



# THE OSGOODE CERTIFICATE IN PENSION LAW

February 14 and 21, March 7 and 21, & April 4 and 11, 2018  
Six one-day modules  
In person or webcast

A comprehensive and practical program for anyone giving advice or making decisions on corporate/institutional pension issues.

- The regulatory and legislative framework
- Pensions and the employment relationship
- Pension plan funding requirements and investment principles
- The impact of corporate restructurings and insolvencies
- Innovative pension plan design
- Pension governance models and policies
- Pension reform across Canada: new regimes and their significance

Register today at:  
[osgoodepd.ca/pensionlaw](http://osgoodepd.ca/pensionlaw)

## Certificate Details

### PROGRAM DIRECTORS

**Mark Newton**  
Newton HR Law

**Jeffrey Sommers**  
Blake, Cassels & Graydon LLP

### LOCATION

**Osgoode Professional  
Development**  
1 Dundas St. West, 26th Floor,  
Toronto, ON



# The Osgoode Certificate in Pension Law

Do you have all the practical knowledge and skills you need to make informed decisions concerning pension matters?

Pension law is complex, technical and a minefield of potential liability for the unwary. The list of “must-know” topics seems endless. It is critical that you have a current understanding of the key issues and their practical implications. The *Osgoode Certificate in Pension Law*, now in its seventh year, provides a comprehensive analysis of the major areas of pension law and practice.

Developed and taught by acknowledged experts representing diverse perspectives, this program will equip you with the knowledge, insights, strategies, tactics and the confidence needed to surmount the challenges in this high-stakes area. Whether you are a lawyer, pension professional, CFO, an HR director or manager, or a consultant or executive serving on a pension committee, you will find it a rare opportunity to master both the big picture of pension regulation, with particular applications to everyday situations.

## Who Should Attend?

- Pension plan administrators, managers and sponsors
- Directors and managers of pension and benefits
- Pension lawyers in private practice
- In-house counsel
- Members of pension boards and investment committees
- Financial officers and directors
- HR directors and vice-presidents
- Pension and benefits consultants
- Investment and compensation consultants
- Provincial and Federal pension regulators
- Advocates for retirees

### What attendees said about previous offerings of this program:

*“I am an in-house counsel and I have been asked to advise the pension committee with very little background in pension law. This program has provided a great foundation for future learning and development. I would highly recommend it to others involved in pension administration.”*

Kendell Wilde, Legal Counsel, Babcock and Wilcox Power Generation Canada Corp.

*“This entire program has been excellent! As a manager in accounting who primarily advises on plan administration, I will be able to use this information to better advise plan members.”*

Michael Humphries, Manager, Accounting Services, ETFO



# Agenda

## Module 1

**Wednesday, Feb. 14, 2018**

**8:30 a.m. - 4:30 p.m.**

## The Retirement Savings System

- Saving and investing over the life cycle: the role of pensions
- Registered Pension Plans
  - Defined benefit
  - Defined contribution
  - Multi-employer
  - Jointly-sponsored
  - Public sector
- Canada/Quebec Pension Plan and OAS
- Supplementary Pension Plans
- Tax-assisted non-pension retirement savings plans
- The regulatory framework: principal areas of legislation
  - Pension legislation
  - Income tax legislation
  - Commodity tax legislation
  - Employment Standards legislation
  - Human rights
- Trust principles and emerging case law on fiduciary obligations
- Overview of taxation of pension plans and retirement savings plans: the integrated system of tax-assisted retirement savings: how pension plans and RRSPs work together under income tax laws
- Best practices and innovation in plan administration and service
- OTPP administration and structure

With a lunchtime keynote address by **Hugh O'Reilly**, President and CEO, OPSEU Pension Trust.

### Faculty

**Charley Butler**, Managing Director, Member Experience and Innovation

**Mark Newton**, Newton HR Law

**Lyle Teichman**, Senior Consulting Lawyer, Willis Towers Watson

**Deron P. Waldock**, Senior Vice President, Canadian Legal Consulting Practice, Aon Hewitt

## Module 2

**Wednesday, Feb. 21, 2018**

**8:30 a.m. - 4:30 p.m.**

## Pensions and the Employment Relationship

- Common-law and statutory regulation of the employment relationship
- Pensions in the non-union workforce
  - Basic principles of the employment relationship
  - Pensions as a part of total compensation
  - Changing terms of employment
  - Termination of the relationship
- Labour law issues in pensions: management and union perspectives
- Pensions in collective bargaining
  - The employer-union-employee relationship
  - Incorporation of pension plans into a collective agreement
  - Jurisdictional issues: arbitrator, pension regulator, courts
- Privacy and human rights considerations

With a lunchtime keynote address by **Ari N. Kaplan**, Kaplan Law, on plan member rights and the role of the pensions mediator.

