



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 294-80
To authorize the amendment of a
Supplementary Agreement under The
Ontario Municipal Employees
Retirement System Act.

WHEREAS pursuant to Section 23 of the Regulations made under The Ontario Municipal Employees Retirement System Act (R.S.O. 1970, C. 324, as amended), an employer who has elected to participate in the System may enter into or amend an agreement with the Ontario Municipal Employees Retirement Board for the payment of supplementary benefits in respect of all or any class of the employees or councillors who are or become members of the System;

AND WHEREAS The Corporation of the City of Brampton has entered into a Supplementary Agreement with the Ontario Municipal Employees Retirement Board dated October 16, 1978;

AND WHEREAS it is deemed advisable to amend the said Agreement;

NOW THEREFORE The Corporation of the City of Brampton enacts as follows:

1. The Mayor and Clerk are hereby authorized to execute an agreement with The Ontario Municipal Employees Retirement Board, dated 25 September, 1980, amending Supplementary Benefits Agreement No. 101.
2. The Treasurer is hereby authorized:
 - (1) to file two certified copies with the Executive Director of the Ontario Municipal Employees Retirement Board, and
 - (2) to do all things as are necessary to carry out the intent of and to implement the agreement.

READ a FIRST, SECOND, and THIRD TIME and PASSED in Open Council this 24th day of November, 1980.


James E. ARCHDEKIN, Mayor


Ralph A. EVERETT, Clerk

SCHEDULE A

ONTARIO MUNICIPAL EMPLOYEES RETIREMENT SYSTEM

AN AGREEMENT AMENDING SUPPLEMENTARY BENEFITS AGREEMENT

NO. 101

THIS AGREEMENT made this 25th day of September 19 80 pursuant to section 23 of Ontario Regulation 936, 1977, as heretofore and hereafter amended, (herein called the "Regulation"), being a regulation made under The Ontario Municipal Employees Retirement System Act, R.S.O. 1970, Chapter 324, as heretofore and hereafter amended from time to time,

BETWEEN

the ONTARIO MUNICIPAL EMPLOYEES RETIREMENT BOARD (herein called the "Board"), and

the CITY OF BRAMPTON (herein called the "Employer").

WHEREAS the Board and the Employer have entered into an agreement dated October 16, 1978 (herein called the "Agreement"), pursuant to section 23 of the Regulation,

AND WHEREAS it is desirable to amend the Agreement,

NOW THEREFORE in consideration of the mutual covenants and agreements herein contained, the Board and the Employer do hereby covenant and agree:

Schedule 1, Part D, of Supplementary Agreement No. 101 be replaced as of January 1, 1980 by the Schedule 1, Part D, dated September 25, 1980, attached hereto with respect to Fire Association members who shall retire, die or otherwise terminate their service with the Employer on or after January 1, 1980.

IN WITNESS WHEREOF, this amendment to the Agreement is executed by the parties hereto under the hands of their respective officers lawfully authorized in that behalf and corporate seals respectively.

FOR THE EMPLOYER:

THE CORPORATION OF THE CITY OF BRAMPTON

DATED: November 26, 1980

James E. Archdekin, Mayor
Ralph A. Everett, Clerk

(SEAL)

FOR THE BOARD:

DATED: November 26, 1980

Executive-Director

(SEAL)

SCHEDULE "1"

PART D

ONTARIO MUNICIPAL EMPLOYEES RETIREMENT SYSTEM

Supplementary Pension Plan

Dated September 25, 1980

Coverage

1. This Supplementary Pension Plan (herein called the "Plan") is applicable to members of the Ontario Municipal Employees Retirement System (herein called "covered members") employed as firefighters, excluding fire management, by the City of Brampton (herein called the "Employer") in respect of their service with the Employer.

Under this Plan, service of a covered member shall include service with the Town of Brampton and the Township of Chinquacousy as a predecessor employer.

Definitions

2. Words and phrases used in this Plan shall have the meaning given to them under the Ontario Municipal Employees Retirement System Act, R.S.O. 1970, as heretofore and hereafter amended, (herein called the "Act") and its regulation, Ontario Regulation 936, 1977, as heretofore and hereafter amended (herein called the "Regulation"); and
 - (a) "Agreement" means the Supplementary Benefits Agreement of which this Plan forms Schedule 1;
 - (b) "basic benefit" means the benefit payable to a covered member under section 12, 13, 14, 15, 16 or 18 of the Regulation;
 - (c) "Plan effective date" means January 1, 1980 and the Plan year shall end on December 31 of each year thereafter;
 - (d) "Plan normal retirement date" of a covered member means the last day of the month such member attains age 60.

Application

3. Each employee to whom this Plan is applicable shall become a covered member either on the Plan effective date or on the date he commences or commenced to make a contribution under section 9 of the Regulation, whichever is the later date.

Contributions

4. After taking into account any contributions actually made by covered members, the Employer shall contribute to this Plan each year such amounts to be

determined by the Board, on the advise of the actuary, as are required to provide for the payment of benefits under this Plan.

Plan Credited Service

5. The Plan credited service of a covered member shall be that part of his service, as described in section 1 of this Plan, which occurred immediately before the Employer's effective date of participation in the System but excluding any such service
- (a) for which a contribution made by the covered member under section 9 of the Regulation, under an approved pension plan or under a prior service agreement has been refunded; or
 - (b) for which the covered member was entitled to make a contribution under section 9 of the Regulation, under an approved pension plan or under a prior service agreement and chose not to do so.

