

## Leaves of Absence for Public Members of Boards, Commissions and Committees

### RECOMMENDATIONS:

That the Executive Committee recommend that Council:

1. Approve in principle the proposed framework in this report for amendments to Council policy with respect to leaves of absence for Public Members appointed to Boards, Commissions and Committees ("BCCs");
2. Direct Administration to engage with BCC Chairs on the proposed framework; and,
3. Direct Administration to bring proposed Council policy amendments to the 2022 Organizational Meeting of Council.

### RECOMMENDATION OF THE EXECUTIVE COMMITTEE, 2022 JUNE 29:

That Council:

1. **With the exception of leaves for 'other' reasons (such as professional or educational leaves)**, approve in principle the proposed framework in this report for amendments to Council policy with respect to leaves of absence for Public Members appointed to Boards, Commissions and Committees ("BCCs"),
2. Direct Administration to engage with BCC Chairs on the proposed framework; and
3. Direct Administration to bring the proposed Council policy amendments to the 2022 Organizational Meeting of Council.

## HIGHLIGHTS

- This report proposes a framework for Administration to develop Council policy amendments to enable leaves of absence for Public Members appointed to Council-established BCCs.
- The proposed framework provides parameters for short-term and long-term leaves of absence from a Public Member's term of service on a BCC.
- What does this mean to Calgarians? The proposed framework provides greater flexibility to Public Members appointed to serve on a BCC so that they can temporarily leave their appointed position due to personal circumstances, while safeguarding their ability to return and continue to offer their expertise, commitment, and contributions.
- Changes proposed in the framework of this report have strategic alignment with Council's Guiding Principle of Strengthening Relationships with Calgarians by promoting "...meaningful opportunities for Calgarians to participate in their government."
- Background and previous Council direction are included as Attachment 1.

## DISCUSSION

On 2022 March 08, Council directed Administration to:

...provide recommendations regarding a Council policy to address leaves of absence for Public Members of BCCs, with consideration given to the categories of Job-Protected Leaves in the Alberta *Employment Standards Code*, and report back to Council through the Executive Committee no later than the end Q2 2022.

## Consideration of Alberta *Employment Standards Code*

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The Alberta *Employment Standards Code* provides eligible employees with entitlements to various job-protected leaves of absence of varying durations. These job-protected leaves are intended to allow employees to take unpaid time off work for life circumstances such as maternity/parental leave, illness, and bereavement without having to face the risk of losing their jobs. While Public Members appointed to BCCs are not considered employees and would therefore not be eligible for the various leaves of absences provided under the Alberta *Employment Standards Code*, they contribute invaluable expertise, time and community perspectives to the broad mandates of Council-established BCCs. Amendments to Council policy to ensure respect and support for the continuity of their service in the face of a variety of life events would improve the governance of BCCs by accommodating the needs of those from a diversity of backgrounds and circumstances. Consideration has therefore been given to how various job-protected leave types could be incorporated into Council policy, considering the broad variety of BCC mandates, the BCC governance process, and the context of the fixed terms of BCC appointments.

Some of the types of leaves outlined in the Alberta *Employment Standards Code* can already be accommodated through the Council policy on *Code of Conduct for Citizen Members Appointed to Council-established Boards, Commissions and Committees* ("*Code of Conduct*"). The *Code of Conduct* requires a Public Member to attend all meetings, except those where approval for absence is granted by the BCC, including those required when a Public Member seeks elected office with City Council, a school board or district, or with the provincial or federal government. Leaves of absence for reasons such as bereavement, personal and family responsibilities, and domestic violence can be readily accommodated within existing Council policy. Longer terms of leave, such as may be required for illness or injury of a Public Member or their family member, or maternity and parental leave, are not included in existing Council policy.

### **Proposed Framework for Amendments to Council policy**

The proposed framework for amendments to Council policy would establish and define new short-term and long-term leaves of absence.