### Faculty

**John D.R. Craig**, Fasken Martineau DuMoulin LLP

**Clio Godkewitsch**, Koskie Minsky LLP

**Sean Maxwell**, Blake, Cassels & Graydon LLP

**John Prezioso**, Hicks Morley Hamilton Stewart Storie LLP

## Module 3

**Wednesday, Mar. 7, 2018**

**8:30 a.m. - 4:30 p.m.**

## Assets and Liabilities: Pension Plan Funding and Investment

- Funding requirements in pension and income tax legislation
- Types of actuarial reports
- Basic actuarial principles, assumptions and methods
- Going concern funding, solvency funding, wind-up funding
- Pension accounting, financial statements
- Pension investment principles
- Regulatory requirements and reform of pension fund investment regulations
- Relevance of income tax restrictions to investments by pension funds
- Prudent person
- Risk management
- Investment strategies
- Asset liability studies
- Conversion of Defined Benefit (DB) to Defined Contribution (DC): legal and structural considerations
- Different types of DC plans and administration/communication challenges
- The CAP Guidelines and CAPSA DC Plans Guidelines
- Multi-Employer Pension Plans and other multiple-employer plans
- Governance of unionized MEPPs

With a lunchtime keynote address concerning the new Financial Services Regulatory Authority of Ontario, by a senior FSRAO official.

### Faculty

**Lorraine Allard**, McCarthy Tétrault LLP

**Scott Cushing**, Principal, Mercer

**Lorraine Gignac**, Principal, Mercer

**Jeffrey Sommers**, Blake, Cassels & Graydon LLP

## Module 4

Wednesday, Mar. 21, 2018

8:30 a.m. - 4:30 p.m.

### Pensions in Corporate Transactions and Restructuring

- The different insolvency or restructuring mechanisms and how they impact on pension plans: restructuring, financing, receivership, bankruptcy
- The *Companies' Creditors Arrangement Act* and the *Bankruptcy and Insolvency Act*
- The Pension Benefits Guarantee Fund
- Structure and purpose of a deal
- Share and asset transactions
- Division or merger of pension plans (DB/DC)
- Due diligence (in the contexts of transactions, restructuring and insolvency)
  - Plan documents
  - Actuarial reports
  - Accounting reports, financial statements
- Representations, warranties, covenants and indemnities

With a lunchtime keynote address by **Randy V. Bauslaugh**, McCarthy Tétrault LLP on innovative pension plan design

#### Faculty

**Andrea Bector**, Stikeman Elliott LLP

**Jessica Bullock**, Davies Ward Phillips & Vineberg LLP

**Susan Nickerson**, Torys LLP

**Douglas Rienzo**, Osler, Hoskin & Harcourt LLP

**Susan M. Ursel**, Ursel Phillips Fellows Hopkinson LLP

## Module 5

Wednesday, Apr. 4, 2018

8:30 a.m. - 4:30 p.m.

### Pension Governance and Risk Management

- Basic principles
- Statutory framework
- Common-law principles
- Types of risk
- Governance models: Single-employer, multi-employer and jointly governed target benefit plans, and the new world of PRPPs
- Governance policies (funding, expenses, record-keeping, member inquiries)
- Agents and service providers
- Special considerations for DB plans and DC plans

With a lunchtime keynote address by **Susan Bird**, President of McAteer Group of Companies, on the governance of unionized MEPPs

#### Faculty

**Mark Firman**, Legal Counsel, Ontario Teachers' Pension Plan

**Mariana MacIntosh**, Director & Associate General Counsel, Ontario Teachers' Pension Plan

**Christopher Mayer**, Legal Counsel, Healthcare of Ontario Pension Plan (HOOPP)

**Tejash Modi**, Principal and Chair, Governance, Legal and Compliance Consulting Practice, Morneau Shepell Ltd.

**Kim Ozubko**, Miller Thomson LLP

**Susan G. Seller**, Bennett Jones LLP

## Module 6

Wednesday, Apr. 11, 2018

8:30 a.m. - 4:30 p.m.

### Pension Reform

Pension law across Canada has undergone major transformations in recent years. In this final module, experts from across Canada will review the new regimes and explain the significance of those changes for all pension specialists.

