuance of remuneration of the Member of Council while absent as a result of the Member's pregnancy, the birth of the Member's child or the adoption of a child by the Member; and
  - to authorize the Chief Administrative Officer the interim authority to approve payment of costs for the Member of Council(s) acting on behalf of the Member of Council on a pregnancy and/or parental leave for items only arising from routine invoices/expense submissions.

Notwithstanding the above, at any point in time during a Member's pregnancy and/or parental leave, the Member reserves the right to exercise his/her delegated authority on matters within the Ward. The Member shall provide written notice to the Clerk of their intent to lift any of the Council-approved, temporary delegations and exercise their statutory role or delegated authority.

### **7) Responsibilities:**

Members of Council and Municipal Staff are responsible for adhering to the parameters of this policy.

### **8) Monitoring/Contraventions:**

The Clerk shall be responsible for monitoring the application of this policy and for receiving complaints and/or concerns related to this policy.

### **9) References:**

Procedural By-law

**10) Legislative and Administrative Authorities:**

Section 270 of the *Municipal Act, 2001*, as revised by Bill 68, requires that the Municipality adopt and maintain a policy with respect to the pregnancy and/or parental leaves of Members of Council

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