#### Short-Term Leaves of Absence

A short-term leave of absence would be a pause in a Public Member's service with a BCC for up to 16 weeks. Eligibility for leave would be initiated with appropriate notification to BCC Chairs, subject to any applicable requirements in the *Code of Conduct*. Time away from service on short-term leave would count towards a Public Member's maximum consecutive term limit of six years on a City BCC; however, Council may in any case exercise its discretion to approve re-appointment of Public Members whose re-appointment would result in service exceeding the term limit with a two-thirds vote, pursuant to section 5.10.3 of Council policy on *Governance and Appointments of Boards, Commissions and Committees* (CP2016-03).

Public Members who participate in short-term leave would have the same opportunities and obligations as other Public Members seeking re-appointment.

#### Long-Term Leaves of Absence

### **Leaves of Absence for Public Members of Boards, Commissions and Committees**

A long-term leave of absence would be a pause in a Public Member's service with a BCC for a period from 16 to 52 weeks, for leave to address the following circumstances:

- Illness or injury of the member or their family member – eligibility for such leave would be established in Council policy
- Maternity and/or Parental leave – eligibility for such leave would be established in Council policy
- Other leave – may include leave for a variety of reasons such as temporary educational or professional engagements. Eligibility would be granted at the discretion of BCC Chairs.

Long-term leaves of absence would be initiated by Public Members by submitting a written declaration to the BCC Chair and the City Clerk's Office at the earliest opportunity. Time away from service on a long-term leave would not count towards a Public Member's maximum consecutive term limit of six years on a City BCC. BCC Chairs would have discretion to recommend that Council make temporary appointments to backfill Public Members on long-term leaves of absence, the terms of which would expire at the end of the term of appointment being backfilled, or the end of the leave, whichever came first.

For long-term leaves of absence which end prior to the term of appointment, Public Members would resume their service, and would be invited to apply for re-appointment by the City Clerk's Office during the next applicable recruitment cycle. When circumstances necessitating long-term leaves of absence exceed the term of appointment, Public Members would be invited to apply for re-appointment by the City Clerk's Office for the next possible recruitment cycle.

The framework would include a proposed Council policy statement on Council's commitment to re-appoint members who missed out on opportunities to continue service on a BCC due to a long-term leave, whenever possible.

#### **Monitoring and Refinement**

Following adoption of Council policy amendments to implement short-term and long-term leaves of absence, the City Clerk's Office would monitor and assess whether the needs of Public Members are being met, and the impacts on BCC operations. Needs for further refinement of Council policy provisions around leaves of absence would be brought forward if and as necessary.

#### **STAKEHOLDER ENGAGEMENT AND COMMUNICATION (EXTERNAL)**

- Public Engagement was undertaken
- Public Communication or Engagement was not required
- Public/Stakeholders were informed
- Stakeholder dialogue/relations were undertaken

BCC Chairs would be engaged on the opportunities and anticipated impacts of the proposed framework on BCC performance, performance management of Public Members, succession planning and other BCC governance domains. Their feedback would be incorporated into

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proposed Council policy amendments that would be brought forward to the 2022 Organization Meeting of Council by the City Clerk's Office.

### IMPLICATIONS

#### Social

Providing for leaves of absence for Public Members of BCCs aligns with the Council policy on *Social Wellbeing (CP2019-01)*, by reducing barriers to civic participation and promoting inclusion.

#### Environmental

N/A

#### Economic

N/A

#### Service and Financial Implications

No anticipated financial impact

### RISK

There is a risk that Public Member leaves of absence may adversely impact BCC resourcing, with disruptions to Member participation and related impacts on achieving BCC mandates in accordance with their terms of reference. This risk would be mitigated by allowing BCC Chairs to assess the impacts of long-term leaves of absence and recommending that Council appoint a Public Member to backfill temporary vacancies.

### ATTACHMENTS

1. Previous Council Direction, Background
2. Presentation

Department Circulation

General Manager/Director	Department	Approve/Consult/Inform
David Duckworth	City Manager	Approve
Jill Floen	City Solicitor and General Counsel	Inform