The Osgoode Certificate in Pension Law

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

February 1 - March 8, 2011 | 6 Tuesdays over 6 Weeks | Toronto, Canada

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Why You Should Attend

Pension law and regulation is complex, technical and, to the unwary or uninitiated, a minefield of potential liability. The list of "must know" topics seems endless: difficulties in dealing with shortfalls in funding; problems with handling plans during mergers, acquisitions and takeovers; multi-employer plans; governance and risk management issues; the complex technical and practical issues involved in insolvency situations and the growth of class actions. In addition, employment law and human rights considerations in the pensions context are becoming all the more apparent, while concerns about pension law reform, and the very future of pensions themselves remain front and centre.

As a lawyer, pension professional, CFO, HR Manager, Consultant or executive sitting on a pension committee, you may be called upon to give advice on or make decisions concerning pension issues. It is critical that you have an understanding of the key issues and their implications. This unique Osgoode Certificate in Pension Law was developed to provide a comprehensive review and analysis of the major areas of pension law and practice. This ground-breaking program is taught by acknowledged experts in the pension field who will equip you with the knowledge, insights, strategies and tactics you need in your day-to-day work.

What You Will Learn

- Savings and investment over the life cycle – overview of the role of pensions
- A review of the regulatory framework
- Pension plans and the employment relationship: key areas of concern
- Pension investment principles
- Asset liability studies
- Conversion of DB to DC – key legal and structural considerations
- MEPPS and other multiple employer plans
- Pensions in corporate transactions and restructuring – the principal considerations
- Pension governance and risk management
- Key strategies to manage plans during insolvency
- Increasing class action activity concerning plan deficits: what you need to know
- Pension litigation: the landmark cases
- The future of pension reform: expert roundtable discussion on where things are headed

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

Dates

Module 1
The Retirement Savings System
February 1, 2011

Module 2
Pensions and the Employment Relationship
February 8, 2011

Module 3
Assets and Liabilities: The Funding and Investment of Pension Plans
February 15, 2011

Module 4
Pensions in Corporate Transactions and Restructuring
February 22, 2011

Module 5
Pension Governance and Risk Management
March 1, 2011

Module 6
Insolvency, Pension Litigation Issues and the Future of Pensions
March 8, 2011

The program will be held at Osgoode Professional Development’s Downtown Toronto Conference Centre.

For Further Program-Related Information
Please contact:
David Thomas, Program Lawyer at 416.673.4672 or email dthomas@osgoode.yorku.ca
This program is designed for lawyers, pension professionals, CFOs, HR Managers and those whose work may call upon them to give advice or make decisions on pensions. Over six intensive one-day modules, an expert faculty will deliver the key concepts of pension law and practice. There will be an emphasis on the practical, and classes will be taught using a blended-delivery method that includes lectures, class discussions and case studies.

THE CURRICULUM

MODULE 1
February 1, 2011, 9:00 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
• Regulatory framework – principal areas of legislation
  - pension legislation
  - income tax legislation
  - commodity tax legislation
  - employment standards
  - 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
• Pensions upon marriage breakdown: problems and pitfalls

Keynote Luncheon Address
The Hon. Justice Eileen E. Gillese, Court of Appeal for Ontario
former Dean of Law, Western University and Pensions Law Professor

Faculty
Mark Newton, Heenan Blaikie LLP
Malcolm Hamilton, Senior Partner, Mercer Human Resource Consulting
David Wentzell, McMillan LLP
Scott Perkin, Director of Plan Policy, Corporate Privacy Officer, Ontario Teachers Pension Plan
Sheryl Smolkin, Lawyer, Writer and Editor

MODULE 2
February 8, 2011, 9:00 a.m. – 4:30 p.m.

Pensions and the Employment Relationship
• Pensions in the non-union workforce
  - basic principles of the employment relationship
  - pensions as part of total compensation
  - changing terms of employment
  - termination of the employment relationship
• Pensions in collective bargaining
  - employer-union-employee relationship
  - incorporation of pension plan into a collective agreement
  - jurisdictional issues: arbitrator, pension regulator, courts
• Employment standards and human rights considerations

Faculty
Terra L. Klinck, Hicks Morley Hamilton Stewart Storie LLP
Hugh O’Reilly, Cavalluzzo Hayes Shilton McIntyre & Cornish LLP
Janet G. Downing, Lawyer/Senior Consultant, Towers Watson
Jeffrey P. Sommers, Blake, Cassels & Graydon LLP

MODULE 3
February 15, 2011, 9:00 a.m. – 4:30 p.m.

