

TO: Mayors/Wardens, Councillors, All Units

CC: Chief Administrative Officers/Clerk-Treasurers, All Units

FR: Betty MacDonald, Executive Director

RE: INVITATION TO PARENTAL ACCOMMODATIONS COMMITTEE SESSION

In December 2017, the PAC (Parental Accommodations Committee) was established. Committee members include representatives from the Union of Nova Scotia Municipalities (UNSM), the Association of Municipal Administrators Nova Scotia (AMANS) and the Department of Municipal Affairs (DMA) and the Nova Scotia Advisory Council on the Status of Women.

The Committee's work is to develop a model policy and/or recommend legislative changes with respect to parental accommodations for municipal elected officials by January 31, 2018.

A working committee was struck and includes:

- Chair of the Committee, Emily Lutz, Deputy Mayor, Municipality of the County of Kings
- Timothy Habinski, Warden, Municipality of the County of Annapolis
- Don Holmesdale, Chair, Kingston Village Commission
- Vicki Brooke, Policy Analyst, Municipality of the County of Kings
- Julie Gibson, Policy and Business Initiatives Coordinator with Human Resources, HRM
- Stephanie MacInnis-Langley, Executive Director, Nova Scotia Advisory Council on the Status of Women
- Shannon Bennett, Director of Advisory Services, Municipal Affairs
- Nancy Bray, Acting Municipal Advisor (Senior Policy Analyst), Municipal Affairs

The Executive Director of AMANS and the Executive Director of UNSM both serve as non-voting ex-officio members. One staff representative from the Department of Education and Early Childhood Development, Alison MacDonald, Policy Analyst, also sits ex-officio.

The Committee met to identify the challenges, and is exploring policies and/or possible legislation changes that may be required to better support individuals who want to serve their community as an elected official and who may also want to have a family. The Committee seeks to balance the needs of citizens for continuous democratic representation and support; provide consistency and certainty for elected officials regarding parental provisions and consider the administrative and financial impacts of parental provisions on municipalities as a corporate body. The Committee's draft recommendations are in the attached document.

The Committee would like your feedback on suggestions and possible recommendations. Two webinars will be held in January:

January 8, 12:00 – 1:00 pm

January 11, 6:30 – 7:30 pm

If you wish to RVSP for the webinar, please send an email to Nancy Bray at nancy.bray@novascotia.ca, Acting Municipal Advisor, Department of Municipal Affairs by Thursday, January 4th.

In addition to the webinar, you can also provide written comments to Municipal Affairs for consideration by the Committee. Emails can be forwarded until January 17th at 5:00pm to Nancy Bray at the above address.



Phone: (902) 423-8331

Fax: (902) 425-5592

www.unsm.ca

PLEASE NOTE: If you do not want to receive communications from UNSM, please e-mail Tracy Verbeke at tverbeke@unsm.ca, and you will be removed from the mailing list.

PAC – Parental Accommodations Committee
Consultation Document
December 19, 2017

Background

Parental leave for municipal politicians in Nova Scotia has been a recent topic of discussion in the media and within stakeholder groups. Elected officials are office-holders; therefore, they are not employees and do not qualify for parental leave.

Current Situation in Nova Scotia

Elected officials are office-holders; therefore, they are not considered to be employees and do not qualify for the standard parental leave available to all employees under the Provincial Labour Standards.

Currently in Nova Scotia there is no specific legislation requiring municipalities to offer parental leave to elected officials, either paid or unpaid. However, there is also no legislation that prevents it either. Councils in Nova Scotia can currently grant parental leave to elected officials with a “leave of council”, granted via a motion.

As per section 17(4) of the Municipal Government Act (MGA), 14(4) of the Halifax Regional Municipality Charter and 18(6) of the Municipal Elections Act (MEA): A mayor or councillor who, without leave of the council, is absent from three consecutive regular meetings of the council, ceases to be qualified to serve as mayor or as a councillor.

Issue Identification

The committee’s work was focused on answering the question; how can councils support new parents? Two key issues surrounding this question were identified as:

1. Currently a municipal councilor in Nova Scotia must formally ask council to grant pregnancy or parental leave via a motion of Council. It is at the discretion of council and therefore, there is a possibility that it could be denied for various reasons. It also means the request can be debated.
2. Lack of guaranteed parental leave may discourage persons who have young children or are considering conceiving or adopting a child, from pursuing elected office in Nova Scotia.

An important consideration is that citizens require their elected representatives to provide continuous representation to them on Council.

Recommendations

1. Amend legislation to require each municipality and villages to adopt by resolution of Council, a parental leave policy. A parental leave policy must include the following elements:

- Permit a mayor, warden, councilor or village commissioner who has become a parent, to the minimum number of weeks leave granted to employees under the Nova Scotia Labour Code Standards, which is currently 17 weeks;
 - The minimum number of weeks of parental leave must be accompanied by full compensation they would otherwise receive;
 - An elected official on parental leave must be permitted to return to any boards, commissions or committees served on prior to their parental leave, with exception of boards, commissions and committees that have held nominating meetings during that time. For example, if an annual general meeting is held while an individual is on parental leave to nominate new board members, and the individual is not nominated they would not be returning to their previously held position;
 - Parental leave policies must include a plan for interim representation; which is a plan to address how will the municipality will continue to ensure constituents are represented during an elected official's parental leave;
 - Parental leave policies must comply with regulations.
2. In addition to the legislation amendment, the Parental Accommodations Committee develop a model Parental Leave Policy for Elected Officials that municipalities can use as a guide when developing their own policies.