

Leave of Absence Policy:  
A Report to the  
Governance and Priorities Committee of  
Council

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Saskatoon, Saskatchewan

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## Table of Contents

Summary of Recommendations.....	1
Background .....	2
Leaves Less Than Three Months .....	2
Leaves of Three Months or Longer .....	2
Maternity and Parental Leave.....	5
Definitions.....	5
Notice of Leave .....	6
The Plan for the Leave .....	6
Duration of Leave.....	7
Remuneration .....	8
Medical Leave .....	10
Supports for Council During a Leave Event.....	12
Appendix 1 – Links to Minutes and Reports .....	13
Appendix 2 –Additional Detail About Municipal Leave Policies .....	14
Appendix 3 – A Model for Maternity and Parental Leave for Members of Council .....	19
Appendix 4 - Calgary Policy.....	22
Appendix 5 – Edmonton Policy .....	26
Appendix 6 – Toronto Policy .....	31

## Summary of Recommendations

**Recommendation 1:** There shall be no change to the current practice of not formally authorizing leaves of less than three months—unless the member of Council is applying for a type of leave that requires such authorization.

**Recommendation 2:** Maternity and parental leaves shall be made available to members of Council under a special leave of absence policy adopted by Council.

**Recommendation 3:** Maternity leave shall be made available to members of Council who are away from work because they are pregnant or have recently given birth or are the primary caregiver of an adopted child; and parental leave shall be made available to members of Council who are the parents of a newborn or newly adopted child.

**Recommendation 4:** Prior to taking maternity leave or parental leave, a member of Council must provide six weeks' written notice to the Mayor and the City Manager of their intention to do so; the Mayor must give six weeks' notice to the City Manager.

**Recommendation 5:** A member of Council taking maternity or parental leave shall prepare for the Mayor and City Manager a written commitment setting out the details of the plan to cover the member's duties during the leave.

**Recommendation 6:** For members of Council, maternity leave (including primary caregiver adoption leave) will be available for a period of up to 18 weeks. This leave shall not extend beyond the member's term of office.

**Recommendation 7:** Parental leave shall be available for a period of up to 26 weeks for members of Council who are the parents of a newborn or a newly adopted child but are not eligible for a maternity leave or a primary caregiver adoption leave. Parental leave shall also be available to members who have taken maternity leave or a primary caregiver adoption leave, but the maximum duration of the combined leaves shall be 26 weeks. Parental leave shall not extend beyond the member's term of office.

**Recommendation 8:** Members of Council shall receive 95% of their regular pay for the first 15 weeks of a maternity leave. During the remainder of the maternity leave, the member shall be paid an amount equal to the current EI maximum benefit entitlement.

**Recommendation 9:** During the parental leave, members of Council shall be paid an amount equal to the current EI maximum benefit entitlement.

**Recommendation 10:** Council members on maternity or parental leave shall continue to receive their benefits, including the Communications and Constituency Relations Account, while they are on leave.

**Recommendation 11:** Medical leave at full pay for up to six months shall be available to members of Council under a special leave of absence policy adopted by Council.

**Recommendation 12:** That Council ask Administration to provide options for long-term disability coverage for members of Council who continue to be ill or disabled for more than six months. Until a long-term disability plan is activated, decisions to continue medical leaves beyond six months shall be brought forward to Council for resolution.

## Background

The Governance and Priorities Committee of Council resolved on March 15, 2021 “that the consideration and development of a leave of absence policy be referred to the Saskatoon Municipal Review Commission [SMRC] to bring back options regarding short- and long-term leaves . . . including options for a hybrid of support . . .”. This request follows several years of enquiries and reports dealing with the subject of leaves of absence for sitting councillors which are listed in “Links to Minutes & Reports—Absences & Support for City Council Members” prepared by the City Solicitor’s Office (Appendix 1).

In the interest of recommending sound public policy, the SMRC has approached this project by surveying the environment and then considering and weighing the interests of the different parties most likely to be impacted by a leave of absence policy. The parties we considered in this study included members of City Council desirous of leaves, their constituency members, the other members of Council, the citizens of Saskatoon, the City Manager, and the Office of the City Clerk.

## Leaves Less Than Three Months

Provincial enabling legislation has long been silent on the subject of short-term leaves. Until very recently, Section 120 of *The Cities Act* merely stated that Councillors were only permitted to be absent from regular council meetings for periods of less than three consecutive months unless there was a resolution of council authorizing the extension of the absence period. Other provinces have had similar provisions. In Canada municipal councils have generally chosen to accommodate these short-term leaves without requiring formal notice and to consider extended absences more formally on a case by case basis. This has provided useful flexibility for municipal councils and the councillors that serve them.

In the case of Saskatchewan, the grace period is ‘up to three months.’ This has permitted municipal councillors to take *de facto*, short-term leaves for various reasons without requiring any formal authorization. The assumptions are that, in order to ensure the smooth functioning of council, members of council will act responsibly, will try to be considerate of the other parties in the council enterprise, and will provide appropriate information when they can. We are not aware of any particular difficulties that this practice has posed, and we believe there would be considerable loss of flexibility if this mechanism for dealing with short-term absences were to be formalized.

***Recommendation 1: There shall be no change to the current practice of not formally authorizing leaves of less than three months—unless the member of Council is applying for a type of leave that requires such authorization.***

## Leaves of Three Months or Longer

The leave entitlements enjoyed by people under labour legislation are not available to members of Council because they are elected officials—not employees. For example, elected officials do not qualify for the maternity and parental leaves provided by Canada Employment Insurance (EI), nor are they not covered by the various types of employment leave set out in the *Saskatchewan Employment Act*.

*The Cities Act* has now been amended to allow municipalities in Saskatchewan to adopt absence policies permitting leaves in excess of three months without requiring formal council authorization. Section 120 (1) (c) reads:

**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;

In order to look at options for short- and long-term leaves, the SMRC has conducted an extensive scan of what other municipalities are doing. Enquiries were sent to 35 city clerks' offices across Canada asking for specific information about leaves available to their municipal councillors. Based on their responses and information from other sources, Tables I and II were constructed. (Additional detail is provided in Appendix 2.) We note there is considerable momentum, particularly in Alberta and Ontario, for establishing formal leave policies to accommodate maternity and parental absences. Policies covering absences for medical reasons are not prevalent, though such absences are likely to be recognized in some form when the compensation structure for councillors includes a disability or salary continuance plan.

