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**Date:** February 6, 2019

**To:** Mayor and Council

**Author:** Jennifer Galea, Human Resources Manager

**RE:** Pregnancy and Parental Leave for Members of Council Policy

**Report No.:** CS-2019-05

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## **AIM**

Obtain council approval to implement the Pregnancy and Parental Leave for Members of Council, Policy #CS-022.

## **BACKGROUND**

*Bill 68*, which received Royal Assent on May 30, 2017, made a number of amendments to the *Municipal Act, 2001* (the “*Act*”), the *City of Toronto Act, 2006*, the *Municipal Conflict of Interest Act* and several other pieces of legislation.

In accordance with Section 270 of the *Act*, municipalities are required to adopt a policy respecting pregnancy and parental leaves of members of council, which policy must be in effect on or before March 1, 2019. Section 259(1.1), which also comes into force March 1, 2019, provides that a member’s office does not become vacant if that member is absent for 20 consecutive weeks or less if the absence is a result of the member’s pregnancy, the birth of the member’s child, or the adoption of a child by the member.

## **DISCUSSION**

Currently, the Town of Kingsville does not have a policy to address this type of leave. The policies from the County of Essex, City of Ottawa and the Towns of LaSalle, Blue Mountain and Leamington were reviewed. A draft policy was prepared in response to the changes in legislation. The policy provides guidance on how the Town of Kingsville addresses a Council Members’ pregnancy or parental leave in a manner that respects their role as an elected official.

This proposed policy recognizes the statutory right of Council Members to take a leave of absence for a period of 20 consecutive weeks or less, for the Member's pregnancy, the birth of a Member's child, or the adoption of a child by the Member.

The Council Member will be required to fill out and submit a Form 1 to the Clerk, with a copy provided to the Mayor, outlining the expected start date and return date of leave. The Form must be submitted at least four weeks prior to the start of the leave. In the event that there are changes to the return date, the Member is expected to provide a least two weeks' written notice to the Clerk and Mayor of any changes.

The draft policy also contemplates Council making temporary appointments to fill any vacancies of the Member on committees or boards, but allows the member to notify Council of his/her intention to resume duties on any of those committees and boards. The policy also provides the Member with the option to continue receive all communication generally sent to Members of Town of Kingsville Council while on leave.

Finally, as is described in the policy, Administration recommends that the honorariums be paid to the Member in accordance with the policies, procedures and by-laws in effect from time to time.

## **LINK TO STRATEGIC PLAN**

Effectively manage corporate resources and maximize performance in day-to-day operations.

## **FINANCIAL CONSIDERATIONS**

There are no significant financial costs that would be associated with implementation of this policy. Honorariums would continue to be paid in accordance with current Town policies, procedures and by-laws.

## **CONSULTATIONS**

Jennifer Astrologo, Director of Corporate Services/ Clerk  
Senior Management Team

## **RECOMMENDATION**

That Council approves the Pregnancy and Parental Leave for Members of Council Policy, Policy CS-022 and adopts the implementing by-law.

*Jennifer Galea*

Jennifer Galea, CHRL  
Human Resources Manager

*Jennifer Astrologo*

Jennifer Astrologo  
Director of Corporate Services/Clerk

*Peggy Van Mierlo-West*

Peggy Van Mierlo-West, C.E.T.  
Chief Administrative Officer