



COMMITTEE OF THE WHOLE

CDR# 2024039

Date: April 15, 2024

TO: Mayor Kogon and Members of Amherst Town Council

SUBMITTED BY: Krista Crossman, Dir. HR and Customer Services

DATE: April 15, 2024

SUBJECT: **Amendments to the Maternity, Parental & Adoption Leave Policy**

ORIGIN: Council priority to review all policies and bylaws.

LEGISLATIVE AUTHORITY: MGA 47(1) The council shall make decision in the exercise of its powers and duties by resolution, by policy or by by-law.

RECOMMENDATION: That Council forward to the April 22, 2024 regular meeting, the amended Maternity, Parental & Adoption Leave Policy for approval.

BACKGROUND: Staff are completing a review of all Town policies and bylaws to ensure they are relevant and updated appropriately. The Maternity, Parental & Adoption Leave Policy was reviewed as a result of this initiative.

DISCUSSION: Since the last review of this policy in 2007, there have been significant legislative changes for employees entitled to leave to care for newborn or adopted children, making much of the language and provisions in the existing policy obsolete and inaccurate.

This review was completed to ensure we are in compliance with legislation, to align with best practices observed in other municipalities, but to also underscore our commitment to positioning ourselves as a progressive and inclusive employer by supporting our employees during pivotal moments of their personal lives.

Several revisions to the policy are therefore recommended:

1. Removal of all now-obsolete leave periods to comply with current legislation;
2. Introduction of a supplemental salary top-up for employees eligible to take maternity, parental and/or adoption leave with the following provisions:
 - a. The employee must provide proof of employment insurance benefit entitlement and the amount they will receive while on employment insurance benefits for the duration of their leave;
 - b. The employee agrees to sign an agreement to return to work for at least six (6) months following the end of their leave;

- c. The employee agrees to repay the supplemental salary top-up if they fail to return to work; and
 - d. If the conditions are met, the Town shall supplement the employee's employment insurance payments so that the employment insurance benefits and the top-up amount equal to 90% of the employee's gross salary, to a maximum of 52 weeks.
3. The addition of eligibility to receive supplemental salary top-up for employees who experience a loss of pregnancy after 19 week's gestation;
 4. Providing clarity to the administration of the employee's group insurance/benefit coverages, pension contributions and vacation entitlements while they are on leave;
 5. A review of the terminology in the policy to ensure inclusive and unbiased language with several revisions from "she/her" and "him/his" to "they/their".

All recommended revisions are highlighted on the attached policy in yellow.

In addition to the changes due to legislative requirements, providing salary bridging for employees on maternity, parental and adoption leave has immense social justice implications:

1. Providing salary bridging can help mitigate the gender pay gap. Women often take the brunt of unpaid leave due to pregnancy and childbirth, which can negatively impact their career progression and earnings over time. The salary bridging helps supports gender equality in the workforce.
2. Encourages increased participation of women in the workforce by alleviating the financial disadvantages of taking maternity leave, again contributing to more balanced and diverse workforces.
3. Salary bridging contributes positively to the financial feasibility and overall economic stability of the employee's family during leave.
4. When employers support employees during significant life events such as the birth or adoption of a child, it promotes employee loyalty and retention.
5. By making it easier for parents to take leave without a financial burden, this promotes not only gender diversity, but also socioeconomic diversity, enabling employees from all backgrounds to take leave when needed.

In summary, providing salary bridging/ top-up during maternity, parental or adoption leave not only supports individuals, but also promotes broader societal benefits by fostering gender equality, economic stability and workplace diversity.

FINANCIAL IMPLICATIONS: History would indicate that we would not experience this situation very often. As such, this would not be included in the general operating budget. All costs to provide the salary top-up would be funded from the operating reserve and is expected to be of minimal impact. In many cases, if backfilling the position was not possible, or delayed, the top up could be funded from the actual salary savings realized by the employee being on employment insurance during the leave.

COMMUNITY ENGAGEMENT: No community engagement is required. A review of current employment standards legislation and similar policies in other municipal units was completed as part of the review process for this policy.

ENVIRONMENTAL IMPLICATIONS: There are no environmental implications associated with this decision.

SOCIAL JUSTICE IMPLICATIONS: The social justice implications are extensive, as above.

ALTERNATIVES:

1. Do not accept the recommendation.
2. Direct staff to develop alternative recommendations.

ATTACHMENTS:

04000-11 Maternity, Parental and Adoption Leave Policy