

30 (3) Employee - municipality - local board - unpaid leave

The employee is entitled, as of right, to take an unpaid leave under subsection 1. 2002, c.17, Sch. D, s. 9 (2).

30 (3.1) Employee - entitled to vacation - overtime - pay

Despite subsection (1), an employee of a municipality or local board is entitled to be paid out any vacation pay or overtime pay owing to the employee during the period of the unpaid leave of absence and the fact that these payments may be paid on a weekly or other regular basis does not affect the unpaid leave status of the employee. 2002, c.17, Sch. D, s. 9 (3).

30 (4) Employee - municipality - local board - elected - resigned

If the employee is elected to the office, he or she shall be deemed to have resigned from the employment immediately before making the declaration of office referred to in subsection 232 (1) of the *Municipal Act, 2001* or section 209 of the *Education Act*, as the case may be. 2002, c.17, Sch. F, table.

Municipal World Form 1304 (bilingual), Declaration of elected office - municipal; Municipal World Form 1305 (bilingual), Declaration of elected member of school board: oath or affirmation of allegiance

30 (5) Employee - upper-tier - local board - elected - resigned

Subsection (4) also applies to an employee of a municipality or local board who by being elected to the council of another municipality or to another local board also becomes a member of the council or local board that is the employer. 1996, c. 32, Sch., s. 30 (5).

30 (6) Employee - municipality - local board - continuous service

If an employee who takes a leave of absence under subsection (1) is not elected, the leave shall not be counted in determining the length of his or her service for any purpose, and the service before and after the leave shall be deemed to be continuous for all purposes. 1996, c. 32, Sch., s. 30 (6).

30 (7) Volunteer firefighter - not an employee

A person shall not be considered an employee of a municipality or local board for the purposes of this section by reason only of being a volunteer firefighter as defined in the *Fire Departments Act*. 1996, c. 32, Sch., s. 30 (7).

Fire Departments Act repealed by 1997, c. 4, s. 88 (1). Replaced by the Fire Protection and Prevention Act, 1997.

Volunteer firefighter - Subsection 1 (1) of the Fire Protection and Prevention Act, 1997 defines volunteer firefighter as meaning a firefighter who provides fire protection services either voluntarily or for a nominal consideration, honorarium, training or activity allowance. For a discussion on this point see "Candidates and Electors".

30 (8) Employee - persons not - section 30 applies

This section applies with necessary modifications to a person who is not an employee to whom paragraph 1 of subsection 258 (1) of the *Municipal Act, 2001* applies. 2002, c. 17, Sch. F, table.

31. Nomination day - Friday, September 29

Nomination day for a regular election is Friday, the 45th day before voting day. 2002, c. 17, Sch. D, s. 10.

32. Notice - offices - procedure

The clerk shall give notice of the offices for which persons may be nominated and of the nomination procedure under this Act. 1996, c. 32, Sch., s. 32.

Municipal World Form 1212, Nominations - notice to municipal electors

33 (1) Nomination - filing

A person may be nominated for an office by filing a nomination in the clerk's office, in person or by an agent. 1996, c. 32, Sch., s. 33 (1).

Municipal World Item 1426, Binder - list of candidates; Municipal World Form 1427, Register of candidates, loose-leaf form

Nomination - school board member - Regulation 412/00 made under the Education Act establishes representation on district school boards, nomination and election procedures. See Appendix 'D' - O. Reg. 412/00.

33 (2) Nomination - form - consent - filing fee

The nomination shall,

- (a) be in the prescribed form;
- (b) be accompanied by a declaration of qualification in the prescribed form, signed by the person being nominated; and
- (c) be accompanied by the prescribed nomination filing fee. 1996, c. 32, Sch., s. 33 (2); 2002, c.17, Sch. D, s. 11.

Prescribed nomination fee - For the purpose of clause 33 (2) (c), the prescribed nomination filing fee is \$100, except for the office of head of council of a municipality, in which case the filing fee is \$200. The fee shall be paid in cash or by certified cheque or money order made payable to the municipality. See Appendix 'A' - O. Reg. 101/97, s. 1.