Supplementary Normal Retirement Pension

6. (1) A supplementary normal retirement pension is payable under this Plan to a covered member who retires on or after his Plan normal retirement date and shall be equal to 2% of his pensionable earnings multiplied by the total number of years and part of a year of his Plan credited service up to 35 years, reduced
- (a) when the covered member becomes entitled to a pension under the Canada Pension Plan by 0.7% of the lesser of such pensionable earnings or the average of the Year's Maximum Pensionable Earnings as defined in the Canada Pension Plan for the year in which he retired and for each of the two preceding years multiplied by the total number of years and part of a year of his Plan credited service after the 1st day of January, 1966 up to 35 years, and
 - (b) by the annual amount of pension payable under a prior service agreement or an approved pension plan to the covered member on or after his Plan normal retirement date excluding the annual amount of any pension purchased by voluntary contributions made by the covered member under an approved pension plan.

- (2) A supplementary normal retirement pension payable to a covered member under this Plan is payable coincident with and under the same terms and conditions and subject to the same limitations as the covered member's normal retirement pension under section 12 of the Regulation.
- (3) Notwithstanding anything in this Plan, the annual amount of the supplementary normal retirement pension payable to a covered member under this Plan shall not be less than the amount of annual pension which contributions made by him on account of such supplementary normal retirement pension would provide. The amount of such annual pension payable in respect of such covered member contributions shall be determined by the executive-director.
- (4) The total of the annual amount of supplementary normal retirement pension payable to a covered member under this section plus the annual amount of any pension in respect of his Plan credited service payable to a covered member at normal retirement age under an approved pension plan or under a prior service agreement plus the annual amount of normal retirement pension payable to the covered member under section 12 of the Regulation may not exceed the maximum amount provided in section 250(4) of The Municipal Act, R.S.O. 1970, chapter 284, as amended.

Other Benefits

7. In lieu of the supplementary normal retirement pension payable under section 6 of this Plan, there shall be payable, coincident with and under the same terms and conditions and subject to the same limitations as the basic benefit:
 - (a) a supplementary disability retirement benefit calculated in the manner prescribed in section 13 of the Regulation but using the supplementary normal retirement pension under section 6 of this Plan as a basis for calculation; or
 - (b) a supplementary pension to a covered member's widow, widower or children calculated in the manner prescribed in section 14 of the Regulation but using the supplementary normal retirement pension under section 6 of this Plan as a basis for calculation; or
 - (c) a supplementary deferred pension calculated in the manner prescribed in section 15 of the Regulation but using the supplementary normal retirement pension under section 6 of this Plan as a basis for calculation; or

- (d) a supplementary early retirement pension calculated in the manner prescribed in section 16 of the Regulation but using the supplementary normal retirement pension under section 6 of this Plan as a basis for calculation; or
- (e) a refund of contributions plus interest to the credit of a covered member under this Plan, in the manner prescribed in section 18 of the Regulation; or
- (f) a transfer of the present value of any supplementary pension to the credit of the covered member under this Plan, in accordance with the manner prescribed in section 22 of the Regulation or subsection (10) of section 23 of the Regulation.

Miscellaneous

- 8. (1) The contributions made by a covered member under this Plan, or under a previous plan with respect to the benefits provided herein, shall not be withdrawn in whole or in part while the covered member remains a member of the Ontario Municipal Employees Retirement System.
- (2) The interest of a person under this Plan and in any benefit payable under this Plan is not subject to garnishment, attachment, seizure or other process of law, and is not assignable.
- (3) References herein to sections of the Act or Regulation or subdivisions thereof include successor sections or subdivisions thereof which may be enacted from time to time.

R.S.
REVIEWED BY
[Signature]
DATE *Dec 10/80*

To authorize the amendment of a
Supplementary Agreement under The
Ontario Municipal Employees
Retirement System Act.

WHEREAS pursuant to Section 23 of the Regulations made under
The Ontario Municipal Employees Retirement System Act (R.S.O. 1970,
C. 324, as amended), an employer who has elected to participate
in the System may enter into or amend an agreement with the
Ontario Municipal Employees Retirement Board for the payment of
supplementary benefits in respect of all or any class of the
employees or councillors who are or become members of the System;

AND WHEREAS The Corporation of the City of Brampton has entered
into a Supplementary Agreement with the Ontario Municipal Employees
Retirement Board dated October 16, 1978.

AND WHEREAS it is deemed advisable to amend the said Agreement;

NOW THEREFORE The Corporation of the City of Brampton enacts
as follows:

1. The Mayor and Clerk are hereby authorized to execute an agreement with The Ontario Municipal Employees Retirement Board, dated 25 September, 1980, amending Supplementary Benefits Agreement No. 101.
2. The Treasurer is hereby authorized:
 - (1) to file two certified copies with the Executive Director of the Ontario Municipal Employees Retirement Board, and
 - (2) to do all things as are necessary to carry out the intent of and to implement the agreement.

Read a FIRST, SECOND, and THIRD TIME and passed in Open Council
this 24th day of November, 1980.

THE CORPORATION OF THE CITY OF BRAMPTON

CERTIFIED A TRUE COPY

[Signature]
.....
City Clerk
City of Brampton
Nov. 27 10 80

[Signature]
Mayor
[Signature]
Clerk

PASSED November 24th 1980



BY-LAW

No. 294-80

To authorize the amendment of a
Supplementary Agreement under The
Ontario Municipal Employees
Retirement System Act.