



Town of Whitby Policy

Policy Title:	Pregnancy or Parental Leaves for Members of Council
Policy Number:	G 090
Reference:	Municipal Act, 2001, and Council Resolution #88-19
Date Approved:	March 4, 2019
Date Revised:	Not Applicable
Approval:	Council
Point of Contact:	Town Clerk

Policy Statement

The Corporation of the Town of Whitby recognizes that a Member of Council may need to take a leave for the Member's pregnancy, the birth of the Member's child or the adoption of a child by the Member, as required by, and in accordance with Subsection 270(1) of the *Municipal Act*, 2001.

Purpose

This policy provides guidance on how the Municipality addresses a Member's pregnancy or parental leave in a manner that respects a Member's rights as an individual and their statutory roles as an elected representative.

Scope

This policy shall apply to a Member of Council during their Pregnancy/Parental Leave. Any limitations or benefits shall only apply during the time of leave when the Member is a sitting Member of Council. For instance, if a 20 week leave were to begin while the Member was in office and end after the Member's term ends, this policy shall only apply during the time that the Member was in office.

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1 Definitions

- 1.1 Member** means a sitting Member of the Council for the duration of their term in office.
- 1.2 Pregnancy/Parental Leave** is an absence of 20 consecutive weeks or less, as a result of Member's pregnancy, the birth of a Member's child or the adoption of a child by the Member in accordance with Subsection 259 (1.1) of the *Municipal Act, 2001*.

2 Responsibilities

- 2.1** Members of Council and applicable municipal staff are responsible for adhering to this policy.

3 General

3.1 Principles

The Council of the Town of Whitby supports a Member's right to Pregnancy/Parental Leave in accordance with the following rules and principles:

- (1) A Member is elected to represent the interests of their constituents.
- (2) A Member's Pregnancy/Parental Leave does not require Council approval and their office cannot be declared vacant as a result of a Pregnancy/Parental Leave.
- (3) A Member's Pregnancy/Parental Leave is guaranteed by Subsection 259 (1.1) of the *Municipal Act, 2001*.

3.2 Communications & Access

- (1) A Member shall be entitled to continue to receive communication from the Town during a Pregnancy/Parental Leave, in accordance with the wishes of the Member.
- (2) Legislative and administrative matters that require action by the Member during their Pregnancy/Parental Leave shall be addressed in a manner that is consistent with the Member's wishes.

A Member shall continue to have access to Municipal facilities during the Member's Pregnancy/Parental Leave.

3.3 Benefits

- (1) A Member on Pregnancy/Parental Leave shall continue to receive remuneration with all applicable statutory deductions as well as the existing OMERS contributions.
- (2) A Member on Pregnancy/Parental Leave shall continue to receive benefits afforded to all Members of Council.
- (3) When a Member is on Pregnancy/Parental Leave, the regular travel allowance is discontinued.
- (4) Where the Member on Pregnancy/Parental Leave is a Regional representative (i.e. a Regional Councillor or Mayor), the provisions contained in the Region of Durham's Policy for Pregnancy and Parental Leaves for Members of Regional Council shall be applicable, however, the administrative process for remuneration shall remain unchanged.

3.4 Notice

- (1) In advance of a Member taking a Pregnancy/Parental Leave, the Member shall provide written notice to the Clerk and Human Resources, outlining the expected duration of the leave including potential commencement date and return date.
- (2) The Member shall inform the Clerk and Human Resources should they wish to return prior to the stated return date provided in accordance with Section 3.4(1) of this Policy at least 5 business days prior to returning.

3.5 Temporary Appointments

- (1) Council may make temporary appointments to fill any vacancies of the Member to Committees, Boards, etc. or other meetings or activities of the Member.
- (2) Temporary appointments on the Region of Durham's Council, may be made in accordance with Sections 267 and 268 of the *Municipal Act*.
- (3) Temporary appointments shall cease on the date of the Member's return, as provided by the Member in accordance with Section 3.4 of this Policy.

This Policy is hereby approved by Council Resolution #88-19 on this 4th day of March, 2019.