Table I. Provincial Policies Impacting Leaves of Absence for Municipal Council Members	
Province	Leave of Absence Policy
British Columbia	<i>Community Charter (SBC 2003), Part 5, Section 125 (7)</i>
Alberta	<i>Municipal Government Act, RSA 2000, Part 5, Section 144.1</i>
Saskatchewan	<i>The Municipalities Act, Division 9, Part VIII, Section 147 (c)</i>
Manitoba	<i>The Municipal Act, Section 94 (1)</i>
Ontario	<i>The Municipal Act, 2001, Section 259 (1.1)</i>
Quebec	<i>Act Respecting Elections and Referendums in Municipalities, Article 317</i>
New Brunswick	<i>The Local Governance Act, Section 50 (1)</i>
Newfoundland & Labrador	<i>The Municipalities Act, 1999, Section 206 (1)</i>
Nova Scotia	<i>The Municipal Government Act, section 17 (1)</i>
Prince Edward Island	<i>The Municipal Government Act, section 98 (4)</i>

Table II. Municipal Policies Impacting Leaves of Absence for Council Members	
City	Leave of Absence Policy
Saanich, BC	<i>Saanich Council Maternity / Parental Leave Policy</i>
Squamish, BC	<i>Council Maternity and Parental Leave Policy</i>
Calgary, AB	<i>Parental Leave Bylaw No. 38M201</i>
Edmonton, AB	<i>Parental Leave for Councillors Bylaw No. 18243</i>
Fort Saskatchewan, AB	<i>Elected Officials Parental Leave Bylaw No. C3-21</i>
Lacombe, AB	<i>Parental Leave for Elected Officials Bylaw No. 463</i>
Morinville, AB	<i>Maternity &amp; Parental Leave of Elected Officials Bylaw No. 1449/19</i>
Spruce Grove, AB	<i>Parental Leave for Councillors Bylaw No. C-1072-19</i>
Saskatoon, SK	No policy
London, ON	<i>City Bylaw No. CPOL.-388-95</i>
Montague, ON	<i>Pregnancy and Parental Leave for Members of Council</i>
Ottawa, ON	<i>City's Procedure, By-law No. 2021-24, Section 83 (14)</i>
Toronto, ON	<i>City of Toronto Municipal Act, Section 204 (2)</i>
Halifax, NS	<i>Parental Accommodation Policy for Elected Officials</i>

We also looked at leave provisions of the Saskatchewan Legislative Assembly. Members of the Legislative Assembly (MLA's) are allowed to take paid absences for a range of reasons: constituency business; business related to the MLA's duties; bereavement; illness related to the MLA's family; exceptional family circumstances (if approved by the Speaker); injury to or illness of the MLA (if certified to by a duly qualified medical practitioner); and maternity/paternity/adoption leave.

We examined nine of the City's employee agreements with its unions and associations and found there appears to be a pattern for the maternity and parental leave provisions in seven of those of those agreements: Maternity leaves are provided for up to 18 weeks, and parental leaves are available for 34 to 37 weeks.

The question of supplementary assistance or support for councillors on leave brings to light an interesting feature of city councils. In the normal workplace, the duties of employees on leave can be performed by persons hired or appointed to replace them. In a municipal council environment, many of the councillors' duties can only be performed by an elected councillor—and not by someone from the clerk's office or by an appointed assistant. In response to a SMRC survey in 2016, Saskatoon City Councillors indicated they spent, on average, three-quarters of their time dealing with the kind of matters that cannot be delegated to non-elected staff. Principal examples of these statutory obligations are attendance at meetings of Council and its standing committees, as well as meetings of boards and commissions requiring Council representation. This may mean that other councillors are asked to accept additional assignments when one of their colleagues is absent.

While we understand Council may have an interest in creating a general leave policy that would cover different types of leave, the SMRC believes this would not be practical. A generalized leave policy likely would need to take into consideration too many different circumstances and interests to be effective. At this time the SMRC recommends that Council develop specific policies to cover maternity and parental leaves and medical leaves, with other leaves to be considered by Council on a case by case basis.

## Maternity and Parental Leave

Maternity and parental leaves are now well-established features of the Canadian workplace. They permit people to establish and grow their young families without formally leaving their jobs. While these leaves are now accepted as entitlements in business and government employment, until recently they have not been formally available to elected municipal officials.

In recent years there has been a growing interest in encouraging more women to engage in local politics. For younger women, having a policy that recognizes maternity leave as an entitlement would signal support consistent with social norms. In addition, a formal maternity leave policy can be structured in a way that eliminates the need to bring the leave decision forward to Council for what may be public discussion and resolution.

The companion leave for maternity leave is parental leave, and we have chosen to consider these two types of leave together to be consistent with the employee benefits provided through EI.

### **Recommendation 2: Maternity and parental leaves shall be made available to members of Council under a special leave of absence policy adopted by Council.**

*In order to show what a policy for maternity and parental leave might look like, we have prepared “A Model for Maternity and Parental Leave for Members of Council” which incorporates recommendations 3 through 10. (See Appendix 3.) It should be noted that we have taken the liberty of borrowing language extensively from the policies currently in effect for Calgary and Edmonton.*

If Council chooses to adopt a maternity and parental leave policy, there will be a number of parameters that will need to be considered. These include definitions, notice of intent to take a leave, leave duration, the plan for the leave, and remuneration level. SMRC has collected thirteen leave policies from various Canadian municipalities. (See Table 2.) We have chosen three examples—the policies from Calgary, Edmonton, and Toronto—to illustrate different treatments. (See Appendices 4, 5, and 6.) All of these examples have features we like and other features that either we do not like or may not be suitable for Saskatoon.

By way of example, we like the Toronto policy for its simplicity; on the other hand, it is probably missing some important safeguards in terms of planning. The Edmonton policy has a good section on planning to ensure duties are performed during the absence, but the remuneration model is unnecessarily complex and involves weekly pay changes that are subject to interpretive and reporting difficulties. We like that the Calgary policy sets a maximum duration for the leave and that it attempts to align its parental leaves for councillors with those provided through EI.

### Definitions

Canadian municipalities use a number of different terms for the types of leaves that allow councillors to be absent from their duties prior to or after the birth or adoption of a child. Some policies differentiate maternity leaves from parental leaves, but others use terminology that provides for undifferentiated leaves covering the entire process of pregnancy, birth, and adoption of a child.

In order to provide working definitions for the discussion that follows, we have chosen to adapt the definitions set out in the Calgary policy (Appendix 4). *Maternity leave* is the leave taken by a member of council who has given birth, is about to give birth, or is the primary caregiver of an adopted child.

*Parental leave* is the leave available to (a) a member of council whose spouse or partner has given birth, (b) a member who has adopted a child but is not the primary caregiver, or (c) a member who has taken maternity leave and opts to take additional leave.

These are operational definitions that are particularly useful because they generally correspond with the definitions used by EI. It is important to note that EI benefit structures have been, and continue to be, very influential vectors in the evolution of parenting benefits.

***Recommendation 3: Maternity leave shall be made available to members of Council who are away from work because they are pregnant or have recently given birth or are the primary caregiver of an adopted child; and parental leave shall be made available to members of Council who are the parents of a newborn or newly adopted child.***

### Notice of Leave

The SMRC believes that members of Council should provide six weeks' written notice if they intend to take maternity and/or parental leave. This notice period would need to be waived or reduced in situations where there are exigent or unforeseen circumstances.

