

## BYLAW 02-25

### A BYLAW OF THE TOWN OF OKOTOKS IN THE PROVINCE OF ALBERTA TO PROVIDE PARENTAL LEAVE FOR COUNCIL MEMBERS

**WHEREAS** the *Municipal Government Act (MGA)*, RSA 2000, c. M-26 and amendments thereto, provides for the need to balance a Council Member's role as a parent with their responsibilities as an elected official; and

**WHEREAS** Council of the Town of Okotoks (Town) supports the ability of a Council Member to take leave prior to or after the birth or adoption of their child.

**NOW THEREFORE** Council of the Town enacts as follows:

#### 1. SHORT TITLE

1.1. This Bylaw may be known as the "Council Parental Leave Bylaw".

#### 2. DEFINITIONS

2.1. Except as otherwise provided for in this Bylaw, the terms used in the *MGA*, where used or referred to in this Bylaw, shall have the same meaning as defined or provided in the *MGA*.

2.2. In this Bylaw, unless the context otherwise requires, the following means:

2.2.1. **Chief Administrative Officer (CAO)** - the person appointed to the position of Chief Administrative Officer for the Town within the meaning of the *MGA* and the Town's CAO Bylaw.

2.2.2. **Council Member** - the Mayor or Councillors of the Town duly elected pursuant to the *Local Authorities Election Act*.

2.2.3. **Deputy Mayor** - the Councillor appointed by Council to approve parental leaves in the Mayor's place during their absence, ineligibility, or incapacity, as per the current Deputy Mayor Rotation schedule.

2.2.4. **Mayor** - the Councillor duly elected as the Town's chief elected official and continuing to hold office.

2.2.5. **Parental Leave** - a period during which a Council Member may be absent from all Council, Council Committee meetings, and any other duties assigned to the Council Member by Council.

2.2.6. **Remuneration** - includes salaries, indemnities, benefits, and allowances paid to a Council Member.

### **3. PARENTAL LEAVE**

- 3.1. Subject to this Bylaw, a Council Member may take a parental leave prior to or after the birth or adoption of their child upon completion of 90 days of calendar service as an elected official.
- 3.2. Parental leave permitted by this Bylaw:
  - 3.2.1. may not exceed 26 consecutive weeks; and
  - 3.2.2. must be taken all at once.
- 3.3. Unless exigent circumstances exist, a Council Member must provide six (6) weeks' written notice to the Mayor and CAO that the Council Member intends to take parental leave.
- 3.4. In the event the Mayor intends to take parental leave, written notice must be provided to the Deputy Mayor and CAO with the same provisions as referenced in subsection 3.3.
- 3.5. The written notice required by subsection 3.3 must include:
  - 3.5.1. the start date and anticipated end date of the parental leave;
  - 3.5.2. the anticipated length of the parental leave; and
  - 3.5.3. 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 is given, the actual date of the child's birth or adoption.
- 3.6. If the Council Member is unable to provide six (6) weeks' written notice as required in subsection 3.3, the general nature of the exigent circumstances preventing that notice period must be provided in addition to the requirements in subsection 3.5.
- 3.7. In the event the Council member intends to return early from parental leave, written notice must be provided two (2) weeks; prior to their return date to the Mayor, or Deputy Mayor and CAO.

### **4. TERMS OF LEAVE**

- 4.1. After providing written notice as required by subsection 3.3, and before commencing parental leave, a Council Member must submit a signed written agreement to the Mayor or Deputy Mayor and CAO that includes:
  - 4.1.1. the processes that will be implemented to provide representation for residents during parental leave, which may include another Council Member providing coverage or any other process that the Council Member taking leave determines appropriate;
  - 4.1.2. the duties that the Council Member intends to continue to perform, if any, during all or part of the parental leave; and

- 4.1.3. any workplace accommodations requested by the Council Member to balance their role as a parent with their responsibilities as a Councillor during or following parental leave.
- 4.2. If the Council Member's written agreement includes another Council Member providing coverage during parental leave, the written agreement must also be signed by the Council Member providing coverage to confirm that Council Member's acceptance of responsibilities on behalf of the Council Member taking parental leave.
- 4.3. If the Council Member's written agreement includes workplace accommodations, the written commitment must also be signed by the CAO to confirm the CAO is able to provide such accommodations.
- 4.4. A Council Member on parental leave will not be disqualified from Council for being absent from Council meetings during their parental leave.
- 4.5. At any time after a written agreement is signed off by the relevant parties and given to the Mayor or Deputy Mayor and CAO until the end of the parental leave, any person may request to view the written agreement during regular business hours.

## **5. REMUNERATION**

- 5.1. A Council Member on parental leave will receive the equivalent of the maximum weekly payment amount as set by the federal Employment Insurance benefits for a standard parental leave, regardless of the Council Member's annual salary.
- 5.2. During a parental leave, a Council Member has the same entitlement to receive or participate in any benefits program and package made available by the Town, that the Council Member is participating in at the time of the leave request, at the same rates or portion of premiums as a Council Member not on parental leave.

## **6. SEVERABILITY**

- 6.1 It is the intention of Council that each separate provision of this Bylaw shall be deemed independent of all other provisions herein, and it is the further intention of Council that if any provision of this Bylaw is declared invalid, all other provisions hereof shall remain valid and enforceable.

This Bylaw shall come into full force and effect upon third and final reading.

READ A FIRST TIME this 27<sup>th</sup> day of January 2025.

READ A SECOND TIME this 27<sup>th</sup> day of January 2025.

READ A THIRD TIME AND PASSED this 27<sup>th</sup> day of January 2025.

--ORIGINAL SIGNED--

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Mayor

--ORIGINAL SIGNED--

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Chief Administrative Officer