

THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

BY-LAW NO. 23-006

BEING a **By-law** to confirm and authorize participation in the OMERS Primary Pension Plan ("Primary Plan") and the Retirement Compensation Arrangement for the OMERS Primary Pension Plan ("RCA"), each as amended from time to time, of the employees and members of Council of the **Corporation of the Municipality of Mississippi Mills** ("Employer") identified herein.

WHEREAS the Employer is eligible to participate in the Primary Plan and the RCA in accordance with subsection 5(1) of the *Ontario Municipal Employees Retirement System Act, 2006*, as amended from time to time ("OMERS Act, 2006"), in respect of its eligible employees and does so in accordance with the applicable Primary Plan and RCA documents and applicable legislation;

AND WHEREAS pursuant to subsection 6(1) of the Primary Plan, the Employer may, by by-law or resolution, participate in the Primary Plan and the RCA and pay to the funds for the Primary Plan and the RCA the total of the employer and member contributions required by the Primary Plan, and has all of the powers necessary and incidental thereto;

AND WHEREAS the Employer previously enacted **By-Law No. 98-02** and elected to participate in the Primary Plan and the RCA in respect of its eligible employees, including employees formerly employed by the Town of Almonte, the Township of Ramsay, and the Township of Pakenham, elected mandatory enrollment in the Primary Plan and the RCA for employees employed on other than a continuous full-time basis ("OTCFT Employee"), and elected that eligible police and firefighter employees participate in the Primary Plan and the RCA with a normal retirement age of 60;

AND WHEREAS the Employer also previously enacted **By-law No. 98-16** to amend **By-law No. 98-02** to remove mandatory enrolment in the Primary Plan and the RCA for its employees employed on other than a continuous full-time basis;

AND WHEREAS the Employer also previously enacted **By-law No. 98-35** to amend **By-law No. 98-02** and confirm the Employer's election to participate on behalf of its employees formerly employed by the Almonte Public Library Board as an employer;

AND WHEREAS the Employer is a municipality and, pursuant to subsection 5(2) of the OMERS Act, 2006, a municipality may participate in the Primary Plan and the RCA in respect of its members of Council;

AND WHEREAS the Employer wishes to enact a **By-Law** to: (i) reconfirm the Employer's election to participate in the Primary Plan and the RCA in respect of its eligible employees in an updated format; and (ii) effective **November 15, 2022**, make an election to participate in the Primary Plan and the RCA in respect of its members of Council;

THEREFORE, BE IT RESOLVED THAT, effective **November 15, 2022**, the Council enacts as follows:

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| (Continuation of Participation) | 1. | The Employer shall continue to participate in the Primary Plan and the RCA in accordance with the terms of the Primary Plan, RCA, and applicable legislation, each as amended from time to time. |
| (Existing Members) | 2. | For greater certainty, the Employer continues to participate in the Primary Plan and the RCA in respect of all of its employees who were members of the Primary Plan and the RCA on the day immediately preceding the Effective Date. |
| (Election re: Employees) | 3. | The Employer shall participate in the Primary Plan and the RCA in respect of each person who is employed by the Employer and who is eligible to be a member of the Primary Plan and the RCA under subsection 5(3) of the OMERS Act, 2006 ("Employee") as of the Effective Date in accordance with the terms of the Primary Plan, RCA, and applicable legislation, each as amended from time to time. |
| (Future CFT Employees) | 4. | An Employee who becomes an Employee employed on a continuous full-time basis, as defined in subsection 9(1) of the Primary Plan, as amended from time to time ("CFT Employee"), on or after the Effective Date shall, as a condition of employment, become a member of the Primary Plan and the RCA, or if such person is already a member, resume contributions to the Primary Plan and the RCA on the date so employed. |
| (Membership for OTCFT Employees) | 5. | An Employee who is an "OTCFT Employee" and meets the eligibility criteria in subsection 9(6) of the Primary Plan, as amended from time to time, is entitled to become a member of the Primary Plan and the RCA in accordance with the terms of the Primary Plan, as amended from time to time. |

(NRA 60 Option for Fire)	6. Employees who are employed by the Employer and, in respect of that employment, meet the definition of "firefighter" in subsection 1(1) of the <i>Fire Protection and Prevention Act, 1997</i> , as amended from time to time, shall continue to have a normal retirement age of 60 years under the Primary Plan and the RCA, as applicable, in accordance with the terms of the Primary Plan, RCA, and applicable legislation, each as amended from time to time.
(Election re: All Members of Council)	7. The Employer shall participate in the Primary Plan and the RCA in respect of each of its members of Council (inclusive of its head of council) who meet the definition of "members of Council" in subsection 1(1) of the Primary Plan, as amended from time to time ("Members of Council"), as of November 15, 2022 ("Members of Council Effective Date") in accordance with the terms of the Primary Plan, RCA, and applicable legislation, each as amended from time to time.
(Current Members of Council)	8. A Member of Council in office on the Member of Council's Effective Date is entitled to become a member of the Primary Plan and the RCA on the first day of the month following the month in which the Member of Council's application is received by the OMERS Administration Corporation ("AC"), provided that the AC may, at the request of the Employer, fix an earlier date on which the Member of Council becomes a member but not before the date on which the Member of Council became entitled to be a member or the first day of January in the year in which the application is received by the AC, whichever is the later date.
(Future Members of Council)	9. Every person who becomes a Member of Council after the Member of Council's Effective Date shall become a member of the Primary Plan and RCA on the date the person becomes a Member of Council.
(Senior Management Official)	10. Any person who holds a senior management position with the Employer ("Senior Management Official"), as the Employer may designate from time to time, is hereby authorized on behalf of the Employer to take all such action and execute all such documents, certificates and agreements, as they may consider necessary to give

effect to the provisions of this By-Law and to fulfill the Employer's duties and obligations with respect to the Primary Plan and the RCA. The Employer further authorizes the **Clerk** to submit forthwith a certified copy of this By-Law to the AC.

BY-LAW READ, passed, signed and sealed in open Council this 31st day of January, 2023.

Christa Lowry, Mayor

Jeanne Harfield, Clerk