

Bylaw 35-2021 Parental Leave Bylaw**Report Purpose**

To seek three readings of Bylaw 35-2021, Parental Leave Bylaw

Recommendation

THAT Bylaw 35-2021, Parental Leave Bylaw, be given first reading.

THAT Bylaw 35-2021, Parental Leave Bylaw, be given second reading.

THAT Bylaw 35-2021, Parental Leave Bylaw, be considered for third reading.

THAT Bylaw 35-2021, Parental Leave Bylaw, be given third reading.

Our Prioritized Strategic Goals

Governance Requirement

Report

Section 144.1(1) of the Municipal Government Act, RSA 2000, c. M-26 (MGA) was added in October 2017, stating:

A council of a municipality may, by bylaw, having regard to the need to balance councillors' 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.

Section 144.1(2), (a), and (b) of the MGA further provides that if a bylaw under subsection 144.1(1) 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 must address how the municipality will continue to be represented during periods of leave.

The disqualification of councillors for absence from all regular council meetings for 8 weeks MGA Section 174.1 (d) is not applicable if the absence is in accordance with a bylaw passed under Section 144.1.

Several municipalities have passed bylaws or policies that outline the opportunity, benefits, remuneration, and requirements of a parental leave.

At the April 27, 2021 Council meeting, Council received a comprehensive overview of the current bylaws of similar Canadian municipalities. Council then directed Administration to prepare a bylaw incorporating the following the following:

Parental Leave:

- Birth parent: 6-8 weeks health-related leave plus 20 weeks parental leave
- Non-birth parent: up to 26 weeks of parental leave

Remuneration:

- 100% for the health-related portion
- Remainder of the parental leave equal to the maximum EI benefit entitlement (currently 55% up to a maximum of \$595/wk)

Benefits:

- Continue with current Councillor/County portions during health-related portion; Councillor would pay both portions during parental leave.

Council and Committee History

May 10, 2021	Mayor's Executive Committee deferred presentation of the report to the June 29, 2021 Council meeting.
April 27, 2021	Council passed the following motion: THAT Administration prepare a proposed Parental Leave bylaw for Council's consideration by May 18, 2021 based upon Option 4, as set out in enclosure 3, slide 14, and with the addition of 26 weeks of parental leave available to the non-birth parent, of the April 27, 2021 report titled Parental Leave for Elected Officials Bylaw.
December 8, 2020	Council passed the following motion: THAT by the end of the April 2021, Administration provide a report outlining options for a possible parental leave bylaw for Elected Officials in accordance with section 144.1 of the Municipal Government Act (MGA).

Other Impacts**Policy:** n/a

Legislative/Legal: Section 144.1(1) of the Municipal Government Act, RSA 2000, c. M-26 (MGA) provides that "A council of a municipality may, by bylaw, having regard to the need to balance councillors' 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." Section 144.1(2), (a), and (b) of the MGA states: If a bylaw under subsection 144.1(1) 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 periods of leave. Finally, it should be noted that the disqualification of councillors for absence from all regular council meetings for 8 weeks MGA Section 174.1 (d) is not applicable if the absence is in accordance with a bylaw under Section 144.1.

Interdepartmental: Human Resources**Master Plan/Framework:** n/a**Communication Plan**

Once the bylaw is passed, it will be accessible through the County's public website, included in the Candidate E-newsletter, and will be featured on the Elections page at:

<https://www.strathcona.ca/council-county/mayor-council/election/candidate-information/>

Enclosure

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