

BYLAW 2645/G/21

BEING A BYLAW OF THE TOWN OF STONY PLAIN IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF ESTABLISHING PARENTAL LEAVE FOR ELECTED OFFICIALS

WHEREAS, pursuant to section 144.1(1) of the *Municipal Government Act*, RSA 2000, c. M-26 and amendments thereto, a council 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.

AND WHEREAS, section 144.1(2) of the *Municipal Government Act* states that a bylaw established under section 144.1(1) must contain provisions respecting the length of the leave, other terms and conditions of the leave entitlement, and how the municipality will continue to be represented during a period of leave;

AND WHEREAS, Council recognizes 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 Councillor candidates who may become parents during their term of office;

AND WHEREAS, the Town is not divided into wards and all Councillors act as Councillors for the whole Town;

AND WHEREAS, the Council of the Town of Stony Plain deems it appropriate to establish a bylaw to prescribe maternity and parental leave for elected officials;

NOW THEREFORE the Council of the Town of Stony Plain, in the Province of Alberta, duly assembled, hereby enacts as follows:

1.0.0 Title

1.1.0 This bylaw may be cited as the "Parental Leave for Elected Officials Bylaw".

2.0.0 Definitions

2.1.0 "Act" means the *Municipal Government Act*, RSA 2000, c. M-26, any regulations thereunder, and any amendments or successor legislation thereto;

2.2.0 "CAO" means the Chief Administrative Officer as defined in the Act;

2.3.0 "Council" means the municipal council of the Town of Stony Plain;

2.4.0 "Councillor" means a member of Council who is duly elected and continues to hold office and includes the Mayor;

2.5.0 "Deputy Mayor" means the Deputy Chief Elected Official appointed by Council, to perform all the duties of Mayor in the absence or incapacity of the Mayor;

2.6.0 "Mayor" means the Chief Elected Official as defined in the Act;

2.7.0 "Parental Leave" means a period of time during which a Councillor is entitled to absent from all Council and Council Committee meetings, and any other duties assigned to the Councillor by Council; and

2.8.0 "Remuneration" means salaries, indemnities, honorariums, and allowances paid to a Councillor.

3.0.0 General

Parental Leave

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

Mayoral Parental Leave

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

Length and Period of Leave

- 3.3.0 Parental Leave permitted by this bylaw shall not exceed twenty-six (26) consecutive weeks.
- 3.4.0 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 the child is born or adopted by the Councillor.

Notice of Parental Leave

- 3.5.0 Unless urgent circumstances exist, a Councillor must give the Mayor and CAO at least six (6) weeks' written notice that the Councillor intends to take Parental Leave.
- 3.6.0 Written notice required by section 3.7.0 must include:
- a) the start date of the Parental Leave;
 - b) the anticipated length of Parental Leave, including a date of return;
 - c) the estimated date of delivery or adoption of the child, or, if the child has already been born or adopted at the time that the written notice under Section 3.7.0 is given, the actual date of the child's birth or adoption; and
 - d) if the Councillor was unable to provide six (6) weeks' written notice, the general nature of the urgent circumstances.

Representation

- 3.7.0 During the period a Councillor is away on Parental Leave, the remaining Councillors shall continue to represent the Town at-large in their role of elected officials.
- a) If the Councillor taking Parental Leave is the Mayor, the Deputy Mayor shall assume the role of Mayor during the time of the absence.
 - b) If the Councillor taking Parental Leave is the Deputy Mayor, an alternate Councillor shall be appointed as Deputy Mayor during the time of the absence.
- 3.8.0 When a Councillor taking a Parental Leave has been appointed to represent other bodies, Council shall ensure that an alternate Councillor is appointed to that body during the Councillor's Parental Leave.
- a) Should an alternate Councillor be appointed to represent a body during a Councillor's Parental Leave where honorariums are provided, the alternate Councillor shall be entitled to receive such honorarium during the time they are appointed to that body.

Terms of Parental Leave

- 3.9.0 After providing written notice as required by section 3.7.0, and before commencing Parental Leave, a Councillor must submit a signed Parental Leave Agreement to the Mayor and the CAO that:
- 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) describe how tasks and duties that the Councillor does not intend to continue to perform during Parental Leave will be performed during the Parental Leave, which may involve, without limiting the generality of the foregoing, tasks or duties performed by Town administration or another Councillor
- 3.10.0 If a Councillor's Parental Leave Agreement contemplates Town administration performing certain tasks and duties during Parental Leave, the Parental Leave Agreement must also be signed by the CAO to confirm that Town administration is able to perform the tasks and duties in question.

- 3.11.0 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.
- 3.12.0 A Councillor may revise their Parental Leave Agreement during Parental Leave by submitting a revised Parental Leave Agreement, including signatures of another Councillor or the CAO, if required, to the Mayor and CAO.
- 3.13.0 The CAO will, upon request, provide the Councillor with assistance in preparing the Councillor's Parental Leave Agreement.
- 3.14.0 A Councillor shall comply with their Parental Leave Agreement.

Remuneration

- 3.15.0 During Parental Leave, a Councillor shall receive fifty-five (55%) percent of the compensation the Councillor would have otherwise received for the term described in section 3.4.0
- 3.16.0 During Parental Leave, a Councillor may choose to participate in the Town benefits program with the Town contributing 55% and the Councillor contributing the remaining 45% of the total cost of the benefits program.

4.0.0 Review

- 4.1.0 This bylaw shall be reviewed within its fourth year, being 2025, or as deemed necessary.


5.0.0 Severability

- 5.1.0 If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed, and the remainder of the bylaw is deemed valid.


6.0.0 Effective Date

- 6.1.0 This bylaw shall take full force and effect on the date it is passed.

Read a first time this 26th day of April, AD 2021.



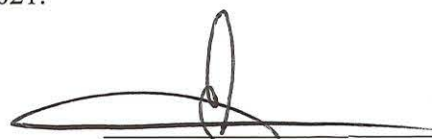
Mayor William Choy



Jen Boleski, CPA, CA
General Manager, Corporate Services

Read a second time this 25th day of May, AD 2021.

Read a third time this 25th day of May, AD 2021.



Mayor William Choy



Jen Boleski, CPA, CA
General Manager, Corporate Services