

THE CITY OF SPRUCE GROVE

BYLAW C-1072-19

PARENTAL LEAVE FOR COUNCILLORS BYLAW

WHEREAS, pursuant to the *Municipal Government Act*, RSA 2000, cM-26 and amendments thereto, a municipality may provide for extended councillor parental leave through enacting a parental leave bylaw;

AND WHEREAS, the City of Spruce Grove wishes to support parental leave for Councillors;

NOW THEREFORE, the Council for the City of Spruce Grove, duly assembled hereby enacts as follows:

1. BYLAW TITLE

1.1 This bylaw is called “the Parental Leave for Councillors Bylaw”.

2. DEFINITIONS

2.1 “Act” means the *Municipal Government Act*, RSA 2000, cM-26 and amendments thereto.

2.2 “Benefits” means a benefit plan which provides payment for, but is not limited to, health, dental, and life insurance-related issues.

2.3 “Constituency Event” means an event that a Councillor attends in their capacity as a member of Council, outside of their regular duties of attending Council, Board or Committee meetings. Constituency Events include, but are not limited to Tri-Region meetings, ceremonial events, openings or anniversaries for local businesses, community events such as National Aboriginal Day, Canada Day or Remembrance Day, or other social events in which the Councillor is interacting with constituents.

2.4 “City” means the City of Spruce Grove.

2.5 “Councillor” means a city official duly elected pursuant to the provisions of the *Local Authorities Election Act*, RSA 2000, cL-21.

2.6 “Mayor” means the chief elected official.

- 2.7 “Parental Leave” means a period of time during which a Councillor may be absent from all Council and Council Committee meetings, and any other duties assigned to the Councillor by Council.
- 2.8 “Parental Leave Agreement” means a written commitment described in section 6.
- 2.9 “Remuneration” means salaries, indemnities, honourariums, and allowances paid to a Councillor.

3. MAYORAL PARENTAL LEAVE

- 3.1 If the Mayor takes Parental Leave, any references in this bylaw to the Mayor shall be deemed to refer to the Deputy Mayor.

4. LENGTH AND PERIOD OF LEAVE

- 4.1 Parental Leave taken under this bylaw shall not exceed twenty-six (26) consecutive weeks.
- 4.2 Parental Leave may commence prior to or after the birth or adoption of the Councillor’s child, but must commence no earlier than twelve (12) weeks prior to the estimated date of delivery or adoption of the child, and no later than twelve (12) weeks after the day that child is born or adopted by the Councillor.
- 4.3 An extension to the approved Parental Leave may be granted with the support of the majority of Council.

5. NOTICE OF PARENTAL LEAVE

- 5.1 Unless exigent circumstances exist, a Councillor must provide six (6) weeks’ written notice to the Mayor and City Manager that the Councillor intends to take Parental Leave.
- 5.2 The written notice required by section 5.1 must include:
- (a) the start date of Parental Leave;
 - (b) the anticipated length of Parental Leave, including a date of return; and
 - (c) if the Councillor was unable to provide six (6) weeks’ written notice,

the general nature of the exigent circumstance.

6. TERMS OF PARENTAL LEAVE

- 6.1 After providing written notice required by section 5, and before commencing Parental Leave, a Councillor must submit a signed Parental Leave Agreement to the Mayor and the City Manager that:
- (a) includes the tasks and duties, if any, that the Councillor intends to continue to perform during all or part of the Parental Leave as set out in section 8;
 - (b) describes how tasks and duties that the Councillor does not intend to continue to perform during Parental Leave will be performed during the Parental Leave, which may involve, without limiting the generality of the foregoing, certain tasks or duties being performed by another Councillor; and
 - (c) any workplace accommodations requested for the duration of the leave or following the leave.
 - (d) if a Councillor's Parental Leave Agreement contemplates another Councillor performing certain tasks and duties during Parental Leave, the Parental Leave Agreement must also be signed by the Councillor providing coverage to confirm that Councillor's acceptance of the responsibilities in question.
 - (e) a Councillor may revise their Parental Leave Agreement during Parental Leave by submitting a revised Parental Leave Agreement, including signatures of another Councillor, if required, to the Mayor and City Manager.
 - (f) a Councillor shall comply with their Parental Leave Agreement.

7. REPRESENTATION OF THE CITY

- 7.1 During a period of Parental Leave, the Councillors not taking Parental Leave shall continue to represent the City at-large in their capacity as Councillors.
- 7.2 If a Councillor taking Parental Leave is a Council appointed member of a committee, board, or other body, and the Councillor's Parental Leave Agreement does not provide that the Councillor will continue to serve as a member of the committee, board, or other body during Parental Leave,

Council shall, subject to any restrictions in the governing documents of the committee, board or other body, ensure that an alternate representative is appointed to the committee board or other body during the Councillor's Parental Leave.

8. REMUNERATION AND BENEFITS

- 8.1 During the first ten (10) weeks of Parental Leave, a Councillor shall receive the full Remuneration that the Councillor would have otherwise received.
- 8.2 For the remaining time period, a Councillor shall receive a percentage of the Remuneration that the Councillor would have otherwise received as follows:
- (a) 0% if the Councillor does not perform any duties during Parental Leave;
 - (b) 40% if the Councillor prepares for and attends, either in person or using a communication facility, all Council meetings;
 - (c) 20% if the Councillor prepares for and attends, either in person or using a communication facility, all meetings of boards or committees that the Councillor has been appointed to by Council;
 - (d) 20% if the Councillor prepares for and attends, either in person or using a communication facility, all Council Committee of the Whole meetings; and
 - (e) 20% if the Councillor attends Constituency Events and regularly responds to constituency matters by telephone or electronic mail.
- 8.3 For the purposes of section 8.2, a Councillor may perform some or all of the duties described in subsections (a) through (e) and shall receive Remuneration for each duty performed for each week the duties are performed.
- 8.4 If a Councillor continues to perform any duties during the Parental Leave, full Benefits will continue to be provided on behalf of the City.
- 8.5 If a Councillor does not perform any duties during the Parental Leave the Councillor will be responsible for the cost of continuing Benefits after the first 30 days of the Parental Leave, unless the Councillor chooses to opt out of receiving Benefits.

9. CITY MANAGER ROLE

- 9.1 The City Manager may delegate any power, duty, or function under this bylaw.
- 9.2 On request, the City Manager will provide assistance to a Councillor to prepare a Parental Leave Agreement required under section 6.
- 9.3 For the limited purpose of confirming that the Councillor is performing duties in order to receive partial Remuneration during all or part of the Parental Leave, the City Manager may make reasonable inquiries of the Councillor during Parental Leave.
- 9.4 The City Manager may publish a written description of the Parental Leave Agreement on the City's website.

10. REVIEW

- 10.1 This bylaw shall be brought forward for review at the beginning of each term of Council, when relevant legislation is amended, and at any other time that Council considers appropriate to ensure that it remains current and continues to accurately reflect the standards of Council.

11. SEVERABILITY

- 11.1 If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the bylaw is deemed valid.

12. EFFECTIVE DATE

- 12.1 This bylaw shall come into force and effect when it receives third reading and is duly signed.

First Reading Carried 15 July 2019

Second Reading Carried 9 September 2019

Third Reading Carried 21 October 2019

Date Signed 28 October 2019

Mayor

City Clerk

UNCERTIFIED COPY