

POL-XX - PREGNANCY / PARENTAL LEAVE FOR COUNCIL MEMBERS POLICY

Policy #	POL-XX
Effective Date	October 7, 2025.
Status	Draft.
Final Approver	Council.

1. Interpretation

1.1 In this policy, unless the context requires otherwise:

"City" means The Corporation of the City of Kingston;

"clerk" means the person appointed by the *City* as clerk and includes the *clerk's* designate;

"CMT member" means a member of the *City's* corporate management team and includes the person appointed chief administrative officer by the *City*, the person appointed treasurer by the *City*, and a commissioner responsible for the leadership and operation of a portfolio of *City* departments;

"committee" means any advisory or other committee, subcommittee or similar entity of *Council* or of a *local board*;

"Council" means the council of the *City*;

"council member" means a person elected to office on the *Council*, including the mayor;

"local board" means a municipal service board, transportation commission, public library board, board of health, police service board, planning board, or any other board, commission, committee, body or local authority established or exercising any power under any Act with respect to the affairs or purposes of the *City*, excluding a school board and a conservation authority;

"meeting" means any regular, special or other meeting of *Council*, of a *local board* or of a *committee* of either of them, where,

(a) a quorum of members is present; and

- (b) members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of *Council*, the *local board* or *committee*;

"Municipal Act, 2001" means the *Municipal Act, 2001*, S.O. 2001, c. 25; and

"pregnancy/parental leave" means a leave of absence with pay by a *council member* who is absent from *meetings* of *Council* as a result of the *council member's* pregnancy, the birth of the *council member's* child or the adoption of a child by the *council member*.

- 1.2 In this policy, "include", "includes" and "including" indicate that the subsequent list is not exhaustive.
- 1.3 A reference to any legislation, regulation, by-law, rule, policy or provision thereof includes a reference to any legislation, regulation, by-law, rule or provision thereof enacted in substitution thereof or amendment thereof.
- 1.4 A reference to legislation includes all of the regulations made thereunder.

2. Purpose

2.1 The purpose of this policy is to:

- (a) recognize that a *council member* is entitled to take *pregnancy/parental leave*;
- (b) recognize that, in accordance with subsection 259 (1.1) of the *Municipal Act, 2001*, the office of a *council member* does not become vacant if the *council member* is absent for 20 consecutive weeks or less and the absence is a result of the *council member's* pregnancy, the birth of the *council member's* child or the adoption of a child by the *council member*; and
- (c) set out clear and transparent expectations of how a *council member* will determine the beginning and end of *pregnancy/parental leave* and give notice to the *City* that they expect to take a *pregnancy/parental leave*;

all in a manner that respects a *council member's* statutory role as an elected office holder and that is consistent with the *Municipal Act, 2001*.

3. Specifics

- 3.1 A *council member* is entitled to take *pregnancy/parental leave*.
- 3.2 During *pregnancy/parental leave*, a *council member* may be absent from *meetings*.
- 3.3 The *City* expects that:

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- (a) if a *council member* expects to take *pregnancy/parental leave* that is, in whole or in part, a result of the *council member's* pregnancy, the *council member* will begin their *pregnancy/parental leave* no earlier than the day that is 17 weeks before their due date;
- (b) a *council member* will begin their *pregnancy/parental leave* no later than 78 weeks after the day the child is born, is adopted or otherwise comes into the *council member's* custody, care and control for the first time;
- (c) a *council member* expecting to take *pregnancy/parental leave* will make reasonable efforts to:
 - (i) give the *clerk* written notice at least eight weeks before the day the *pregnancy/parental leave* is to begin;
 - (ii) if the *council member* has already given written notice but now expects to begin *pregnancy/parental leave* on an earlier day than was set out in the written notice, give the *clerk* a new written notice at least two weeks before that earlier day;
 - (iii) if the *council member* has already given written notice but now expects to begin *pregnancy/parental leave* on a later day than was set out in the written notice, give the *clerk* a new written notice at least two weeks before the day set out in the original notice;
 - (iv) if the *council member* has already given written notice but now expects to end *pregnancy/parental leave* on an earlier day than was set out in the written notice, give the *clerk* a new written notice at least two weeks before the day set out in the original notice;
 - (v) if the *council member* has already given written notice but now expects to end *pregnancy/parental leave* on a later day than was set out in the written notice, give the *clerk* a new written notice at least two weeks before the day set out in the original notice;
- (d) a *council member* who gives a written notice under clause (c) will include the following in the written notice:
 - (i) the day the *council member* expects their *pregnancy/parental leave* to end;
 - (ii) whether the *pregnancy/parental leave* is the result of the *council member's* pregnancy, the birth of the *council member's* child, the adoption of a child by the *council member*, or some combination thereof;

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- (iii) whether the *council member* does not wish to receive the notices and other communications from the *clerk* that the *council member* would ordinarily receive during the *pregnancy/parental leave*;
- (e) if the *council member* expects to attend a *meeting* during their *pregnancy/parental leave*, the *council member* will make reasonable efforts to give the *clerk* written notice at least 48 hours before such *meeting*;
- (f) if the *council member* on *pregnancy/parental leave* is not available to respond to emails from others within the *City*, the *council member* will use automatic replies on their email client software system to let others within the *City* know that the *council member* is not available to respond to emails; and
- (g) the *council member* on *pregnancy/parental leave* will perform their political functions, including representing and interacting with their constituents, in their sole discretion.

3.4 For clarity:

- (a) the *City* recognizes that, despite a *council member* making reasonable efforts, a *council member* may not be able to give the *clerk* written notice in accordance with clause 3.3 (c) in the event of unexpected circumstances, including complications during a pregnancy, a child born before its due date or the adoption of a child;
- (b) the *City* will continue to pay remuneration and expenses to a *council member* on *pregnancy/parental leave* in respect of their services as a *council member* in accordance with *City of Kingston By-Law Number 2022-48*; and
- (c) notwithstanding anything in this policy, if a *council member's* absence from *meetings* of *Council* is not, in fact, as a result of the *council member's* pregnancy, the birth of the *council member's* child or the adoption of a child by the *council member*, then the office of the *council member* may become vacant in accordance with the *Municipal Act, 2001*.

4. Administration

4.1 The *clerk* must take reasonable steps within their authority to:

- (a) give written notice to *council members* and *CMT members* if the *clerk* receives written notice that a *council member* expects to take *pregnancy/parental leave*, including any of the information prescribed in clause 3.3 (d) received by the *clerk*; and

(b) direct compliance with this policy.

5. Approval Authority

Role	Position	Date Approved
Quality Review	Clerk	July 24, 2025
Subject Matter Expert	Clerk	July 24, 2025
Legal Review	Senior Legal Counsel	July 24, 2025
Management Review	Clerk.	January 23, 2019
Final Approval	Council	February 19, 2019

6. Revision History

Effective Date	Revision	Description of Change