



CITY OF FORT SASKATCHEWAN

A BYLAW OF THE CITY OF FORT SASKATCHEWAN, IN THE PROVINCE OF ALBERTA, TO PERMIT MEMBERS OF COUNCIL TO TAKE A LEAVE PRIOR TO OR AFTER THE BIRTH OR ADOPTION OF THEIR CHILD

BYLAW C3-21

The Council of the City of Fort Saskatchewan in the Province of Alberta, duly assembled, enacts the following:

1. SHORT TITLE

This Bylaw may be referred to as the "Elected Officials Parental Leave Bylaw".

2. DEFINITIONS

For the purposes of this Bylaw:

- 2.1 "Administration" means the administrative and operational arm of the City, comprised of the various departments and business units and including all employees who operate under the leadership and supervision of the City Manager;
- 2.2 "City" means the municipal corporation of the City of Fort Saskatchewan;
- 2.3 "City Manager" means the City's Chief Administrative Officer or designate;
- 2.4 "Council" means the Members who comprise the municipal Council for the City, and includes the Mayor and Councillors, individually and as a whole;
- 2.5 "Deputy Mayor" means the Councillor appointed by Council in the role of Deputy Mayor for a 4 month period, twice in their 4 year term of office;
- 2.6 "Member" means the elected officials who are Members of Council, elected in the positions of Councillor or Mayor;
- 2.7 "MGA" means the *Municipal Government Act*, RSA 2000, c.M-26., as amended from time to time;
- 2.8 "Parental Leave" means an extended absence, subject to this Bylaw, the Member's Parental Leave Agreement, and the MGA;
- 2.9 "Parental Leave Agreement" means a written commitment between the Member and City acknowledging their commitment of the terms of a Parental Leave.

3. MAYOR'S PARENTAL LEAVE

- 3.1 If the Mayor wishes to take a Parental Leave, any references in this Bylaw to the Mayor, shall also refer to the Deputy Mayor.

4. PARENTAL LEAVE

- 4.1 A Member shall be eligible to take Parental Leave in accordance with the provisions of this Bylaw.
- 4.2 Subject to this Bylaw, a Member or Member's spouse or partner who has:
- a. given birth; or
 - b. adopted a child,
- may take a Parental Leave for a period of up to 16 weeks prior to or after the birth or adoption of their child.
- 4.3 A Member who is intends to take a Parental Leave, may:
- a. be absent from all Council meetings, Committee of the Whole meetings, and any other meetings or related activities of bodies to which they are appointed; and
 - b. be free from any tasks and duties associated with the Member's role, pursuant to the MGA, any other legislative requirements, or by Council.

5. ABSENCE

- 5.1 A Member who takes Parental Leave pursuant to this Bylaw shall not exceed 16 consecutive weeks.
- 5.2 Parental Leave may commence prior to or after the birth or adoption of the Member's child, but shall commence no earlier than 12 weeks prior to the estimated date of delivery or adoption of the child, and no later than 12 weeks after the day that the child is born or adopted by the Member.
- 5.3 In accordance with Section 174(2)(b) of the MGA, a Member who is on Parental Leave pursuant to this Bylaw, shall not be disqualified from Council by being absent from Council meetings during the Parental Leave.

6. NOTICE OF PARENTAL LEAVE

- 6.1 Unless circumstances do not permit, a Member shall endeavour to provide at least 6 weeks' written notice to the City Manager, who shall then advise Council, that the Member intends to take Parental Leave.
- 6.2 The written notice shall include:
- a. the start date of the Parental Leave;
 - b. the anticipated length of the Parental Leave;

- 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 written notice is given, the actual date of the child's birth or adoption; and
- d. if the Member was unable to provide 6 weeks' written notice, the Member shall provide the general nature of the circumstances why 6 weeks' notice was not given.

7. REPRESENTATION

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

8. PARENTAL LEAVE AGREEMENT

- 8.1 After providing written notice required in Section 6 and before commencing the Parental Leave, a Member shall submit a signed Parental Leave Agreement to the City Manager, who shall then advise Council, which includes:
 - a. the tasks and duties, if any, that the Member intends to continue to perform during all or part of the Parental Leave; and
 - b. how the tasks and duties the Member does not intend to perform during the Parental Leave, will be performed. This may include another Member providing coverage, representation, or any other required process deemed appropriate.
- 8.2 If the Member's Parental Leave Agreement includes another Member providing coverage during a Parental Leave, the Member providing coverage, acknowledging their acceptance of the additional responsibilities on behalf of the Member taking the Parental Leave, shall also sign the Parental Leave Agreement.
- 8.3 If a Member's Parental Leave Agreement proposes that City Administration performs certain tasks and duties during the Parental Leave, the City Manager,

acknowledging acceptance of the additional responsibilities for the tasks and duties in question, shall also sign the Parental Leave Agreement.

- 8.4 A Member may revise their Parental Leave Agreement during the Parental Leave, by submitting a revised Parental Leave Agreement, including the signatures of other Members providing coverage and/or the City Manager, if required, to the City Manager, who shall advise Council.
- 8.5 Upon request, the City Manager shall provide the Member with assistance in preparing the Councillor's Parental Leave Agreement.
- 8.6 At any time after submission of a Parental Leave Agreement until the end of a Parental Leave, the Parental Leave Agreement may be publicly available for viewing upon request, during regular business hours and in the presence of the City Manager.

9. BENEFITS

- 9.1 During a Parental Leave, a Member shall receive 55% of the base monthly honorarium they would have otherwise received.
 - a. A Member who is taking Parental Leave may choose to participate in Council activities or other matters during that time, without receiving an additional honorarium beyond the 55% stated in Section 9.1.
 - b. A Member who is taking Parental Leave may choose to attend activities of a Body to which they have been appointed. However, honorariums or per diems shall not be available to the Member taking Parental Leave if an alternate Member has been appointed to represent that body during the period of Parental Leave.
- 9.2 During a Parental Leave, a Member has the same entitlement to receive or participate in any benefits program or package, made available by the City, that the Member would otherwise be entitled to receive or participate in.

10. GENERAL

- 10.1 The City Manager may delegate any power, duty or function pursuant to this Bylaw.
- 10.2 References to provisions of statute, rules or regulations shall be deemed to include references to such provisions as amended, modified, or re-enacted from time to time.
- 10.3 All references in this Bylaw shall be read with such changes in number and gender as may be appropriate, and references shall be read as a corporation or partnership, and pronouns shall be deemed not to be gender specific.
- 10.4 Nothing in this Bylaw relieves any person from compliance with any other bylaw, enactment, or applicable federal or provincial legislation.

- 10.5 If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, the invalid portion shall be severed and the remainder of the Bylaw is deemed valid.

11. **EFFECTIVE DATE**

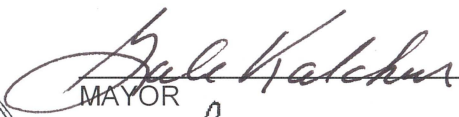
- 11.1 This Bylaw shall come into force and effect upon third reading and is duly signed.

READ a first time this 23rd day of February 2021.

READ a second time this 23rd day of February 2021.

READ a third time and passed this 23rd day of February 2021.




MAYOR


DIRECTOR, LEGISLATIVE SERVICES

Date Signed: February 23, 2021