***Recommendation 4: Prior to taking maternity leave or parental leave, a member of Council must provide six weeks' written notice to the Mayor and the City Manager of their intention to do so; the Mayor must give six weeks' notice to the City Manager.***

### The Plan for the Leave

The SMRC believes it is important for a Council member taking a maternity or parental leave to prepare a plan to ensure their constituents are properly represented during the leave. This should be a signed, written commitment covering the plan for carrying out the member's responsibilities. If the plan includes arrangements for another member of Council to provide coverage during the leave, it must be signed by the member providing coverage. If workplace accommodations are requested, the written agreement must also be signed by the City Manager to confirm that these accommodations can be provided. We believe these are important considerations to protect the interests of constituency members and to be fair to the other members of Council, the City Clerk, and others who may bear additional burdens during the absence.

We are supportive of the principle that members of Council may continue, if they so choose, to attend meetings and perform other duties of their office.

We suggest that leaves, when appropriately documented, shall be approved by the Mayor and the City Manager. In the case of a leave by the Mayor, it shall be approved by the City Manager.

***Recommendation 5: A member of Council taking maternity or parental leave shall prepare for the Mayor and City Manager a written commitment setting out the details of the plan to cover the member's duties during the leave.***



## Duration of Leave

Our sample shows there is considerable variation in the length of maternity and parental leaves. For example, the Toronto policy allows for an undifferentiated 'pregnancy and parental leave' of up to 20 weeks with the caveat that the leave will not extend beyond a member's term of office. Edmonton's policy describes an undifferentiated 'parental leave' of up to 26 weeks. And Halifax provides for an undifferentiated 'parental accommodation leave' for up to 52 weeks, again with the stipulation that the leave will not extend beyond the member's term of office.

In contrast, Calgary's policy differentiates between maternity leaves of up to 16 weeks and separate 'parental leaves' extending for up to 26 weeks. A member of Council who takes maternity leave may also take parental leave, but the duration of the combined maternity and parental leaves is limited to 26 weeks.

We were not successful in determining if there are formal maternity leave policies for elected officials in the federal or provincial governments. While we are told that maternity leaves are made available to MPs and MLAs, the duration of the leaves appears to be based on individual arrangements. Anecdotal (and unverified) information suggests that sitting MPs who give birth to a child return to work in a matter of weeks.

Perhaps more relevant as a benchmark is the pattern of leaves the City of Saskatoon provides to employees in its unions and associations. While the terminology is not consistent, all nine of the collective agreements we examined define differentiated maternity leave and parental leave. In eight of the nine agreements, maternity leave is provided for up to 18 weeks. In five of the nine agreements, an adoption leave is treated as a maternity leave if there is confirmation that the adoptive parent will be the primary caregiver. In the interest of harmonizing this policy as much as possible with the pattern in place for employees, we are comfortable with recommending up to 18 weeks for a Council member's maternity leave. And for the purpose of this policy, those adoption leaves where there is confirmation that the member will be the primary caregiver will also be treated as maternity leaves.

***Recommendation 6: For members of Council, maternity leave (including primary caregiver adoption leave) will be available for a period of up to 18 weeks. This leave will not extend beyond the member's term of office.***

In the City's collective agreements, the general pattern for parental leave is up to 34 weeks if the leave is taken in conjunction with maternity leave and up to 37 weeks if the employee is not eligible for maternity leave. It is important to note that these numbers represent only a snapshot. Entitlements will likely not remain static but will continue to evolve as new collective agreements are negotiated and as EI benefits are enhanced.

Both Edmonton and Calgary limit parental leaves to 26 weeks. (In the case of Calgary, the combined maternity leave and parental leave shall not exceed 26 weeks.) We appreciate the rationale for this limit because we believe it is important for citizens to be represented in Council by their elected officials. In addition, we know that ward constituents want to contact their councillors when they have matters of concern.

We also recognize that Council members may prefer not to take extended leaves for a number of reasons: first, because of the nature of their roles as elected officials; second, because they would likely feel an obligation not to neglect the constituents who elected them; and, third, because they feel obliged not to impose more than necessary on their colleagues in Council and Administration.

In the interest of ensuring that ward constituents are not deprived of appropriate representation and to ease the burden on other councillors, we believe maternity and parental leaves should be limited. We suggest that the maximum parental leave or combined maternity and parental leave for any member of Council should be 26 weeks and that the term of a leave not extend beyond the council member's term of office.

***Recommendation 7: Parental leave shall be available for a period of up to 26 weeks for members of Council who are the parents of a newborn or a newly adopted child but are not eligible for a maternity leave or a primary caregiver adoption leave. Parental leave shall also be available to members who have taken maternity leave or a primary caregiver adoption leave, but the maximum duration of the combined leaves shall be 26 weeks. Parental leave shall not extend beyond the member's term of office.***

### Remuneration

We reviewed the remuneration models used by Toronto, Edmonton, and Calgary and the provisions found in the City's agreements with its employees.

For maternity leave, Toronto provides full remuneration for the entire 20-week leave. Edmonton provides full pay for the first 10 weeks and then variable remuneration for the next 8 weeks based on the specific duties performed each week by the council member. Calgary provides full pay for the first six weeks of maternity leave and then an amount equal to the current EI maximum benefit entitlement (55% of pay for first 9 weeks and 33% of pay for the balance of the leave).

In Saskatoon's employee agreements, the pattern established for paid maternity leaves is that the employer provides 95% of the employee's regular pay for the initial two-week waiting period and the difference between the employee's EI maternity benefit and 95% of regular pay for the next 13 weeks. For the remainder of maternity leave, the employee receives only EI maternity benefits. The objective, then, is to see that the employee receives combined replacement funds of 95% of pay for 15 weeks and EI benefits thereafter.

We believe that providing the same pattern for members of Council would be viewed as a fair model to follow. However, because a member of Council is not eligible for EI benefits, all of the compensation would need to be provided by the City.

***Recommendation 8: Members of Council shall receive 95% of their regular pay for the first 15 weeks of a maternity leave. During the remainder of the maternity leave, the member shall be paid an amount equal to the current EI maximum benefit entitlement.***

Employees at the City of Saskatoon do not receive pay from the City while they are on approved EI parental leave. Instead, they receive EI benefits, which are currently set at 55% of salary for the first 15 weeks of the leave and 33% of pay for the balance of the leave. This pattern is replicated in the Calgary policy for members of council, which stipulates that during a parental leave the member of council shall be paid an amount equal to the current EI maximum benefit entitlement. Again, we recommend this as a fair compensation model.

***Recommendation 9:*** During parental leave, members of Council shall be paid an amount equal to the current EI maximum benefit entitlement.

***Recommendation 10:*** Council members on maternity or parental leave shall continue to receive their benefits, including the Communications and Constituency Relations Account, while they are on leave.

## Medical Leave

As our research indicates, the municipal acts and equivalent policies of British Columbia, Alberta, Quebec, New Brunswick, and Prince Edward Island have flexibility built into their policies to allow for a longer unpaid leave of absence than normal. In general, all municipal councils may exercise their discretion on such matters. However, although most provinces would allow their municipalities to construct a medical leave policy, it appears that none has done so.

