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|  | THE CORPORATION OF THE COUNTY OF LAMBTON POLICY MANUAL | | | |
| | Subject: | Council Member Pregnancy, Birth and/or Adoption of Child Leave | Section C00 | Policy #12 |
| | Effective Date: | November 01, 2017 | Approved By: County Council | |
| | Revision Date: | | | |

PURPOSE

The purpose hereof is to set out The Corporation of the County of Lambton's Council's policy concerning the absence of its elected members from County Council meetings for a period of time due to pregnancy and/or the birth and/or adoption of a child.

Lambton County Council is an open, transparent body of elected members that values the views, perspectives and contributions of each of its members. County Council specifically supports families and its members' interests in establishing and growing their families, and understands that its members may wish to take a leave from County Council meetings because of pregnancy, adoption of the member's child or parental leave without fear of having their seat potentially declared vacant pursuant to s. 259(1) of the *Municipal Act, 2001*, S.O. 2001, c. 35 while on such a leave.

DEFINITIONS

For the purposes of this Policy, the following terms have the following meaning:

"County Council" means the elected body of The Corporation of the County of Lambton.

"Member" means an elected member of County Council.

"Term" means the then current term of County Council.

POLICY

Leave of Absence:

Each Member of County Council shall be entitled to a leave of absence from the meetings of County Council on account of pregnancy and/or the birth or adoption of the Member's child, subject to the following:

- a) the Member exercising the leave shall complete **C00.12.001 Council Member Pregnancy, Birth and/or Adoption of Child Leave Form** attached hereto and submit it to the Warden and provide a copy thereof to the County Clerk;
- b) save and except in emergent circumstances which prevent the Member from doing so, the Member shall submit **C00.12.001 Council Member Pregnancy, Birth and/or Adoption of Child Leave Form** to the Warden at least eight (8) weeks prior to commencing his/her leave of absence. It is acknowledged that a Member may not be capable of submitting his/her **C00.12.001 Council Member Pregnancy, Birth and/or Adoption of Child Leave Form** eight (8) weeks - or anytime - prior to the commencement thereof in emergent circumstances. Each Member shall nonetheless endeavour to submit his/her **C00.12.001 Council Member Pregnancy, Birth and/or Adoption of Child Leave Form** as much in advance of as possible prior to or as soon as possible after commencing his/her leave of absence;
- c) for greater certainty, nothing herein shall prevent a Member from exercising his/her leave of absence for failing to submitting **C00.12.001 Council Member Pregnancy, Birth and/or Adoption of Child Leave Form** prior to the commencement of his/her leave of absence on account of emergent circumstances that are beyond the Member's reasonable control; and
- d) any single leave of absence shall be for the period requested by the Member as set out in his or her completed **C00.12.001 Council Member Pregnancy, Birth and/or Adoption of Child Leave Form** provided that the period **shall not exceed the period(s) noted in the paragraph below.**

A Member shall be entitled to no more than:

- a) twenty (20) consecutive weeks' leave in any 52-week period; and
- b) two (2) twenty (20) consecutive weeks' leave per Term.

While a Member is on leave of absence pursuant to this Policy:

- a) if agreed to by the Member in **C00.12.001 Council Member Pregnancy, Birth and/or Adoption of Child Leave Form** and save and except where an alternate member has been appointed for the Member while the Member is on leave, County Council shall continue to include the Member in all County Council and committee communications including, without limitation, notices of regular and special County Council and committee meetings, and provide copies of all agendas (open and closed) and minutes of meetings;
- b) save and except where an alternate member has been appointed for the Member while the Member is on leave, the Member may attend, in person or by any other means permitted under the Municipal Act, 2001, S. O. 2001, c. 25 any County Council and/or committee meetings and/or events, if he/she chooses, at his/her discretion, and may cast any vote on any matter before County Council and/or its committee at any meeting he or she attends; and
- c) despite paragraph 259(1)(c) Municipal Act, 2001, S. O. 2001, c. 25, County Council shall not declare the Member's seat vacant on account of the Member's absence(s) from County Council meetings while on leave pursuant to this Policy.

Expectation upon Expiry of Leave:

If a Member fails to attend, in person or by any other means permitted under the *Municipal Act, 2001*, S. O. 2001, c. 25 County Council's meeting immediately after the expiration of the Member's leave of absence, County Council may declare the Member's seat vacant on account of such absence subject to and in accordance with the provisions of the *Municipal Act, 2001*, S. O. 2001, c. 25.

Meeting Honorarium and Meeting Pay:

Save and except where an alternate member has been appointed while the Member is on leave or any part thereof, while a Member is on leave of absence pursuant to this Policy and no alternate member has been appointed for the Member:

- a) The Corporation of the County of Lambton shall continue to pay the Member's meeting honorarium for a period of no more than twenty (20) weeks per Term.
- b) should the Member attend, in person or by any other means permitted under the *Municipal Act, 2001*, S. O. 2001, c. 25 any County Council and/or committee meetings and/or events, The Corporation of the County of Lambton shall pay the Member meeting pay in accordance with Council's meeting pay policies in effect from time to time.

EFFECTIVE DATE

This policy comes into force on November 01, 2017.

POLICY REVIEW

County Council shall review this Policy once per Term.

ASSOCIATED DOCUMENTS

- C00.12.001 Council Member Pregnancy, Birth and/or Adoption of Child Leave Form

POLICY HISTORY

| REVISION | DATE | PREPARED BY |
|-----------------|-------------------|---|
| Created | November 01, 2017 | Legal Services / Clerk's Department |