Assets and Liabilities: The Funding and Investment of Pension Plans
• 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 DB to DC – legal and structural considerations

Register online today at www.osgoodepd.ca
Module 3: Assets and Liabilities (cont’d)

- Different types of DC plans and administration/communication challenges with DC plans
- MEPPS and other multiple employer plans

Faculty

Gregory J. Winfield, McCarthy Tétrault LLP
David Gordon, Deputy Superintendent, Pensions, Financial Services Commission of Ontario
Jill Wagman, Principal at Eckler Ltd.
Ana Caçolo, Vice President, Research and Development, OMERS Investment Management Inc.
Jeremy J. Forgie, Blake, Cassels & Graydon LLP
John Poos, Executive Director, OMERS Sponsors Corporation

Module 4
February 22, 2011, 9:00 a.m. – 4:30 p.m.

Pensions in Corporate Transactions and Restructuring

- Structure and purpose of a deal
- Share and asset transactions
- Division or merger of pension plans (DB/DC)
- Due diligence
  - plan documents
  - actuarial reports
  - accounting reports, financial statements
- Reps, warranties, covenants and indemnities
- Transamerica and other cases
- What are the different insolvency or restructuring mechanisms and how they impact on pension plans – restructuring, financing, receivership, bankruptcy
- CCAA, BIA
- PBGF
- Legal cases
- Important pension reform initiatives: Pension Benefits Amendment Act, 2010 (Bill 236)

Faculty

Douglas Rienzo, Osler, Hoskin & Harcourt LLP
Jana Steele, Goodmans LLP
J. David Vincent, Ogilvy Renault LLP
Andrew Hatnay, Koskie Minsky LLP
Gary Nachsen, Stikeman Elliott LLP

Module 5
March 1, 2011, 9:00 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; new model
  - jointly governed target benefit plan
- Governance policies (funding, expenses, record keeping, etc.)
- Agents and service providers
- Special considerations for DB plans and DC plans

Faculty

John Poos, Executive Director, OMERS Sponsors Corporation
B. Bethune A. Whiston, Partner, Morneau Sobeco
Florence A. Holden, Principal, Towers Watson
Mary M. Picard, Fraser Milner Casgrain LLP
Susan G. Seller, Bennett Jones LLP

Module 6
March 8, 2011, 9:00 a.m. – 4:30 p.m.

Insolvency, Pension Litigation Issues and the Future of Pensions

- Pension plan funding during insolvency
- Sorting out the priorities of claims
- Key restructuring strategies
- The roles of stakeholders
- The role of FSCO
- The impact of insolvency on governance
- Overview of major issues in pension litigation
- Review of landmark decisions
- Pensions and class actions
- The future of pension reform: a roundtable discussion with the experts

Faculty

Simon Archer, Koskie Minsky LLP, Research Fellow, Centre for Comparative Research in Law and Political Economy, York University
Jeff W. Galway, Blake, Cassels & Graydon LLP
Ronald Davis, Associate Professor, Faculty of Law, University of British Columbia
David Gordon, Deputy Superintendent, Pensions, Financial Services Commission of Ontario
Mark Zigler, Managing Partner, Koskie Minsky LLP
Darrell Brown, Sack Goldblatt Mitchell LLP

Note: There will be a take-home assignment at the end of Module 6.
The Osgoode Certificate in Pension Law draws on the expertise and experience of leading pension and legal experts, including:

- Simon Archer, Koskie Minsky LLP, Research Fellow, Centre for Comparative Research in Law and Political Economy, York University
- Darrell Brown, Sack Goldblatt Mitchell LLP
- Ana Caçollo, Vice President, Research and Development, OMERS Investment Management Inc.
- Ronald Davis, Associate Professor, Faculty of Law, University of British Columbia
- Janet G. Downing, Lawyer/Senior Consultant, Towers Watson
- Jeremy J. Forgie, Blake, Cassels & Graydon LLP
- Jeff W. Galway, Blake, Cassels & Graydon LLP
- David Gordon, Deputy Superintendent, Pensions, Financial Services Commission of Ontario
- The Hon. Justice Eileen E. Gillese, Court of Appeal for Ontario; former Dean of Law, Western University and Pensions Law Professor
- Malcolm Hamilton, Senior Partner, Mercer Human Resource Consulting
- Andrew Hatnay, Koskie Minsky LLP
- Florence A. Holden, Principal, Towers Watson
- Terra L. Klinck, Hicks Morley Hamilton Stewart Storie LLP
- Gary Nachshen, Stikeman Elliott LLP
- Mark Newton, Heenan Blaikie LLP
- Hugh O’Reilly, Cavalluzzo Hayes Shilton McIntyre & Cornish LLP
- Scott Perkin, Director of Plan Policy, Corporate Privacy Officer, Ontario Teachers Pension Plan
- Mary M. Picard, Fraser Milner Casgrain LLP
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- Jeffrey P. Sommers, Blake, Cassels & Graydon LLP
- Jana Steele, Goodmans LLP
- J. David Vincent, Ogilvy Renault LLP
- Jill Wagman, Principal at Eckler Ltd.
- David Wentzell, McMillan LLP
- B. Bethune A. Whiston, Partner, Morneau Sobeco
- Gregory J. Winfield, McCarthy Tétrault LLP
- Mark Zigler, Managing Partner, Koskie Minsky LLP

Osgoode Hall Law School’s Osgoode Professional Development offers both credit and non-credit programming to meet the life-long learning needs of lawyers and other professionals who need legal information. Osgoode Hall Law School is one of the world’s pre-eminent law schools, and was recently recognized as the #1 ranked law school in the annual Canadian Lawyer survey of Canadian law schools. Osgoode Professional Development embodies the law school’s commitment to meeting the educational needs of the broader community and has offered many continuing legal education programs for health care, law enforcement and other professionals.

Register online today at www.osgoodepd.ca
THE OSGOODE CERTIFICATE IN PENSION LAW
WINTER 2011 REGISTRATION

Name: ____________________________ Title: ____________________________

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Fee Per Delegate

$2995 plus 13% HST for a total of $3384.35.

Fees include attendance, program materials, continental breakfast, lunch and refreshments for each of the six days of the program. The price does not include accommodations. Please inquire about group discounts and financial assistance. Payment plan details below. Dress is business casual.

Need accommodations? Check our website at www.osgoodepd.ca/hotelandparking.html

Payment Options — Payment must be made prior to the program

☐ Cheque enclosed (payable to York University – HST/GST# R119306736)
☐ Bill my credit card: ☐ VISA ☐ Mastercard
☐ Payment plan (Available prior to December 15, 2010 only): Bill my credit card in three equal monthly payments of $1,128.12 commencing the date of registration. ☐ VISA ☐ Mastercard

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Program Changes

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

Cancellations/Rainchecks/Substitutions

If you are unable to attend the program your organization may name a replacement. A full refund will be issued for cancellations received a minimum of 21 days before the program start date. Written cancellations received after January 11, 2011 will include an administration charge of $700.

Location

Osgoode Professional Development
Downtown Toronto Conference Centre
1 Dundas St. W., 26th Floor, Toronto, ON, M5G 1Z3

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 take-home assignment to receive a certificate.

CPD Credits

Approved in accordance with the requirements of the LSUC CPD program for 36 hours, LSUC EPPM credits hours (pending); the Barreau du Québec, BC CPD, Law Society of New Brunswick, Northwest Territories, Nunavut and Manitoba for 36 credit hours for CPD requirements; the New York CLE Board for 43 credit hours in the Area of Professional Practice for transitional and non-transitional lawyers. Eligible for CLE/Insurance Premium Credits Program offered by the Law Society of PEI and for Alberta CPD credit with the Law Society of Alberta. Questions? E-mail: cpd@osgoode.yorku.ca or refer to the program website.

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4 Convenient Ways to Register

1. MAIL your registration form to:
   Osgoode Professional Development
   Downtown Toronto Conference Centre
   1 Dundas St. W., 26th Floor
   Toronto, ON M5G 1Z3

2. ONLINE at www.osgoodepd.ca

3. FAX your registration to 416.597.9736

4. CALL US at 416.597.9724 or 1.888.923.3394