

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2012-212

**BEING A BY-LAW TO AMEND BY-LAW NO. 1962-2066
(A BY-LAW TO AUTHORIZE PARTICIPATION IN THE ONTARIO
MUNICIPAL EMPLOYEES RETIREMENT SYSTEM)**

WHEREAS By-law No. 1962-2066 provides for mandatory membership in the Ontario Municipal Employees Retirement System (OMERS) for permanent employees;

AND WHEREAS mandatory members in the OMERS Primary Pension Plan ("Primary Plan") and the Retirement Compensation Arrangement ("RCA") provides benefits for members and former members of the Primary Plan;

AND WHEREAS pursuant to subsection 6(1) of the Primary Plan, an employer who is eligible under the *Ontario Municipal Employees Retirement Act, 2006* ("OMERS Act, 2006), to participate in the Primary Plan and the RCA may participate in the Primary Plan and RCA and pay to the funds for the Primary Plan and the RCA the total of the employer and members contributions, and has all of the powers necessary and incidental thereof;

AND WHEREAS The Corporation of the City of North Bay has elected to participate in the Primary Plan and the RCA;

AND WHEREAS Council passed Resolution No. 2012-570 at its Regular Meeting held on Monday, October 1, 2012 to modify the conditions for membership in the Primary Plan and RCA for specified Other Than Continuous Full-time Employees ("OTCFT Employee").

NOW, THEREFORE, THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:

1. By-law No. 1962-2066 is hereby amended to add the following:
 - "11. Effective as of the first day of January 2012 (OTCFT Effective Date) the City of North Bay approves mandatory membership in the Primary Plan and the Retirement Compensation Arrangement (RCA) for each person who is employed by the City on other than a continuous full-time basis (OTCFT employee) who is employed in the following class (es) (Specified OTCFT Employees) Temporary Full-Time Employees.
 12. A Specified OTCFT employee who commenced employment before the OTCFT 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 Specified OTCFT Employee's application is received by the Administration Committee (AC), provided that the AC may, at the request of the City, fix an earlier date on which the Specified OTCFT Employee becomes a member but not before the date on which the Specified OTCFT Employee 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.

13. Every person who becomes a Specified OTCFT Employee on or after the OTCFT 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."

2. This By-law comes into effect as of the 1st day of January, 2012.

READ A FIRST TIME IN OPEN COUNCIL THIS 15TH DAY OF OCTOBER, 2012.

READ A SECOND TIME IN OPEN COUNCIL THIS 15TH DAY OF OCTOBER, 2012.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 15TH DAY OF OCTOBER, 2012.

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MAYOR ALLAN McDONALD

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DEPUTY CITY CLERK KAREN McISAAC