Our surveys and conversations indicate that as medical issues are highly individual, most cities prefer to consider issues of medical leave on a case by case basis, with appropriate confirmation by a qualified medical practitioner and authorization either by council or a designated city administrator.

We understand that it is awkward for members of Council to make decisions about their colleagues, and it is also awkward for city administrators to make decisions about people who, as a collective body, are their bosses. One way to circumvent this problem is to arrange for a third-party to make the decisions. This is the mechanism used by many employers when they engage a commercial concern to manage their disability plans.

Cities in which councillor positions are full time, rather than part time, are more inclined to provide their councillors with a full suite of benefits, including a long-term disability (LTD) plan. That is the case in Edmonton, for example, where members of council participate in an LTD that is part of the benefit package set up for Edmonton's Management Exempt Group.

In Saskatoon, the Mayor is the only full time member of Council, and the incumbent in the Mayor's position is covered by a full range of benefits. The Mayor pays the full premium for participation in the exempt employees' LTD plan. In the event of extended illness or disability, this plan is designed to pay a benefit of 60% of salary up to age 65 or recovery. The LTD is administered by an insurance company.

Because members of Council are currently permitted to be absent from regular council meetings for periods of less than three consecutive months without formal authorization, they already have what might be considered a form of a short-term disability (STD) plan that can be used in the event of illness or disability. A medical leave extending beyond three months, however, must be approved by a vote of Council.

In order to reduce the need to bring personnel decisions forward to Council for discussion and resolution, the SMRC is proposing a more formal medical leave policy to replace the current *ad hoc* provisions. That policy would allow for a STD plan at full pay for up to six months on the basis of a medical certificate from a qualified medical practitioner. A councillor would provide the medical certificate to the Mayor and the City Manager; the Mayor would provide a medical certificate to the City Manager. This would preferably occur before the leave began, but if the member were unable to do so, the certificate would be provided as soon as was reasonable. The decision to approve the medical leave for a councillor would rest with the Mayor and the City Manager; in the case of a medical leave for the Mayor, the City Manager would make the decision.

### **Recommendation 11: Medical leave at full pay for up to shall be available to members of Council under a special leave of absence policy adopted by Council.**

If members of Council required medical leave for more than six months, additional action would need to be taken, and we suggest that Council consider two options for dealing with a longer absence period:

Option 1: Bring resolutions to Council on a case by case basis to consider an extension of the medical leave.

Option 2: Establish a formal LTD plan for councillors with an insurance company and refer the decision to the company for adjudication.

The first option is in effect the way an extended medical leave might be handled at the present time. Its advantages are that it is a familiar process and one might expect it would take into consideration the needs of Council. Its disadvantages are that it can put Council members in a difficult position when they need to make decisions about each other and it opens the possibility of unnecessarily raising privacy concerns.

The second option would alleviate the discomfort of Council members or the City Manager because they would not be required to make the decisions. Instead, these matters would be determined by a third party using predetermined criteria. However, with Option 2 there would be a question of additional cost. In fact, disability plans for employees are often established so that all of the insurance premiums are paid by the employees in order to make benefits received by employees non-taxable. If even a portion of the premiums is paid by the employer, the benefit proceeds are taxable. In any event, it is important to note that an LTD plan for Council members would result in incremental costs for the members who were covered, for the City, or for both.

***Recommendation 12: That Council ask Administration to provide options for long-term disability coverage for members of Council who continue to be ill or disabled for more than six months. Until a long-term disability plan is activated, decisions to continue medical leaves beyond six months shall be brought forward to Council for resolution.***

## Supports for Council During a Leave Event

Descriptions of the various supports that may be employed during councillor absences have been the subject of considerable concern and numerous reports, and we do not intend to repeat all of those suggestions.

We discussed earlier in this report how most of the formal duties of an elected councillor cannot be performed by a non-elected staff member or an appointed assistant. Non-elected volunteers and funds provided by way of the Communications and Constituency Relations Allowance may be used to respond to some of the constituency needs, but a large portion of a councillor's duties can only be performed by another member of council. We are not convinced that funds provided by the special contingency fund or increasing the support from the City Clerk's Office would substantially reduce the gap left when the member of Council takes leave.

Certainly, a major source of support during a leave event is the other members of Council. The generosity they display to their colleagues and the constituents of their colleagues is admirable and should be recognized as such.

It is appropriate for the Governance and Priorities Committee to assume responsibility for rebalancing the assignments of Council members to standing committees, boards, and commissions during the period of a leave. The member contemplating a leave, the Mayor, the City Manager, and the City Clerk all have roles to play in recommending temporary reassignments. We also suggest it is important to ask whether the physical presence of a member of Council always needs to be maintained or if a furlough might be more appropriate.

The realization and acceptance that not everything needs to be done—or at least not done to perfection—is one of life's important lessons. New parents and Council members recovering from surgery or undergoing difficult treatments will no doubt have many opportunities to learn this lesson. Other members of Council will also benefit if they accept this perspective during the leave events of their fellow councillors.

## Appendix 1 – Links to Minutes and Reports

1. Councilor Block’s Notice of Motion at Council on May 23, 2017 found [here](#) (Item 11.2).
2. City Clerk’s report considered at October 23, 2017 Council found [here](#) (Item 8.5.4).
3. Governance Subcommittee report considered at April 23, 2018 GPC found [here](#) (Item 8.2.1).  
Council minutes of April 30, 2018 regarding same report found [here](#). (Item 8.5.2)
4. Governance Subcommittee report considered at November 13, 2018 GPC found [here](#) (Item 8.2.1). This report did not go on to Council.
5. City Solicitor’s report considered at December 10, 2018 GPC found [here](#) (Item 8.2.1).  
Council minutes of December 17, 2018 regarding same report found [here](#) (Item 8.5.3).
6. City Solicitor’s report considered at March 15, 2021 GPC found [here](#) (Item 8.3.1).

