

**SUMMER VILLAGE OF BIRCHCLIFF
PARENTAL LEAVE FOR COUNCILLORS
BY-LAW 208-18**

WHEREAS, pursuant to section 144.1(1) of the *Municipal Government Act*, a Council must, by bylaw, having regard to the need to balance Councillor's roles as parents with their responsibilities as representatives of residents, establish whether Councillors are entitled to take leave prior to or after the birth or adoption of their child;

AND WHEREAS, pursuant to section 144.1(2) of the *Municipal Government Act*, if a bylaw under section 144.1(1) of the *Municipal Government Act* entitles Councillors to take leave, the bylaw must contain provisions respecting the length of the leave and other terms and conditions of the leave entitlement, and addressing how the municipality will continue to be represented during the periods of leave;

AND WHEREAS, Council recognized that municipal government is enhanced when a diverse range of individuals pursue positions as Councillors;

AND WHEREAS, establishing Parental Leave for Councillors reduces barriers to entry for Council candidates who may become parents during their term of office;

AND WHEREAS, the Summer Village of Birchcliff is not divided into wards and all Councillors act as Councillors for the whole Summer Village;

NOW THEREFORE, the Council of the Summer Village of Birchcliff, in the Province of Alberta, duly assembled, enacts as follows:

PART 1 – INTERPRETATION

Short Title

1. This Bylaw may be referred to as the "Parental Leave for Councillors Bylaw".

Definitions

2. In this Bylaw, words have the meanings set out in the Act, except that:
 - (a) "Chief Administrative Officer" means the Chief Administrative Officer of the Municipality, or their delegate;
 - (b) "Council" means the municipal Council of the Summer Village of Birchcliff elected pursuant to the provisions of the Act;
 - (c) "Councillor" means a member of Council who is duly elected and continues to hold office, and included the Mayor;
 - (d) "Deputy Mayor" means the Councillor appointed as deputy chief elected official pursuant to the *Municipal Government Act*;
 - (e) "Mayor" means the chief elected official of the Summer Village;
 - (f) "Parental Leave" means a period of time during which a Councillor is entitled, subject to the Councillor's Parental Leave Agreement provided otherwise, to:
 - (i) be absent from all Council and Council Committee meetings; and
 - (ii) free from any tasks and duties associated with his or her role as a Councillor;
 - (g) "Parental Leave Agreement" means a written commitment described in Section 8;
 - (h) "Summer Village" means the municipal corporation of the Summer Village of Birchcliff.

Mayor's Parental Leave

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

PART II – PARENTAL LEAVE

Parental Leave

4. Subject to this bylaw, a Councillor is entitled to take Parental Leave prior to or after the birth or adoption of their child.

Length and Period of Leave

5. (1) Parental leave taken under this bylaw shall not exceed sixteen (16) consecutive weeks.
(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 he child is born or adopted by the Councillor.

Notice of Parental Leave

6. (1) Unless exigent circumstances exist a Councillor must give the Mayor and Chief Administrative Officer at least six (6) weeks' written notice that the Councillor intends to take Parental Leave.
(2) The written notice required by subsection (1) must include:
 - (a) the start date of Parental Leave;
 - (b) the anticipated length of Parental Leave;
 - (c) the estimated date of delivery or adoption of the child, or, if the child in question has already been born or adopted at the time that written notice under subsection (1) is given, the actual date of the child's birth or adoption; and
 - (d) if, due to exigent circumstances, the Councillor was unable to provide six (6) weeks' written notice in accordance with subsection (1), the general nature of the exigent circumstances.

PART III – TERMS OF PATENTAL LEAVE

Representation of Summer Village

7. (1) During a period of Parental Leave, the Councillors not taking Parental Leave shall continue to represent the Summer Village at-large in their capacity as Councillors.
(2) If a Councillor taking Parental Leave is a Council appointed member of a committee, board of 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.

Parental Leave Agreement

8. (1) After providing written notice required by section 6, and before commencing Parental Leave, a Councillor must submit a signed Parental Leave Agreement to the Mayor and Chief Administrative Officer that, at a minimum:
 - (a) identifies the tasks and duties, if any, that the Councillor intends to continue to perform during all or part of the Parental Leave; and
 - (b) describes how tasks and duties that the Councillor does not intend to continue to perform during Parental Leave will be performed during Parental Leave, which may involve, without limiting the generality of the foregoing, certain tasks or duties being performed by the Summer Village Administration or another Councillor.

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- (2) If a Councillor's Parental Leave Agreement contemplates the Summer Village Administration performing certain tasks and duties during Parental Leave, the Parental Leave Agreement must also be signed by the Chief Administrative Officer to confirm the Summer Village Administration is able to perform the tasks and duties in question.
- (3) 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.
- (4) A Councillor may revise their Parental Leave Agreement during Parental Leave by submitting a revised Parental Leave Agreement, including signatures of another Councillor and/or the Chief Administrative Officer, if required, to the Mayor and Chief Administrative Officer.
- (5) The Chief Administrative Officer will, upon request, provide the Councillor with assistance in preparing the Councillor's Parental Leave Agreement.
- (6) A Councillor shall comply with his or her Parental Leave Agreement.

Remuneration and Benefits

9. (1) During Parental Leave, a Councillor has the same entitlement to receive or participate in any benefits program or package, made available by the Summer Village, that the Councillor would otherwise be entitled to receive or participate in.

READ a first time this 24th day of April, 2018.

READ a second time this 24th day of April, 2018.

READ a third and final time this 24th day of April, 2018.

Thom Jewell, Mayor

Phyllis Forsyth, C.A.O.