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## CITY OF HAMILTON

### PREGNANCY AND PARENTAL LEAVE FOR MEMBERS OF COUNCIL POLICY

<b>1.0</b>	<b>PURPOSE</b>
1.1	To provide a clear and transparent process for Members of Council requesting and taking a pregnancy or parental leave in a manner that respects the Members' statutory role or appointment.
<b>2.0</b>	<b>SCOPE</b>
2.1	This policy applies to Members of Council
<b>3.0</b>	<b>POLICY STATEMENT</b>
3.1	The City of Hamilton recognizes the right of a Member of Council to take leave related to the Member's pregnancy, the birth of a Member's child or the adoption of a child by a Member in accordance with the provisions of the Municipal Act, 2001, as amended. The City is committed to providing a clear and transparent process for Members on pregnancy and parental leave.
	<b>Pregnancy or Parental Leave</b>
3.2	Each Member of Council shall be entitled to a leave of absence from Council and Committee meetings for 20 consecutive weeks or less if the absence is the result of a Member's pregnancy, the birth of a Member's child, or the adoption of a child by the Member.
3.3	A resolution of Council is not required to authorize a pregnancy or parental leave of absence.
3.4	The Member requesting the leave shall complete Form 1 attached hereto and submit the completed form to the City Clerk at least eight (8) weeks prior to commencing their leave.

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3.5	Where there are emergent circumstances beyond the Member's reasonable control, the Member shall submit Form 1 to the City Clerk as much in advance as possible prior to commencing their leave or as soon as possible after commencing their leave.
3.6	For greater certainty, nothing herein shall prevent a Member from exercising their leave of absence for failing to submit Form 1 prior to the commencement of their leave on account of emergent circumstances beyond the Member's reasonable control.
	<b>Office does not become Vacant</b>
3.7	The office of a Member shall not become vacant if a Member is absent for 20 consecutive weeks or less if the absence is the result of the Member's pregnancy, the birth of a Member's child, or the adoption of a child by the Member.
	<b>Member Exempt from Attending Meetings</b>
3.8	A Member on Pregnancy or parental leave shall be exempt from attending Council, Committee Agency or Board meetings, which the Member has been appointed.
	<b>Receipt of Correspondence, Agendas, Minutes while on Leave</b>
3.9	If agreed to by the Member on Form 1, the Member shall continue to receive copies of all Council, Committee, Agency and Board communications and correspondence, including notices of regular and special meetings, all meeting agendas and related material (public and confidential), and minutes of meetings.
	<b>Member may Attend Meeting while on Leave</b>
3.10	A Member on pregnancy or parental leave may attend Council, Committee, Agency and Board meetings or constituent meetings and/or events at their discretion, and may cast a vote on any matter before Council, a Committee, Agency or Board to which the Member has been appointed at any meeting they attend.
3.11	The Member on pregnancy or parental leave shall advise the City Clerk if they will be attending a Council, Committee, Agency or Board meeting during their leave.
	<b>Responding to Communications</b>
3.12	A Member on pregnancy or parental leave may respond to communications at a level that the Member determines and shall utilize an automatic reply e-mail feature to identify that they are on leave.
	<b>Meeting Attendance does not Extend or Terminate the Leave</b>
3.13	If a Member decides to attend meetings intermittently during their leave, this shall not extend the leave for any additional weeks nor shall it be construed as terminating the Member's leave.

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	<b>Council May Make Temporary Appointments</b>
3.14	If deemed appropriate, Council may make temporary appointments to fill any vacancies of the Member to Council Committees, Agencies or Boards to which the Member has been appointed.
	<b>Remuneration</b>
3.15	A Member on pregnancy or parental leave shall continue to receive all remuneration and benefits afforded to Members of Council.
	<b>Return from Leave</b>
3.16	Upon a Member's return from a pregnancy or parental leave they shall resume all appointments to Council, Committees, Agencies and Boards that were held prior to the leave.
	<b>Failure to Return from Leave</b>
3.17	In the event, that the Member fails to attend Council, Committee, Agency or Board meetings after the expiry of their leave, the Member's seat may be declared vacant by Council in accordance with the terms and conditions of the City's Pregnancy and Parental Leave for Members of Council Policy and the provisions of the <i>Municipal Act, 2001</i> .
<b>4.0</b>	<b>RESPONSIBILITIES</b>
4.1	City Council is responsible for approving and maintain this Policy.
4.2	Individual Members of Council are responsible for completing and submitting the required notice (Form 1) of pregnancy and parental leave to the City Clerk in accordance with this Policy.
4.3	The City Manager is responsible for advising Council and the Senior Leadership Team of the Member's pregnancy or parental leave and the expected duration thereof.
	<b>APPENDICES</b>
Form 1	Notice of Pregnancy or Parental Leave for Members of Council