



## **Township of East Zorra-Tavistock**

### **General Policy Manual**

<b>Title:</b> Council Member Pregnancy, Birth and/or Adoption of Child Leave Policy	
<b>Section:</b> Corporate Policies	<b>Number:</b> 1.09
<b>Version:</b> 1.0	<b>Review Frequency:</b> At least once per Council Term
<b>Approved by:</b> Council	<b>Approval Date:</b> March 6, 2019
<b>Application:</b> Members of Council (only)	
<b>Notes:</b>	

#### **1. PURPOSE**

The Township of East Zorra-Tavistock 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 by the Member in accordance with the Municipal Act, 2001.

This policy provides guidance on how the Township of East Zorra-Tavistock addresses a Member's pregnancy or parental leave in a manner that respects a Member's statutory role as an elected representative.

In accordance with Section 270 of the Municipal Act, 2001, this policy applies only to Members of Council.

#### **2. DEFINITIONS**

**"Council"** means the elected body of the Township of East Zorra-Tavistock.

**"Leave"** shall mean Pregnancy, Parental and/or Adoption of a Child Leave.

**"Member(s) of Council"** means a member or members of the elected Township Council of the Township of East Zorra-Tavistock;

**“Pregnancy, Parental and/or Adoption Leave”** shall mean 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*.

**“Township”** means the Township of East Zorra-Tavistock.

### **3. POLICY**

#### **1) Leave of Absence**

Each Member of Council shall be entitled to a Leave from their duties as a Member of Council on account of pregnancy and/or the birth or adoption of the Member's child. This Leave does not require approval of Council, and his/her office of Council cannot be declared vacant as a result of the Leave. At the same time, a Member's leave shall be subject to the following:

- (a) the Member exercising the leave shall complete Form 1 attached hereto and submit it to the Clerk. The Member shall provide written notice to the Clerk of any amendments to be made to their completed Form 1;
- (b) save and except in emergent circumstances which prevent the Member from doing so, the Member shall submit Form 1 to the Clerk at least eight (8) weeks prior to commencing his/her leave of absence. It is acknowledged that a Member may not be capable of submitting his/her Form 1 eight (8) weeks - or anytime - prior to the commencement thereof in emergent circumstances. Each Member shall nonetheless endeavour to submit his/her Form 1 as much in advance of as possible prior to or as soon as possible after commencing his/her leave of absence;
- (c) for greater certainty, nothing herein shall prevent a Member from exercising his/her leave of absence for failing to submitting Form 1 prior to the commencement of his/her leave of absence on account of emergent circumstances that are beyond the Member's reasonable control;
- (d) any single leave of absence shall be for the period requested by the Member as set out in his or her completed Form 1 provided that the period shall not exceed the period(s) noted in the paragraph (e) below; and,

- (e) a Member shall be entitled to no more than twenty (20) consecutive weeks' leave in any 52-week period.

**2) While a Member is on leave of absence pursuant to this Policy:**

- (a) if agreed to by the Member in Form 1, Council shall continue to include the Member in all Council communications including, without limitation, notices of regular and special Council and committee meetings, and provide copies of all agendas (open and closed) and minutes of meetings;
- (b) the Member may attend any Council and/or Committee meetings and/or events, if he/she chooses, at his/her discretion, and may cast any vote on any matter before Council and/or its Committee at any meeting he or she attends;
- (c) the Member shall advise the Clerk if he or she chooses to attend Council and/or Committee Meetings during the Leave; and,
- (d) notwithstanding paragraph 259(1)(c) *Municipal Act, 2001*, S. O. 2001, c. 25, Council shall not declare the Member's seat vacant on account of the Member's absence(s) from Council meetings while on leave pursuant to this Policy.

**3) Appointment to Committees, Agencies and Boards:**

- (a) Council may appoint an interim Member to Committees, Agencies and Boards to replace the Member on Leave, unless the Member on Leave has first given notice to the Clerk in Form 1 that he or she wishes to continue to attend the meetings of the Committees, Agencies and Boards to which he or she was appointed by Council.
- (b) subject to paragraph (a) immediately above, upon return from Leave the Member will resume all appointments to Committees, Agencies and Boards that they previously held before the Leave.

**4) Intermittent Return from Leave for Meetings:**

- (a) should the Member return intermittently from Leave for Council and/ or Committee, Agency or Board meetings, this does not extend their Leave for any additional weeks.

(b) should the Member return intermittently from Leave for Council and/or Committee, Agency or Board meetings, this does not mean that the Member has terminated their Leave.

#### **4. QUORUM**

Quorum shall not be impacted by a Member's Leave.

#### **5. COUNCIL REMUNERATION**

It shall be at the discretion of the Member if they wish to continue to receive Council Remuneration while on Leave, and the Member shall advise the Clerk as to their intention on Form 1.

#### **6. 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 provided for in Form 1, 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.

#### **7. MONITORING CONTRAVENTIONS**

The Clerk shall be responsible for monitoring the application of this policy and for receiving complaints and/or concerns related to this policy. All complaints and/or concerns shall be brought to Council for disposition.

#### **8. POLICY REVIEW**

This policy shall be reviewed at least once during each term of Council.

**FORM 1**

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

**To:** \_\_\_\_\_ (Clerk)

**From:** \_\_\_\_\_ (Member's Name)

**Re: Notice of Council Member Pregnancy, and/or Birth Adoption of Child Leave**

I hereby give notice to you and the Council of the Township of East Zorra-Tavistock that I will be taking leave from Council for the following reason(s) (*check one*):

- Pregnancy
- Birth of Child
- Adoption of Child

**Dates of Leave:**

My leave will commence on \_\_\_\_\_ and terminate on \_\_\_\_\_, unless terminated earlier by me.

**Continuing Communications while on Leave:**

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

- Yes
- No

**Council Meetings:**

I wish to continue to attend all meetings of Council during the period of my Leave:

- Yes
- No

I understand that if I have selected "No", I will advise the Clerk if I choose to attend a Council meeting.

**Committees, Agencies & Boards:**

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

- Yes
- No

I understand that if I have selected “No”, Council may appoint an interim Member during my Leave to any Committees, Agencies or Boards to which I have been appointed, and I will resume my appointment following my return from my Leave.

**Intermittent return from Leave for Meetings:**

I understand that should I return intermittently from Leave for Council and/ or Committee, Agency or Board meetings, this does not extend my Leave for any additional weeks. Further, I understand that should I return intermittently from Leave for Council and/or Committee, Agency or Board meetings, this does not mean that I have terminated my Leave.

**Remuneration:**

I wish to receive my Council remuneration while on Leave:

- Yes
- No

**Leave Announcement:**

I understand that the Chief Administrative Officer will announce my leave, and the dates thereof, to Members of Council and senior staff for their information.

**Failure to Return from Leave:**

I understand that should I fail to attend Council 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: \_\_\_\_\_