



The Corporation of the Town of Espanola

Bylaw No. 3231/25

**Being a Bylaw of the Town of Espanola
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").**

WHEREAS the Corporation of the Town of Espanola ("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 211 to participate in the Ontario Municipal Employees Retirement System (which has since been continued as the Primary Plan and the RCA) effective November 1, 1963 in respect of its eligible employees;

AND WHEREAS the Employer also enacted By-law 458 to participate in the Ontario Municipal Employees Retirement System in respect of its councillors, inclusive of its Head of Council, effective January 1, 1972;

AND WHEREAS the Employer wishes to enact an updated by-law to: (i) reconfirm the Employer's election to participate in the Primary Plan and the RCA in respect of its eligible employees and councillors in an updated format; and (ii) effective January 1, 2025, change the normal retirement age from 65 years to 60 years under the Primary Plan and the RCA, as applicable, for employees of the Employer who are firefighters employed in the class of Fire Management in accordance with the terms of the Primary Plan and applicable legislation;

THEREFORE, BE IT RESOLVED THAT, effective January 1, 2025 ("Effective Date"), or as otherwise indicated, 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 (defined below) and Councillors (defined below) who were members of the Primary Plan and the RCA on the day immediately preceding the Effective Date. |
| (Election re: Employees) | 3. | As of the Effective Date, 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”), 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 employed on other than a continuous full-time basis (“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. |
| (Councillor Participation) | 6. | The Employer shall continue to participate in the Primary Plan and the RCA in respect of each of its councillors (inclusive of its head of council) who meet the definition of councillor in subsection 1(1) of the Primary Plan, as amended from time to time (“Councillor”), and every person who becomes a Councillor shall become a member of the Primary Plan and RCA on the date the person becomes a Councillor. |
| (NRA 60 for Fire Management) | 7. | Effective as of January 1, 2025, Employees who, in respect of their employment with the Employer, meet the definition of “firefighter” in subsection 1(1) of the <i>Fire Protection and</i> |

Prevention Act, 1997, as amended from time to time, and who are employed in the following class: **Fire Management**, shall 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.

(Senior
Management
Official)

8. Any person who holds a senior management position with the Employer, as the Employer may designate from time to time (“Senior Management Official”), 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 **Treasurer** to submit forthwith a certified copy of this By-law to the OMERS Administration Corporation.

Read a first, second and third time in open Council on this 11th day of March 2025.

Douglas Gervais
Mayor

Joseph Burke
CAO/Clerk