

Fwd: transfer of OPTrust and MOF

From: "Angus, Helen (TBS)" <"/o=govon/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=angus, helen (tbs)ffb">
To: "Kennedy, Nancy (MOF)" <nancy.kennedy@ontario.ca>, "Thompson, Scott (MOF)" <scott.thompson@ontario.ca>
Date: Fri, 16 Mar 2018 14:15:13 -0400

Sent from my iPad

Begin forwarded message:

From: "Hatzis, Len (TBS)" <Len.Hatzis@ontario.ca>
Date: February 26, 2018 at 3:13:21 PM EST
To: "Angus, Helen (TBS)" <Helen.Angus@ontario.ca>
Cc: "Ue, Allison (TBS)" <Allison.Ue@ontario.ca>, "Rondeau, Marc (TBS)" <Marc.Rondeau@ontario.ca>, "Skoberne, Vivienne (TBS)" <Vivienne.Skoberne@ontario.ca>
Subject: transfer of OPTrust and MOF

Helen

Further to our meeting this morning, I checked in with MOF Legal who in turn checked in with their key MOF clients at the Pension Policy Division. The MOF clients have heard some rumblings of an interest in moving responsibility for Sponsorship of OPTrust from TBS to MOF. However, MOF Legal did not get a sense of the timing of such an initiative and there is nothing that MOF knows of regarding scheduling/meetings for government approvals on this matter. MOF legal has not engaged on the issue.

Just as an FYI, I have set out some considerations associated with the process to transfer:

!

!

TRANSFER TO MOF:

Procedural Steps

- OIC would be needed under the *Executive Council Act* to assign the responsibility for the administration of the *OPSEU Pension Act, 1994* and any associated ministerial powers/duties to MOF. This would require the approval of the Premier and both ministers to proceed to Cabinet.

- Staffing changes may be required to support OPSEU Pension Plan oversight at MOF. Consideration would have to be given as to whether new non bargaining positions at MOF would need to be created. FTE transfers may require TB/MBC approval.
- A TB Order would be needed to transfer any financial allocation between the two ministries though it may be possible to do via delegated TB Order that is just approved by both Ministers.

-

Considerations that should be addressed in the decision-making:

- Potential conflict re MOF standing in the role of both regulator under the PBA (FSCO is their agency) and the regulated (Joint Sponsor of OPSEU PP)
- Pensions is tied to the bargaining mandate – does it make sense to have pension terms negotiated by one Ministry and all other terms and conditions of employment negotiated by another?
- There are important parallels between the OPSEU PP and the PSPP, which provide pension benefits primarily in the OPS. Many of the provisions in the two plans are identical as the OPSEU PP was originally rolled out of the PSPP. Synergies would be lost in separating them between two ministries.
- The OPSEU PP is essentially an employee pension plan for OPSEU members of the Ontario Public Service. Having MOF represent the Crown as the employer-sponsor and not TBS does not seem to be in keeping with the respective mandates of these two ministries.

Happy to discuss further.