



MUNICIPALITY OF TEMAGAMI POLICY MANUAL
SECTION: ADMINISTRATION
SUB-SECTION: COUNCIL
POLICY TITLE: **PREGNANCY AND/OR PARENTAL LEAVES FOR MEMBERS OF COUNCIL**
SCHEDULE A TO BY-LAW 24-xxxx
POLICY NO: 1.2.xx

POLICY STATEMENT

The Municipality of Temagami supports a Member of Council's right to take Pregnancy and/or Parental Leave and, recognizing that serving on Council is different from regular employment, also supports a Member's right as an elected representative to continue to represent the constituents and to participate as a Member during the leave.

PURPOSE

Section 259 (1.1) of the *Municipal Act, 2001* (the Act) provides an exemption for Pregnancy and/or Parental Leave from the requirement to declare a Member's office vacant if a Member is absent from council meetings for three successive months without being authorized to do so by a resolution of Council. Section 270 of the Act requires the Municipality to adopt and maintain a policy with respect to pregnancy leaves and parental leaves of Members of Council. This policy provides guidance on how the Municipality of Temagami addresses a Member'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, 2001*, this policy applies only to Members of Council.

DEFINITIONS

In this Policy:

"Council" means the Council of the Corporation of the Municipality of Temagami.

"Member" means a member of Council.

"Pregnancy and/or Parental Leave" means an 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 by the Member in accordance with Section 259 (1.1) of the *Municipal Act, 2001*.

POLICY REQUIREMENTS

The Municipality of Temagami supports a Member's right to Pregnancy and/or Parental Leave in keeping with the following principles:

1. A Member's Pregnancy and/or Parental Leave does not require Council approval and the Member's office cannot be declared vacant as a result of the Pregnancy and/or Parental Leave.
2. A Member of Council is elected to represent the interests of their constituents. A Member on Pregnancy and/or Parental Leave retains the right to continue to communicate with and represent constituents at a level of the Member's choosing during their leave.
3. The Member is entitled to continue to receive communication from the Municipality (Council packages, email, meeting invitations), as if the Member were not on leave, in accordance with the wishes of the Member.
4. The Member shall be exempt from the requirement to attend meetings of Council during the leave. The Member may choose, at the Member's sole discretion, to attend some Council meetings either in person or electronically. If the Member so wishes, however, such attendance shall not extend or otherwise affect the leave in any way.
5. A Member on Pregnancy and/or Parental Leave shall continue to be paid the regular (basic) Council honorarium and continue to have expenses paid in accordance with the approved Council expense policy.
6. Council shall make temporary appointments to fill any appointments or assignments of the Member to Committees, Boards, and other bodies, and other additional duties and/or responsibilities of the Member for the duration of the leave. Any expenses or remuneration associated with these appointments, assignments additional duties and/or responsibilities shall be paid to the Member taking the temporary assignment. Notwithstanding, at any point in time during the Member's Pregnancy and/or Parental Leave, Council shall cancel any of the temporary appointments, if the Member provides written notice to Council through the Municipal Clerk of their intent to resume any of those additional duties/responsibilities.

Where a Member of Council will be absent due to a Pregnancy and/or Parental Leave the Member shall provide written notice to the Municipal Clerk outlining the expected duration of Leave including potential start date and return date.

It is understood that under emergent circumstances, a member may not be able to submit the appropriate notice before the Leave commences. Each Member shall nonetheless endeavour to provide the appropriate notice in advance of any leave or as soon as possible after commencing the Pregnancy and/or Parental Leave. The Municipal Clerk will provide the Mayor/Designate and Human Resources with a copy of any written notice.

The Member shall inform the Municipal Clerk, with proper notice, of any changes regarding their return date.

At Council's discretion, Council may, by Resolution, approve a longer leave in accordance with Section 259(1) of the Act.

EXCLUSIONS

This policy does not apply to Municipal Staff, or Members of Local Boards/Committees, The Temiskaming Police Services Board or the Temagami Public Library Board.

REFERENCES AND RELATED POLICIES

- <https://www.ontario.ca/laws/statute/01m25> Section 270 of the *Municipal Act, 2001*, requires that the Town adopt and maintain a policy with respect to the pregnancy and parental leaves of Members of Council.
- By-Law 19-1472 Code of Conduct

RESPONSIBILITY

The Municipal Clerk shall be responsible for monitoring the application of this policy.

REVIEW CYCLE

This policy will be reviewed in each term of Council or as required due to legislative changes.

Approval Date:		Resolution #:	
Amendment Date:		Resolution #:	
Amendment Date:		Resolution #:	
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