

Subject: Pregnancy or Parental Leave Policy for Members of Council

Policy Statement:

This policy provides guidance on how the Town of Caledon addresses a Member of Council's Pregnancy and/or Parental leave in a manner that respects a member's statutory role as an elected representative.

Scope:

In accordance with Section 270 of the *Municipal Act, 2011* this Policy applies to all Members of Council.

Purpose:

The Town of Caledon 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 in accordance with Section 270 of the Act, as revised by Bill 68.

Definitions:

Leave: means pregnancy or parental leave.

Human Resources: shall mean the Human Resources Department for The Corporation of the Town of Caledon.

Member(s) of Council: means the individuals elected or appointed to the Council for the Town of Caledon who have taken the declaration of office for the current term.

Pregnancy Leave: means leave entitlement for a person giving birth to a child.

Parental Leave: means leave entitlement for a parent.

Parent: means a natural or adoptive parent, or 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.

General Requirements:

1. In accordance with Section 259 (1.1) of the *Municipal Act, 2001* a Member of Council is eligible to twenty (20) consecutive weeks of pregnancy leave and/or parental leave, not to extend beyond the end of a Member's term of office.
2. A Member of Council's pregnancy and/or parental leave does not require Council approval. Council will not declare the Member's seat vacant on account of the Member's absence(s) from Council meetings while on leave.

Commencement of Leave

3. For Pregnancy Leave, the leave may start up to 20 weeks before a Member's expected date of delivery.
4. For Parental Leave, the leave may begin on the earlier of the date the child is born or the date the child first comes into the care, custody, or control of the Member.
5. A Member of Council should notify the Town Clerk and Manager, Human Resources, in writing, of their intent to take such leaves at least 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 during the leave.
6. If a Member of Council wishes to seek a leave in excess of twenty (20) consecutive weeks, a resolution of Council is required. The Member will advise the Town Clerk, in writing, of the request to extend their leave as soon as it is known with details on the nature of the requested extension.

Entitlement

7. Despite being on Pregnancy Leave or Parental Leave, a Member may attend any meeting and exercise all rights and privileges of their office. This includes casting a vote on any matter before Council and/or Committees for which they are entitled.
8. Council may appoint a Member of Council to external boards and committees to replace the Member of Council on leave, on an as needed basis, unless the Member on leave has first given notice to the Town Clerk that they wish to continue to attend the meetings of the external boards and committees to which they were appointed by way of a resolution of Council
9. The Member of Council will advise the Town Clerk if they choose to attend Council and/or Committee meetings during their leave.
10. The Member is entitled to continue to receive communication from the Town (access to Council packages, email, meeting invitations, etc.), as if the Member were not on Leave, in accordance with the requests of the Member.
11. A Member on Pregnancy Leave or Parental Leave continues to receive their salary and is eligible for all benefits for the duration of their leave in accordance with the established remuneration and benefits for Members.
12. Members will continue to have access to all equipment supplied by the Town, including, but not limited to, access to their Town Hall office, information technology equipment, email, telephone, and the services of the Office of the Mayor.

Returning from Leave

13. The Member shall provide written notice to the Town Clerk of any changes to their return date at least two weeks prior to their expected return. Upon return from leave, the Member of Council will resume all appointments to Council, Committees, external Boards and Committees that they previously held before the leave, unless Council decides otherwise.

Regional Councillor

14. In the event the Member of Council on leave is a Regional Councillor, then Town Council may appoint an Area Councillor to fulfill the temporary vacancy in accordance with Section 267 of the *Municipal Act, 2001*.

Legislative Reference

This Policy is made pursuant to s. 270 (1) (8) of the Municipal Act, 2001.

Reference and Related Documents:

Municipal Act, 2001
Alternate Member By-law
Council Code of Conduct

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