



**CITY OF HAMILTON**  
**CORPORATE SERVICES DEPARTMENT**  
**City Clerk's Office**

<b>TO:</b>	Chair and Members of Governance Review Sub-Committee
<b>COMMITTEE DATE:</b>	May 28, 2019
<b>SUBJECT/REPORT NO:</b>	Pregnancy and Parental Leave for Members of Council Policy (CL19007) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Janet Pilon (905) 546-2424 Ext. 4304
<b>SUBMITTED BY:</b>	Janet Pilon Acting City Clerk Office of the City Clerk
<b>SIGNATURE:</b>	

**RECOMMENDATION(S)**

That Council approve the “Pregnancy and Parental Leave for Members of Council Policy” attached as Appendix ‘A’ to Report CL19007.

**EXECUTIVE SUMMARY**

On November 1, 2017, Council received Report LS17028, which provided a summary of the provisions introduced in Bill 68, the *Modernizing Ontario’s Municipal Legislation Act, 2017*, and the associated amendments to various Provincial Acts.

Bill 68 included an amendment to the *Municipal Act, 2001* whereby a member of Council no longer required a resolution of Council to grant an extended leave of absence (i.e. more than three months) if the absence is related to pregnancy or parental leave for twenty (20) consecutive weeks or less.

The purpose of this report is to provide Council with staff’s recommended “Pregnancy and Parental Leave for Members of Council Policy” in order to implement the provisions of Bill 68.

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: None

Staffing: None

Legal: None

## **HISTORICAL BACKGROUND**

Section 259 of the Municipal Act, 2001, as amended, provides that a Council Member's seat becomes vacant if the Member is absent from Council meetings for three successive months without being authorized to do so by Council resolution. Prior to Bill 68, a Member was required to obtain a resolution of Council for an extended leave of absence due to pregnancy, the birth of a child or the adoption of a child. Bill 68 amends Section 259 of the Municipal Act, 2001, to provide an exemption to that requirement such that no resolution of Council would be required to grant an extended leave of absence for a Member if the absence was related to pregnancy or parental leave for twenty (20) consecutive weeks or less.

## **POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

Section 270 (1) of the *Municipal Act, 2001* requires municipalities to adopt and maintain policies with respect to a number of matters. Bill 68 added a new paragraph 8, requiring the City to adopt and maintain a policy on pregnancy and parental leave for members of Council. This amendment was effective as part of Phase 2 Proclamation on March 1, 2019 by the Lieutenant Governor.

## **RELEVANT CONSULTATION**

Legal Services

## **ANALYSIS AND RATIONALE FOR RECOMMENDATION(S)**

In order to comply with the provisions set out in Section 270 (1) paragraph 8 of the Municipal Act, the City is required to adopt and maintain a policy on pregnancy and parental leave for members of Council.

## **ALTERNATIVES FOR CONSIDERATION**

None

## **ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN**

### **Healthy and Safe Communities**

Hamilton is a safe and supportive City where people are active, healthy, and have a high quality of life.

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OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

**APPENDICES AND SCHEDULES ATTACHED**

Appendix A – Pregnancy and Parental Leave for Members of Council Policy