- The *Pension Benefits Standards Act* and what it means for pension law in British Columbia and Alberta
- The distinctiveness of the Quebec pension law regime, including the role of pension committees, solvency funding extensions and the different treatment of multi-employer pension plans
- Jointly-sponsored pension plans and Ontario public sector pensions

With a lunchtime keynote address by **John Solursh**, Member, Financial Services Tribunal of Ontario and Partner Emeritus, Pension and Employee Benefits Group, Blake, Cassels & Graydon LLP on the evolution of pension law in practice and the role of the Financial Services Commission of Ontario.

#### Faculty

**Natalie Bussière**, Blake Cassels & Graydon LLP

**Karen DeBortoli**, Director, Pension & Benefit Research, Eckler Ltd.

**Evan Howard**, Vice President, Pension Management, CAAT Pension Plan

**Scott Sweatman**, Dentons Canada LLP





Drawing on the expertise and experience of distinguished practitioners drawn from management, union and government, including:

## Program Directors

**Mark Newton**

Newton HR Law

**Jeffrey Sommers**

Blake, Cassels & Graydon LLP

## Advisory Board

**David Gordon**, Deputy

Superintendent, Pensions Financial Services Commission of Ontario [retired]

**Janet Downing**, Lawyer/Senior Consultant, Towers Watson [retired]

**Malcolm Hamilton**, Senior Fellow, C.D. Howe Institute

**John M. Solursh**, Member, Financial Services Tribunal of Ontario; Partner Emeritus, Pension and Employee Benefits Group, Blake Cassels & Graydon LLP

**John Poos**, Vice President, Pensions and Benefits, George Weston Ltd. and Loblaw Companies Ltd.

**Mark Zigler**, Koskie Minsky LLP

## Program Faculty

**Lorraine Allard**, McCarthy Tétrault LLP

**Randy V. Bauslaugh**, McCarthy Tétrault LLP

**Susan Bird**, President, McAteer Group of Companies

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**Terra L. Klinck**, Brown Mills Klinck Prezioso LLP

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**Sean Maxwell**, Blake, Cassels & Graydon LLP

**Christopher Mayer**, Legal Counsel,, Healthcare of Ontario Pension Plan (HOOPP)

**Tejash Modi**, Principal and Chair, Governance, Legal and Compliance Consulting Practice, Morneau Shepell Ltd.

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**Scott Sweatman**, Dentons Canada LLP

**Lyle Teichman**, Senior Consulting Lawyer, Willis Towers Watson

**Susan M. Ursel**, Ursel Phillips Fellows Hopkinson LLP

**Deron P. Waldock**, Senior Vice President, Canadian Legal Consulting Practice, Aon Hewitt

Our participants say it best:

“The speakers were very knowledgeable, approachable and covered a wide variety of topics. Will recommend this program.”

Laura Stefan, Siemens Canada Limited

“Excellent...Interesting, useful and convenient. There is no other way to have access to the depth and breadth of pension experience that the lawyers who presented brought to the entire Certificate program.”

Patricia Pacanchique, Director, Pension Policy, OMERS

“Overall the entire program was fantastic...helped me hit the ground running.”

Domenico Mancini, Advisor/Economist, Treasury Board of Canada Secretariat

## Registration Details

### Fee per Delegate

**\$3,795 plus HST**

Fees include attendance, program materials, continental breakfast, lunch and break refreshments. Group discounts are available. Visit [www.osgoodepd.ca/group-discounts](http://www.osgoodepd.ca/group-discounts) for details. Please inquire about financial assistance.

### Program Changes

We will make every effort to present the program as advertised, but it may be necessary to change the date, location, speakers or content with little or no notice. In the event of program cancellation, York University's and Osgoode Hall Law School's liability is limited to reimbursement of paid fees.

### Cancellations and Substitutions

Substitution of registrants is permitted at any time. If you are unable to find a substitute, a full refund is available if a cancellation request is received in writing 21 days prior to the program date. If a cancellation request is made with less than 21 days notice, a \$150 administration fee will apply. No other refund is available.

### For Further Program-Related Information please contact:

Paul Truster, Program Lawyer at (416) 597-9733  
or email [ptruster@osgoode.yorku.ca](mailto:ptruster@osgoode.yorku.ca)

## Certificate of Program Completion

You will receive a certificate upon completion of *The Osgoode Certificate in Pension Law*. Participants must attend all program modules and pass the post-program multiple choice assessment to receive a certificate.

## 4 Convenient Ways to Register



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