

Absences and Support for City Councillors

ISSUE

Should the City of Saskatoon adopt a leave of absence program for City Councillors and put in place other supports for Councillors?

BACKGROUND

2.1 History

At its meeting held on [April 23, 2018](#), the Governance and Priorities Committee (“GPC”) considered a report of the relating to the Absence and Support for City Councillors and resolved in part, as follows:

That the Administration report back on pursuing legislative changes to accommodate parental leave, eldercare leave and any other leave, as appropriate, without a vote in Council.

At its meeting held on [November 13, 2018](#), GPC considered a report regarding the Utilization of Contingency Fund – Support For City Councillors and resolved as follows:

That the matter be referred back to the Administration to provide further clarity on the definition of leave, time limits, and process for approving.

At its meeting held on [December 10, 2018](#), GPC Considered a further report on the Absence and Support for City Councillors and resolved in part, as follows:

1. That City Council request the Province to amend *The Cities Act* to allow for leaves of absence three months or greater without a resolution of City Council in defined circumstances;
2. That the \$21,000 contingency fund for 2019 be utilized as outlined in this report, but not limited to just leaves of absence; ...

2.2 Current Status

As instructed by Council, amendments were requested to *The Cities Act* to allow for leaves of absence by Council. *The Cities Act* has now been amended to allow for the adoption of a leave of absence policy by Council.

2.3 Public Engagement

There has been no public engagement regarding this matter to date.

Absences and Support for City Councillors

- 2.4 City of Saskatoon's Current Approach
Currently, a resolution of City Council is required to authorize a leave of absence if a member is going to be absent from all regular meetings of City Council during any period of three consecutive months or more. The City does not currently have a leave of absence policy pertaining to members of Council.
- 2.5 Approaches in Other Jurisdictions
Several other municipalities in Canada allow for leaves of absence by members of City Council. Some municipalities allow for maternity or paternity leaves only, while other jurisdictions allow for leaves of absence for broader reasons including medical reasons.

OPTIONS

Section 120(1)(c) of *The Cities Act* now provides as follows:

- 120 (1) A member of council is disqualified from council if the member:
- ...
- (c) is absent from all regular council meetings held during any period of 3 consecutive months during which at least 2 meetings of the council have been held, starting with the date that the first meeting is missed, unless the absence is authorized by:
- (i) a resolution of council; or
 - (ii) a leave of absence policy adopted by council;

It is not mandatory that a leave of absence policy be adopted by Council. However, as it is now an option that can be considered, there may be merit in considering the issue. The legislative provision is not limited to maternity or paternity leaves so the nature of any policy adopted would be up to Council.

In addition, while members of Council have access to a number of health and medical benefits, members of Council do not currently have access to an employee and family assistance program or similar types of supports.

The City has established the Saskatoon Municipal Review Commission ("SMRC"). The SMRC was established to be an independent commission to periodically review:

- The conduct of all matters relating to municipal elections including the disclosure requirements respecting campaign contributions and expenses and campaign spending limits for municipal elections; The Code of Conduct for members of Council; and The remuneration and benefits and any reimbursement or allowances for expenses to be paid to members of Council

The reporting schedule for these items as outlined in *The Saskatoon Municipal Review Commission Bylaw, 2014* is as follows:

Absences and Support for City Councillors

- Municipal Elections Committee on or before December 31, 2021;
- Code of Conduct Committee on or before December 31, 2023; and
- Remuneration Committee on or before December 31, 2022.

In addition, section 16 of *The Saskatoon Municipal Review Commission Bylaw, 2014* provides that at the request of Council, the SMRC may inquire into and make recommendations with respect to any matter of significance to Council. The Commission shall report back on those items referred to it within six months or a shorter time specified by Council for urgent matters.

If Council wants to consider adoption of a leave of absence policy, there are three primary ways this work could be undertaken.

Option 1: Referral to the SMRC

Consideration of a leave of absence policy and recommendations for inclusion in such a policy could be referred to the SMRC. The SMRC could provide recommendations with respect to a leave of absence policy. At the same time, the SMRC could consider access to an employee and family assistance program for members of Council and bring back recommendations. As always, it will be up to Council whether they accept the recommendations. The Administration will also weigh in on the recommendations.

Advantages:

- Independent review of the issue.
- Benefit of external policy-based expertise and analytical skills.
- Coordinates well with other work being undertaken by the SMRC.

Disadvantages:

- There may be a slight increase in remuneration required to the SMRC for additional work.

Option 2: Internal Review of Issue and Recommendations

The Administration could undertake consideration of a leave of absence policy and bring back recommendations.

Advantages:

- Benefit of internal expertise.
- No additional financial cost.

Disadvantages:

- No independent review or benefit of external expertise.
- Internal resources may be spread too thin, the project may take longer to complete because of competing priorities of civic staff.

Option 3: Status Quo

It is not mandatory that Council adopt a leave of absence policy. The City could maintain the current practice of the need for a resolution to approve leaves of absence greater than three meetings (months).

Advantages:

- No additional costs or need for additional resources to develop a policy.

Disadvantages:

- Additional work for Council every time a member requires a leave of absence.
- No policy in place does not guarantee consistent treatment for all members of Council requiring a leave of absence.

RECOMMENDATION

That the Governance and Priorities Committee recommend to City Council that the consideration and development of a leave of absence policy for members of Council be referred to the Saskatoon Municipal Review Commission (Option 1).

RATIONALE

Council has previously expressed a desire to explore allowing for leaves of absence by members of Council. In particular, the need for a maternity or paternity leave of absence has been expressed. However, consideration of a broader leave of absence policy could also be considered.

Adoption of a leave of absence policy could assist in attracting people to run in future civic elections and may assist in achieving a healthier work-life balance for members of Council.

FINANCIAL IMPLICATIONS

There may be additional costs in remuneration to the SMRC if Council adopts the recommendation to refer this matter to the SMRC. However, if there are, they would likely be minimal as remuneration to the SMRC is already included in the budget.

ADDITIONAL IMPLICATIONS/CONSIDERATIONS

If this matter is referred to the SMRC for further consideration and analysis, any additional implications to adopting a leave of absence policy for members of Council would be identified by the SMRC.

Report Approval

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Absences and Support for City Councillors

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