## Appendix 2 –Additional Detail About Municipal Leave Policies

<b>Additional Detail About Municipal Leave Policies</b>	
<p>1. A member of Council who takes an approved leave pursuant to a policy, shall not be disqualified from Council by being absent from Council meetings during the leave.</p> <p>2. Although procedure varies by City, for a leave to be approved, written notice must be given to the administration (usually six weeks) prior to the period of leave. This includes an estimate of the period of leave; information about any Council duties that the member of Council requests to continue to perform during the leave; and any workplace accommodations requested for the duration of the leave.</p>	
<b>City</b>	<b>Summarized Leave of Absence Policy</b>
Saanich, BC	<p>The <i>Saanich Council Maternity / Parental Leave Policy</i>:</p> <p>No Council motion is required for approval of the leave. Written notice to the Mayor and CAO six weeks prior to leave. Despite being on maternity or parental leave, a member of Council may attend any meeting of Council and exercise all rights and privileges of office. During this leave, Council may authorize the temporary assignment of the member’s committee membership(s) or regional appointment(s).</p> <p>Parental Leave: (a) up to sixty-one (61) consecutive weeks of unpaid leave beginning immediately following the end of the maternity leave; (b) for a parent who does not take maternity leave, up to sixty-two (62) consecutive weeks of unpaid leave beginning after the child’s birth and within seventy-eight (78) weeks after that event; (c) for an adopting parent, up to sixty-two (62) consecutive weeks of unpaid leave beginning within seventy-eight (78) weeks after the child has been placed with the parent.</p> <p>Maternity leave and parental leave entitlements may not be combined, shall not exceed a total of 6 months per leave and will not extend beyond the end of the elected official’s term of office, unless re-elected. May request an extension to the six-month leave entitlement.</p> <p>During the maternity or parental leave, the member of Council will be compensated at 90% of their Council earnings and will continue in the City benefit programs at the current cost sharing arrangement.</p>



<p>Squamish, BC</p>	<p><i>The Council Maternity and Parental Leave Policy:</i></p> <p>Written notice to the Mayor and/or the Corporate Officer in writing at least four weeks prior to the leave. While on leave, an elected official reserves the right to participate as an active member of Council and maintains and resumes all appointments and designations upon their return.</p> <p>An elected official who is pregnant or gives birth is eligible for maternity benefits. Elected officials who are the spouse/common law partner/co-parent of a person giving birth or adopting a child are eligible for parental leave benefits under this policy.</p> <p>Up to six-months paid parental or maternity leave with full remuneration and benefits. Maternity leave and parental leave entitlements may not be combined, shall not exceed a total of 6 months per leave and will not extend beyond the end of the elected official’s term of office, unless re-elected. An extension to the six-month leave entitlement requires the leave of Council.</p>
<p>Calgary, AB</p>	<p><i>Parental Leave Bylaw No. 38M201</i></p> <p>Written notice to the Mayor and/or the City Manager in writing at least six weeks prior to the leave. While on leave, an elected official reserves the right to participate as an active member of Council.</p> <p>A Member of Council who has given birth, or who is about to give birth, may take maternity leave for a period of up to 16 weeks. During the first 6 weeks of maternity leave (8 weeks in the case of caesarian delivery), the Member is entitled to 100% of their pay. For the remainder of the maternity leave, the Member shall be paid an amount equal to the current Employment Insurance maximum benefit entitlement.</p> <p>A Member of Council whose spouse or partner has given birth, or who has adopted a child, may take parental leave for a period of up to 26 weeks. During the parental leave, the Member shall be paid an amount equal to the current Employment Insurance maximum benefit entitlement.</p> <p>A Member who has taken maternity leave pursuant to section 4 may take parental leave for a period of up to 10 weeks. The combined maternity leave and parental leave shall not exceed 26 weeks.</p>
<p>Edmonton, AB</p>	<p><i>Parental Leave for Councillors Bylaw 18243.</i></p> <p>Written notice to the Mayor and/or the City Manager in writing at least six weeks prior to the leave. While on leave, an elected official reserves the right to participate as an active member of Council.</p> <p>A Member of Council who has given birth, or who is about to give birth, whose spouse or partner has given birth, or who has adopted a child, may take parental leave for a period of up to 26 weeks. The first 10 weeks are granted with full remuneration. The</p>

	<p>weeks following are with out pay if the Member does not take an active role with Council.</p> <p>If the Member attends all Council meetings, the Member receives 30% pay. If the Member attends all Standing Committee meetings, the Member receives 30% pay. If the Member attends all Constituency events, and regularly responds to constituency matters by telephone or electronically, the Member receives 25% pay. If the Member attends all assigned City agencies, boards, commissions, or initiatives the Member receives 15% pay.</p>
<p>Fort Saskatchewan, AB</p>	<p><i>Elected Officials Parental Leave Bylaw C3-21</i></p> <p>Written notice to the City Manager in writing at least six weeks prior to the leave. A Member of Council who has given birth, or who is about to give birth, whose spouse or partner has given birth, or who has adopted a child, may take parental leave for a period of up to 16 weeks.</p> <p>During a Parental Leave, a Member has the same entitlement to receive or participate in any benefits program or package, and shall receive 55% of the base monthly honorarium they would have otherwise received. A Member who is taking Parental Leave may choose to participate in Council activities or other matters during that time, without receiving an additional honorarium beyond the 55%.</p> <p>A Member who is taking Parental Leave may choose to attend activities of a Body to which they have been appointed . However, honorariums or per diems shall not be available to the Member taking Parental Leave if an alternate Member has been appointed to represent that body during the period of Parental Leave.</p>
<p>Lacombe, AB</p>	<p><i>Parental Leave for Elected Officials Bylaw 463</i></p> <p>Written notice to the Mayor and Chief Administrative Officer in writing at least six weeks prior to the leave. A Member who is taking Parental Leave must coordinate plans for their participation in Council activities or other matters during that time.</p> <p>A Member of Council who has given birth, or who is about to give birth, whose spouse or partner has given birth, or who has adopted a child, may take parental leave for a period of up to 16 weeks.</p> <p>During a Parental Leave, a Member has the same entitlement to receive or participate in any benefits program or package and shall receive 55% of the base monthly honorarium they would have otherwise received.</p>

Morinville, AB	<p><i>Maternity &amp; Parental Leave of Elected Officials Bylaw 1449/19</i></p> <p>Written notice to the Mayor and County Commissioner in writing at least six weeks prior to the leave. A Member who is taking Parental Leave must coordinate plans for their participation in Council activities or other matters during that time.</p> <p>A Member of Council who has given birth, or who is about to give birth, may take maternity leave for a period of up to 15 weeks. During the first week of maternity leave, the Member is entitled to 100% of her base salary. During the subsequent 14 weeks of maternity leave, the Member is entitled to 95% of her base salary.</p> <p>A member whose spouse or partner has given birth, or who has adopted a child, may take parental leave for a period of up to 26 weeks within the first year of the birth or adoption. A Member who has taken maternity leave pursuant to section 4 may also take parental leave for a period of up to 11 weeks. The combined maternity leave and parental leave shall not exceed 26 weeks. During the parental leave, the Member shall be paid an amount equal to the current Employment Insurance maximum benefit entitlement.</p>
Spruce Grove, AB	<p><i>Parental Leave for Councillors Bylaw C-1072-19</i></p> <p>Written notice to the Mayor and City Manager in writing at least six weeks prior to the leave. A Member of Council who has given birth, or who is about to give birth, whose spouse or partner has given birth, or who has adopted a child, may take parental leave for a period of up to 26 weeks, , with 10 weeks at full remuneration. If the Member continues to perform any duties during the Parental Leave, full Benefits will continue to be provided on behalf of the City. The Member may request an extension to the leave entitlement, which requires a majority vote.</p> <p>For the remaining 16 week period, a Councillor shall receive a percentage of the Remuneration that the Councillor would have otherwise received:</p> <ul style="list-style-type: none"> <li>(a) 0% if the Councillor does not perform any duties during Leave;</li> <li>(b) 40% if the Councillor prepares for and attends, either in person or using a communication facility, all Council meetings;</li> <li>(c) 20% if the Councillor prepares for and attends, either in person or using a communication facility, all meetings of boards or committees that the Councillor has been appointed to by Council;</li> <li>(d) 20% if the Councillor prepares for and attends, either in person or using a communication facility, all Council Committee of the Whole meetings; and</li> <li>(e) 20% if the Councillor attends Constituency Events and regularly responds to constituency matters by telephone or electronic mail.</li> </ul>
Saskatoon, SK	No policy
London, ON	<p><i>City Bylaw CPOL.-388-95</i></p> <p>Allows for a maternal leave of absence without pay. The City covers office costs and requires delegation of the Member’s duties to other officials.</p>

