

## Attachment 1

# Council Maternity / Parental Leave Policy

<b>Policy Title:</b>	<b>Council Maternity/Paternity Leave Policy</b>
<b>Issue Date:</b>	<b>July 11, 2022</b>
<b>Revised Date:</b>	
<b>Prepared by:</b>	<b>Jacque Killawee, City Clerk</b>
<b>Document #:</b>	<b>2112727</b>

## 1. Purpose

The purpose of the Council Maternity and Parental Leave Policy (the “Policy”) is to encourage individuals, who are interested in becoming a public elected official and having a child during the term of office, to run for municipal council, by ensuring that members of Council are provided with paid time off to coincide with the birth or adoption of a child. This Policy enables individuals to recover from childbirth, bond with, and care for their newborn or adopted child, without fear of negative impact on the status of their position of office.

The City of New Westminster (the “City”) recognizes the physical, emotional and psychological demands of being a new parent, and considers that a period of leave is important for the well-being of both the parent and the child. This Policy has been created as an affirmation of the City’s commitment to support members of Council both in their decisions to become parents and in their work as elected officials.

This Policy also provides guidance in relation to the application of Sections 125(5) and 125(7) of the *Community Charter*, SBC 2003, c. 26 (the “*Charter*”) to absences by members of Council pursuant to the Policy.

## 2. Scope

2.1 This Policy applies to City of New Westminster members of Council.

## 3. Definitions

3.1 “Member of Council” means an elected member of Council, including the Mayor.

#### **4. Legislation**

4.1 The *Charter* does not expressly contemplate a situation in which a member of Council would take a leave of absence due to pregnancy or parental reasons.

4.2 Section 125(5) of the *Charter* provides as follows:

Subject to subsection (7), if a council member is absent from council meetings for

(a) a period of 60 consecutive days, or

(b) 4 consecutive regularly scheduled council meetings,

whichever is the longer time period, the council member is disqualified from holding office in accordance with subsection (6).

4.3 Section 125(7) of the *Charter* provides that:

The disqualification under subsection (5) does not apply if the absence is because of illness or injury or is with the leave of council.

#### **5. Leave Provisions**

5.1 Maternity

5.1.1 A Member of Council who has given birth is eligible for a paid maternity leave, covering pre and post natal time for a period of up to 17 consecutive weeks, which must be taken no earlier than 13 weeks before the expected birth date and no later than the actual birth date.

5.2 Parental Leave

5.2.1 A Member of Council who has given birth is eligible for up to 61 consecutive weeks of paid parental leave beginning immediately following the end of the maternity leave.

5.2.3 A Member of Council who is the parent of a child, but has not given birth to the child, is eligible for up to 62 consecutive weeks of paid parental leave beginning after the child's birth, and within 78 weeks after the birth.

5.2.4 A Member of Council who adopts a child is eligible for up to 62 consecutive weeks of paid parental leave beginning within 78 weeks after the child has been placed with the Member of Council.

#### **6. Compensation and Benefits**

6.1 During a maternity or parental leave, the Member of Council will be entitled to full remuneration.

6.2 If the Member of Council participates in the benefit program offered by the City, those benefits will continue during a maternity or parental leave, based on the current cost sharing arrangement.

## **7. Notice of Leave**

7.1 To ensure that the City can make the necessary arrangements to accommodate individuals taking maternity or parental leave, a Member of Council must give at least 4 weeks' written notice to the Mayor or Chief Administrative Officer of their intention to take such leave ("Notice of Leave"). Where it is not possible for the Member of Council to give at least 4 weeks' notice, the Member of Council should give Notice of Leave at the earliest possible date.

7.2 Notice of Leave should include:

- (a) the expected start date and the expected end date of the leave;
- (b) information about any Council duties that the Member of Council requests to continue to perform during the leave; and
- (c) any workplace accommodations requested for the duration of the leave.

7.3 Following receipt of a Notice of Leave, the Mayor or the Chief Administrative Officer will advise Council of the leave dates.

7.4 No Council motion is required for approval of a maternity or parental leave. A maternity or parental leave pursuant to this Policy is deemed to be with the leave of Council for the purposes of Section 125(7) (b) of the *Charter*, and the Member of Council shall not be considered disqualified from Council by being absent from Council meetings during the leave pursuant to Section 125(5) of the *Charter*.

## **8. Duties During Leave**

8.1 A Member of Council who takes maternity or parental leave pursuant to this Policy is not required to participate in Council meetings, public hearings, Council committee meetings, meetings of other bodies to which they are appointed by Council, or perform other duties of a Member of Council.

8.2 If the Member of Council who takes maternity or parental leave pursuant to this Policy is the Mayor, Councillors will be asked to put their names forward for consideration as Acting Mayor during the Mayor's leave. Council will appoint the Acting Mayor by resolution.

8.3 Despite being on maternity or parental leave, a Member of Council may attend any meeting of Council and exercise all rights and privileges of office. The Member of Council's exercise of rights and privileges of office while on leave will not affect Council's deemed approval of the leave.

8.4 For the purposes of the minutes of meetings, a Member of Council absent from a meeting due to maternity or parental leave, shall be recorded in the minutes as on approved leave.

- 8.5 If a Member of Council gives notice that they do not wish to continue with a committee membership or regional appointment during a maternity or parental leave, Council may authorize the temporary assignment of that membership or appointment. The Member of Council shall provide 2 weeks' written notice to the Mayor and Chief Administrative Officer of their intent to resume any of the Council-approved appointments during their leave.
- 8.6 All memberships and appointments will be returned to the Member of Council at the end of their leave, unless the memberships and appointments expire before the end of the leave.