

THE CORPORATION OF THE VILLAGE OF MERRICKVILLE-WOLFORD

BY-LAW 02-2019

**BEING A BY-LAW TO ADOPT PREGNANCY AND PARENTAL LEAVE OF MEMBERS
OF COUNCIL POLICY**

WHEREAS section 5(1) of the Municipal Act, 2001, provides that the powers of a municipal corporation are to be exercised by its council;

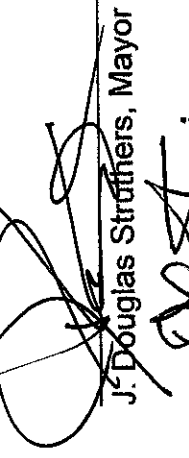

AND WHEREAS section 5(3) of the Municipal Act, 2001, states that municipal power, including a municipality's capacity, rights, powers and privileges, shall be exercised by by-law, unless the municipality is specifically authorized to do otherwise;

AND WHEREAS section 270 (1) of the Municipal Act, 2001, as amended, provides that a municipality shall adopt and maintain policies with respect to pregnancy leaves and parental leaves of members of council;

NOW THEREFORE the Council of the Corporation of the Village of Merrickville-Wolford hereby enacts as follows:

1. That the Council of the Corporation of the Village of Merrickville-Wolford adopt the Pregnancy and Parental Leave of Members of Council Policy attached hereto as "Schedule A" to this by-law;
2. That all by-laws or parts thereof and all or any resolutions of Council contrary to or inconsistent with this by-law are hereby repealed.
3. That this by-law shall come into force and take effect immediately upon the passing thereof.

Read a first, second and third time and passed on the 14th day of January, 2019.


J. Douglas Strifflers, Mayor

Doug Robertson, CAO/Clerk



MERRICKVILLE-WOLFORD
Jewel of the Rideau

Pregnancy and Parental Leaves of Members of Council Policy

1. Policy Statement

1.1 The Village of Merrickville-Wolford recognizes a member of Council's right to take 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 Section 270 of the *Municipal Act, 2001*, as amended.

2. Definitions

2.1 Pregnancy and/or Parental Leave – an absence of 20 consecutive weeks or less as a result of a member's pregnancy, the birth of a member's child or the adoption of a child by the member in accordance with Section 259 (1.1) of the *Municipal Act, 2001*.

3. Purpose

3.1 This policy provides guidance on how the Village of Merrickville-Wolford addresses a member's pregnancy or parental leave in a manner that respects a member's statutory role as an elected representative.

4. Application

4.1 In accordance with Section 270 of the *Municipal Act, 2001*, as amended, this policy applies to members of Council.

5. Policy Requirements

5.1 The Council of the Corporation of the Village of Merrickville-Wolford supports a member of Council's right to pregnancy and/or parental leave in keeping with the following principles:

1. A member is elected to represent his or her constituents.
2. A member's pregnancy and/or parental leave does not require Council approval and his or her office cannot be declared vacant as a result of the leave.

Schedule "A" to By-law 02-2019

3. A member will continue to receive communication from the Village as if the member was not on leave.
 4. A member reserves the right to participate as an active member of Council at any time during his or her leave.
 5. A member shall continue to receive all remuneration, reimbursements and benefits afforded to all members of Council.
- 5.2 Where a member of Council will be absent due to a pregnancy and/or parental leave, the member shall provide written notice to the Clerk and indicating expected start and end dates.
- 5.3 The Mayor may make temporary appointments to any committees, boards, task forces, etc. that are constituted by the Village of Merrickville-Wolford and where the member is the only member of Council on that body.
- 5.4 Notwithstanding, at any point in time during a member's pregnancy or parental leave, the member may provide written notice to the Clerk of their intent to lift any of the temporary appointments to exercise their statutory role. The member shall provide written notice to the Clerk of any changes to their return date.

6. Responsibilities

- 6.1 Members of Council and Village Staff are responsible for adhering to the parameters of this policy.

7. Compliance

- 7.1 The Integrity Commissioner may investigate complaints against members related to this policy.

8. Policy Management

- 8.1 Staff are authorized and directed to take the necessary action to give effect to this policy.
- 8.2 The Clerk or designate(s) are delegated the authority to make administrative changes to this policy that may be required from time to time due to legislative changes or if, in the opinion of the Clerk or designate(s), the amendments do not change the intent of the policy.