<p>Montague, ON Population:</p>	<p><i>Pregnancy and Parental Leave for Members of Council</i></p> <p>Written notice to the City Clerk. Grants a leave of absence of 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. The Member continues to receive all remuneration, reimbursements and benefits afforded to all Members of Council.</p> <p>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. A Member will continue to receive communication from the Municipality as if the Member were not on leave and reserves the right to participate as an active Member of Council at any time during his or her leave.</p>
<p>Ottawa, ON</p>	<p><i>City’s Procedure (By-law No. 2021-24)</i></p> <p>Permits Council to excuse the absence of a Member of Council by way of a resolution of Council.</p>
<p>Toronto, ON</p>	<p><i>Section 204(2) of the City of Toronto Municipal Act</i></p> <p>Written notice to the City Clerk at least two weeks prior to the leave. a Member may attend any meeting of City Council, a local board or a committee of either and exercise all rights and privileges of office.</p> <p>A Member of Council is eligible to 20 weeks of pregnancy leave and parental leave, not to extend beyond a Member’s term of office. A Member on a pregnancy or parental leave continues to receive their salary and benefits for the duration of their leave.</p>
<p>Halifax, NS</p>	<p><i>Parental Accommodation Policy for Elected Officials order 2019-003-GOV</i></p> <p>Written notice to the Mayor and the CAO at least four weeks prior to the leave. A Member may take parental accommodation, commencing during a pregnancy or within twelve (12) months of a birth or adoption. A Member who is taking Parental Leave must coordinate plans for their participation in Council activities or other matters during that time. A member on parental accommodation may attend any meeting of Regional Council or a board or committee and exercise all rights and privileges of office.</p> <p>A parental accommodation permitted by this Administrative Order may not: (a) exceed fifty-two (52) consecutive weeks; (b) extend beyond the member’s term in office.</p> <p>Council member on parental accommodation shall continue to receive their salary and benefits for the duration of their leave, not to extend beyond the Member’s term in office.</p>

## Appendix 3 – A Model for Maternity and Parental Leave for Members of Council

**WHEREAS** section 120 (1) of the *Cities Act* provides that a member of council is disqualified from council if the member is absent from all regular council meetings held during any period of 3 consecutive months . . . unless the absence is authorized by a resolution of council or a leave of absence policy adopted by council;

### **THE COUNCIL OF THE CITY OF SASKATOON ENACTS AS FOLLOWS:**

#### **Definitions**

1. In this Bylaw:
  - (a) “*Council*” means the council of the City of Saskatoon;
  - (b) “*City Manager*” means . . .
  - (c) “*Mayor*” means . . .
  - (d) “*Member of Council*” or “*Member*” means an elected member of Council, including the mayor.

#### **Eligibility for Maternity or Parental Leave**

2. A Member of Council is eligible to take maternity leave or parental leave in accordance with this Bylaw. The leave shall not extend beyond the Member’s term of office.

#### **Maternity Leave**

3. (1) A Member of Council who has given birth or who is about to give birth or a Member who has adopted a child and will be the primary caregiver of that child may take maternity leave for a period of up to 18 weeks.
  - (2) During the first 15 weeks, the Member is entitled to 95% of their pay.
  - (3) For the remainder of the maternity leave, the Member shall be paid an amount equal to the current Employment Insurance maximum benefit entitlement.

#### **Parental Leave**

4. (1) A Member of Council
  - (a) whose spouse or partner has given birth, or
  - (b) who has adopted a child and who is not the primary caregiver, may take parental leave for a period of up to 26 weeks.

(2) A Member who has taken maternity leave pursuant to section 3 may also take parental leave. The combined maternity leave and parental leave shall not exceed 26 weeks.

(3) During the parental leave, the Member shall be paid an amount equal to the current Employment Insurance maximum benefit entitlement.

### **Benefits**

5. A Member of Council who takes maternity leave or parental leave pursuant to this Bylaw shall continue to be entitled to normal councillor benefits including the Communications and Constituency Relations Account.

### **Notice of Leave**

6. (1) Unless exigent or unforeseen circumstances exist, a Member, other than the Mayor, must give 6 weeks' written notice to the Mayor and to the City Manager of their intention to take maternity or parental leave.

(2) Prior to taking maternity leave or parental leave, the Mayor must give 6 weeks' written notice to the City Manager of their intention to do so.

(3) The written notice must include:

(a) the start date of the maternity and/or parental leave;

(b) the anticipated length of the leave(s); and

(c) if the Member was unable to provide 6 weeks' written notice, the general nature of the exigent or unforeseen circumstances.

### **Written Commitment**

7. After providing written notice as required in section 6, and before commencing maternity or parental leave, a Member must submit a signed written commitment to the Mayor and City Manager that includes:

(1) the processes that will be implemented to ensure the Member's constituents are represented during parental leave, which may include another Member providing coverage or any other process that the Member taking the leave determines appropriate;

(2) any Council duties that the Member will continue to perform during the leave; and

(3) any workplace accommodations requested for the duration of the leave or following the leave.

8. (1) If the Member's written commitment includes another Member providing coverage during the leave, the written commitment must also be signed by the Member providing coverage to confirm that Member's acceptance of responsibilities on behalf of the Member taking parental leave.

- (2) If the Member's written commitment includes workplace accommodations, the written commitment must also be signed by the City Manager to confirm the City Manager is able to provide such accommodations.

9. A Member may revise their written commitment during the leave by submitting a revised written commitment including signatures of another Member or the City Manager, if required, to the Mayor and City Manager.

10. (1) At any time after a written commitment is given to the Mayor and City Manager until the end of the leave it pertains to, any person may request to view the written commitment during regular business hours.

(2) The City Manager may publish a written commitment received pursuant to this bylaw on the City's website.

