

**Council Pregnancy or Parental Leave Policy**

<b>Department:</b>	Council	<b>Policy Number:</b>	H03-0200-19
<b>Section:</b>	Council	<b>Effective Date:</b>	February 12, 2019
<b>Subject:</b>	Pregnancy or Parental Leave	<b>Revised Date:</b>	
<b>Authority:</b>	By-Law 2019-014		

**1. Purpose**

The Municipality of Brockton recognizes a Member of Council’s (the “Member”) 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 Section 270(1) the *Municipal Act, 2001* as amended by Bill 68.

This policy provides guidance on how the Municipality addresses a Member’s pregnancy or parental leave to ensure a Member’s statutory role as an elected representative is respected.

**2. Definitions**

Pregnancy and/or Parental Leave – Shall be defined as 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*.

**3. Policy Requirements**

The Municipality of Brockton Council supports the Member’s right to pregnancy and/or parental leave in keeping with the following principles:

- a) A Member of Council is elected to represent the interests of his or her constituents.
- b) 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.
- c) 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.
- d) A Member of Council on pregnancy and/or parental leave shall continue to be paid their respective honorarium.

Where a Member will be absent due to a pregnancy and/or parental leave, the Member shall provide written notice to the Clerk of the Municipality of Brockton indicating expected start and end dates.

The Mayor may make temporary appointments to any committee, boards, task forces etc. that are constituted by the Municipality of Brockton, and where the Member is the only Member of Council on that body in accordance with paragraph 5.

Notwithstanding the above, at any point in time during a Member’s pregnancy or parental leave, the Member reserves the right to exercise his/her delegated authority on Council, Committees and Boards. The Member shall provide written notice to the Clerk of the Member’s intent to return and terminate any of the Council-approved, temporary appointments and exercise the Member’s statutory role or delegated authority.

**4. Responsibilities**

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

**5. Temporary Appointments**

In the event the Member of Council chooses not to participate by attending meetings of Committees or a Local Board and it is necessary for a temporary appointment to be made, the Mayor, in consultation with elected Council Members, shall determine and appoint an individual Council Member to sit on the Committee or Local Board as a representative of Council until such time as the Member of Council returns from his or her Pregnancy and/or Parental Leave. The temporary appointment shall be endorsed by By-law.

**6. Leave of Absence**

Each Member of Council shall be entitled to a leave of absence from the meetings of Council on account of pregnancy and/or the birth or adoption of the Member's child, subject to the following:

- a) The Member exercising the leave shall complete the attached form and submit it to the Clerk of the Municipality of Brockton;
- b) For greater certainty, nothing herein shall prevent a Member from exercising his/her leave of absence for failing to submitting the attached form prior to the commencement of his/her leave of absence on account of emergent circumstances that are beyond the Member's reasonable control;
- c) Any single leave of absence shall be for the period requested by the Member as set out in his or her completed form provided that the period shall not exceed the period(s) noted below; and
- d) A Member shall be entitled to no more than twenty (20) consecutive weeks' leave in any 52-week period.

**7. Compensation**

It shall be at the discretion of the Member if they wish to continue to receive Council Remuneration while on Leave. The Member shall advise the Clerk as to their intention and any paperwork required will be completed by the Clerk.

**8. Return from Council Member Pregnancy, Birth and/or Adoption of Child Leave**

Upon return from Leave the Member will resume all appointments to Council and Committees of Council and Agencies, Boards and Commissions that they previously held before the Leave.

**9. Expectation Upon Expiry of Leave**

If a Member fails to attend, in person or by any other means permitted under the *Municipal Act, 2001, S. O. 2001, c. 25* Council's meeting immediately after the expiration of the Member's leave of absence, Council may declare the Member's seat vacant on account of such absence subject to and in accordance with the provisions of the *Municipal Act, 2001, S. O. 2001, c. 25*.



### Council Member Pregnancy, Birth and/or Adoption of Child Leave

To: Municipal Clerk

From: \_\_\_\_\_  
Council Member's Name

#### Notice of Council Member Pregnancy, Birth and/or Adoption of Child Leave

I hereby give notice to you and the Council of the Municipality of Brockton that I will be taking leave from Council for the following reason:

- Pregnancy
- Birth of Child
- Adoption of Child

#### Dates of Leave

My leave will commence on \_\_\_\_\_ and terminate on \_\_\_\_\_  
or else terminated earlier by me.

#### Agencies, Boards and Commissions

I wish to continue to attend all meetings of Agencies, Boards and Commissions during the period of my leave:

- Yes
- No

#### Continuing Communications While on Leave

I agree to continue to receive all communications generally sent to Members of Council while I am on leave:

- Yes
- No

#### Leave Announcement

I understand that the Municipality of Brockton will announce my leave, and the dates thereof, to Members of Council and staff for their information.

#### Failure to Return from Leave

I understand that should I fail to attend Council or Committee Meetings after the expiry of my leave, that my seat may be declared vacant by Council in accordance with the terms and conditions of the policy and the *Municipal Act, 2001, S.O. 2001, c. 25*.

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_