#### **Delegation**

11. The City Manager may delegate any power, duty, or function under this bylaw.

# PROPOSED

C2018-0949  
ATTACHMENT 1

## BYLAW NUMBER 38M2018

### BEING A BYLAW OF THE CITY OF CALGARY TO PROVIDE FOR MATERNITY AND PARENTAL LEAVE FOR MEMBERS OF COUNCIL \*\*\*\*\*

**WHEREAS** section 144.1 of the Municipal Government Act, R.S.A. 2000, c. M-26, provides that a council of a municipality may by bylaw establish whether councillors are entitled to take leave prior to or after the birth or adoption of their child;

**AND WHEREAS** section 144.1(2) provides that such a bylaw must contain provisions:

- (a) respecting the length of leave and other terms and conditions of the leave entitlement; and
- (b) addressing how the municipality will continue to be represented during periods of leave;

**AND WHEREAS** at its February 26, 2018 meeting, Council approved a Notice of Motion directing Administration to prepare a report outlining the provisions of a parental leave bylaw for councillors in accordance with section 144.1 of the Municipal Government Act;

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:**

#### Short Title

1. This Bylaw may be cited as the "Maternity and Parental Leave for Members of Council Bylaw".

#### Definitions

2. In this Bylaw:
  - (a) "*Council*" means the council of the City of Calgary;
  - (b) "*City Manager*" means the chief administrative officer of the City of Calgary;
  - (c) "*Mayor*" means the chief elected official of the *City* elected by a vote of the electors of the municipality under section 150 of the Municipal Government Act, R.S.A. 2000, c. M-26;
  - (d) "*Member of Council*" or "*Member*" means an elected member of *Council*, including the *Mayor*.

#### Eligibility for Maternity or Parental Leave

3. A *Member of Council* is eligible to take maternity leave or parental leave in accordance with this Bylaw.



# PROPOSED

BYLAW NUMBER 38M2018

## Maternity Leave

4. (1) A *Member of Council* who has given birth, or who is about to give birth, may take maternity leave for a period of up to 16 weeks.
- (2) During the first 6 weeks of maternity leave (8 weeks in the case of caesarian delivery), the *Member* is entitled to 100% of their pay.
- (3) For the remainder of the maternity leave, the *Member* shall be paid an amount equal to the current Employment Insurance maximum benefit entitlement.

## Parental Leave

5. (1) A *Member of Council*:
  - (a) whose spouse or partner has given birth, or
  - (b) who has adopted a child,may take parental leave for a period of up to 26 weeks.
- (2) A *Member* who has taken maternity leave pursuant to section 4 may take parental leave for a period of up to 10 weeks. The combined maternity leave and parental leave shall not exceed 26 weeks.
- (3) During the parental leave, the *Member* shall be paid an amount equal to the current Employment Insurance maximum benefit entitlement.

## Benefits

6. A *Member of Council* who takes maternity leave or parental leave pursuant to this Bylaw must contact Human Resources prior to beginning their leave to determine the impact on their benefit and pension coverage and premiums.

## Notice of Leave

7. (1) Prior to taking maternity leave or parental leave, a *Member*, other than the *Mayor*, must give 6 weeks' written notice to the *Mayor* and to the *City Manager* of their intention to do so.
- (2) Prior to taking maternity leave or parental leave, the *Mayor* must give 6 weeks' written notice to the *City Manager* of their intention to do so.

## Absence from Council and committee meetings and excusal from Councillor duties

8. (1) A *Member of Council* who takes maternity leave or parental leave pursuant to this Bylaw is not required to:
  - (a) participate in *Council* meetings and *Council* committee meetings and meetings of other bodies to which they are appointed by *Council*; or

# PROPOSED

## BYLAW NUMBER 38M2018

- (b) perform any other duties imposed on the *Member* by the *Municipal Government Act*, by any other enactment or bylaw or by *Council*;

during the leave.

- (2) In accordance with section 174(2)(b) of the *Municipal Government Act*, a *Member of Council* who takes leave pursuant to this Bylaw shall not be disqualified from *Council* by being absent from *Council* meetings during the leave.

### Representing the City during maternity leave or parental leave

- 9. (1) Prior to taking maternity leave or parental leave, a *Member*, other than the *Mayor*, must provide to the *Mayor* and to the *City Manager*, in writing, a description of:
  - (a) the arrangements the *Member* has made to ensure the *Member's* constituents will be represented during the leave;
  - (b) any *Council* duties that the *Member* will continue to perform during the leave; and
  - (c) any workplace accommodations requested for the duration of the leave or following the leave.
- (2) Prior to taking maternity leave or parental leave, the *Mayor* must provide to the *City Manager* a written description that meets the requirements of subsection (1).
- (3) If another *Member* will be providing coverage for the *Member* taking leave, that *Member* must sign the written description provided pursuant to subsection (1) to indicate their consent to do so.
- (4) At any time after a written description is provided pursuant to subsection (1) or (2), any person may upon request view the written description during regular business hours in the presence of the *City Manager* or the *City Manager's* designate.
- (5) The *City Manager* may publish a written description received pursuant to this section on The City's website.

# PROPOSED

BYLAW NUMBER 38M2018

## Coming into force

10. This Bylaw comes into force on the day it is passed.

READ A FIRST TIME ON \_\_\_\_\_

READ A SECOND TIME ON \_\_\_\_\_

READ A THIRD TIME ON \_\_\_\_\_

\_\_\_\_\_  
MAYOR

SIGNED ON \_\_\_\_\_

\_\_\_\_\_  
CITY CLERK

SIGNED ON \_\_\_\_\_

## Appendix 5 – Edmonton Policy

**THE CITY OF EDMONTON  
BYLAW 18243  
PARENTAL LEAVE FOR COUNCILLORS BYLAW**

Edmonton City Council enacts:

**PART I - PURPOSE AND INTERPRETATION**

- |                    |   |  |
|--------------------|---|--|
| <b>PURPOSE</b>     | 1 | The purpose of this bylaw is to permit Councillors to take leave prior to or after the birth or adoption of their child.   |
| <b>DEFINITIONS</b> | 2 | <p>(1) Unless otherwise specified, words used in this bylaw have the same meaning as defined in the Municipal Government Act, including its regulations.</p> <p>(2) In this bylaw:</p> <ul style="list-style-type: none"><li>(a) <b>“City”</b> means The City of Edmonton;</li><li>(b) <b>“Council”</b> means the City’s council;</li><li>(c) <b>“Councillor”</b> means a City councillor and includes the Mayor;</li><li>(d) <b>“City Manager”</b> means the City’s chief administrative officer or delegate;</li><li>(e) <b>“Mayor”</b> means the City’s chief administrative officer;</li><li>(f) <b>“Municipal Government Act”</b> means the <i>Municipal Government Act</i>, RSA 2000, c M-26;</li><li>(g) <b>“parental leave”</b> means a period of time during which a Councillor may be absent from all Council, Standing Committee, and Council Committee meetings, and any other duties assigned to the Councillor by Council;</li><li>(h) <b>“remuneration”</b> includes salaries, indemnities, honorariums, and allowances paid to a Councillor; and</li><li>(i) <b>“Standing Committee”</b> has the same meaning as defined in the Council Committees Bylaw, Bylaw 18156.</li></ul> |

- RULES FOR INTERPRETATION** 3 The following interpretation rules apply to this bylaw:
- (a) marginal notes and headings in this bylaw are for ease of reference only; and
  - (b) if the Mayor takes parental leave, any references in this bylaw to the Mayor will be deemed to refer to the deputy Mayor.

**PART II - PARENTAL LEAVE**

- PARENTAL LEAVE** 4 Subject to this bylaw, a Councillor may take parental leave prior to or after the birth or adoption of their child.
- LENGTH OF LEAVE** 5 Parental leave permitted by this bylaw may not exceed 26 weeks.
- NOTICE OF LEAVE** 6
- (1) Unless exigent circumstances exist, a Councillor must provide 6 weeks' written notice to the Mayor and City Manager that the Councillor intends to take parental leave.
  - (2) The written notice required by subsection (1) must include:
    - (a) the start date of the parental leave;
    - (b) the anticipated length of parental leave; and
    - (c) if the Councillor was unable to provide 6-weeks written notice, the general nature of the exigent circumstances.

**PART III - TERMS OF LEAVE**

- WRITTEN COMMITMENT** 7 After providing written notice as required by section 6, and before commencing parental leave, a Councillor must submit a signed written commitment to the Mayor and City Manager that includes:
- (a) the processes that will be implemented to ensure the Councillor's constituents are represented during parental leave, which may include another Councillor providing coverage or any other process that the Councillor taking parental leave determines appropriate;
  - (b) the duties, as described in section 12(1), that the

Councillor intends to continue to perform and receive remuneration for during all or part of the parental leave; and

- (c) any workplace accommodations requested by the Councillor to balance their role as a parent with their responsibilities as a Councillor during or following parental leave.

- 8 (1) If the Councillor's written commitment required by section 7 includes another Councillor providing coverage during parental leave, the written commitment must also be signed by the Councillor providing coverage to confirm that Councillor's acceptance of responsibilities on behalf of the Councillor taking parental leave.
- (2) If the Councillor's written commitment required by section 7 includes workplace accommodations, the written commitment must also be signed by the City Manager to confirm the City Manager is able to provide such accommodations.

**REVISIONS**

- 9 A Councillor may revise their written commitment during parental leave by submitting a revised written commitment, including signatures of another Councillor or the City Manager, if required, to the Mayor and City Manager.

**PUBLIC VIEWING**

- 10 (1) At any time after a written commitment is given to the Mayor and City Manager until the end of a parental leave, any person may request to view the written commitment during regular business hours in the presence of the City Manager.
- (2) The City Manager may publish a written commitment received pursuant to this bylaw on the City's website.

**PART IV - REMUNERATION**

**FULL  
REMUNERATION**

- 11 During the first 10 weeks of parental leave, a Councillor will receive the full remuneration that the Councillor would have otherwise received.

**PARTIAL  
REMUNERATION  
FOR DUTIES  
PERFORMED**

- 12 (1) For any weeks following the first 10 weeks of parental leave, a Councillor will receive a percentage of the remuneration that the Councillor would have otherwise received as follows:
  - (a) 0% if the Councillor does not perform any duties during

parental leave;

- (b) 30% if the Councillor prepares for and attends, either in person or using a communication facility, all meetings of Standing Committees that the Councillor is a member;
  - (c) 30% if the Councillor prepares for and attends, either in person or using a communication facility, all Council meetings;
  - (d) 25% if the Councillor attends constituency events and regularly responds to constituency matters by telephone or electronic mail; and
  - (e) 15% if the Councillor prepares for and attends meetings of all City agencies, boards, or commissions, or Council initiatives, that the Councillor has been assigned to by Council.
- (2) For the purposes of subsection (1), a Councillor may perform some or all of the duties described in clauses (b)-(e), and will receive remuneration for each duty performed for each week the duties are performed.

#### **PART V - CITY MANAGER ROLE**

<b>DELEGATION</b>	13	The City Manager may delegate any power, duty, or function under this bylaw.
<b>PROVIDING ASSISTANCE</b>	14	On request, the City Manager will provide assistance to a Councillor to prepare the written commitment required by section 7.
<b>VERIFICATION</b>	15	For the limited purpose of confirming that the Councillor is performing duties in order to receive partial remuneration during all or part of the parental leave, the City Manager may make reasonable inquiries of the Councillor during parental leave.

READ a first time this 23<sup>rd</sup> day of January 2018;

READ a second time this 23<sup>rd</sup> day of January 2018;

READ a third time this 23<sup>rd</sup> day of January 2018;

SIGNED AND PASSED this 23<sup>rd</sup> day of January 2018.

THE CITY OF EDMONTON

  
\_\_\_\_\_

MAYOR

  
\_\_\_\_\_

CITY CLERK



## Appendix 6 – Toronto Policy

### **Pregnancy and Parental Leave for Members of Council**

#### **1. Policy Statement**

The City of Toronto provides pregnancy and parental leaves for Members of City Council in accordance with Section 212 of the City of Toronto Act. This policy recognizes that Members of Council maintain all rights and privileges of their office when on pregnancy or parental leave, and can exercise those rights at any time.

#### **2. Application**

This policy applies to all Members of City Council.

#### **3. Definitions**

A **pregnancy leave** is leave entitlement for a person giving birth to a child.

A **parental leave** is leave entitlement for a parent.

A **parent** is defined as:

- a. A natural or adoptive parent;
- b. A person who is in a relationship of some permanence with the natural or adoptive parent of the child and intends to treat the child as their own.

#### **4. Conditions**

- In accordance with Section 204(2) of the City of Toronto Act, a Member of Council is eligible to 20 weeks of pregnancy leave and parental leave, not to extend beyond a Member's term of office.
- The leave may start up to 20 weeks before a Member of Council's expected date of delivery, or before the date when a child has come into the care, custody or control of a parent for the first time.
- A Member of Council notifies the City Clerk of their intent to take leave approximately two weeks before the start of the leave. The notice should include:
  - the start date of the leave and the expected return date; and
  - information about which duties, if any, will continue to be undertaken by the Member of Council during the leave.

## **5. Salary and Benefits**

A Member on a pregnancy or parental leave continues to receive their salary and benefits for the duration of their leave in accordance with Municipal Code Chapter 223, Remuneration for Council Members.

## **6. Management of a Member's Office during Leave**

Members may choose to continue to manage their office during their leave, but may also delegate some administrative oversight to the City Clerk, Strategic Integration and Excellence, or to the Deputy Mayor in the case of a Mayor's leave. Any delegation should be communicated in advance of the leave and in writing.

## **7. City Council and committee meetings**

Despite being on a pregnancy or parental leave, a Member may attend any meeting of City Council, a local board or a committee of either and exercise all rights and privileges of office.

A Member's absence from a Council meeting while on a pregnancy or parental leave is a right imbedded in the City of Toronto Act, therefore Council will not be asked to excuse the absence and the absence does not count towards the time period for which unexcused absences result in a forfeiture of office as set out in section 204 of the Act.

If a Member of Council is absent from a meeting due to pregnancy or parental leave, the City Clerk will record the reason for the absence in the minutes of the meeting.