

1 - Email - January 30 2017 - FW_ HOOP and CAAT Update - Call with Cindy.pdf

From: Tam, Nelson (TBS)
To: [Hosick, Sarah \(TBS\) \(Sarah.Hosick@ontario.ca\)](mailto:Sarah.Hosick@ontario.ca)
Subject: FW: HOOP and CAAT Update - Call with Cindy
Date: January-30-17 3:18:00 PM

Mobile +1(416) 570 1924

From: Patricia O'Malley [<mailto:plomalley@outlook.com>]
Sent: January-30-17 1:52 PM
To: Tam, Nelson (TBS)
Subject: RE: HOOP and CAAT Update - Call with Cindy

Nelson

Yes, I am free all week except for the AG meeting in Friday. I will have to drive into TO on Thursday afternoon to be on time for that meeting.

Tricia

From: Tam, Nelson (TBS) [<mailto:Nelson.Tam@ontario.ca>]
Sent: 30-Jan-17 13:49
To: Patricia O'Malley (plomalley@outlook.com) <plomalley@outlook.com>
Subject: HOOP and CAAT Update - Call with Cindy

Patricia

Cindy wants to have a teleconference with you to update you on the HOOP and CAAT pension plans. I believe you are fairly flexible this week other than Friday with AG.

Is there preferred times? I will try to coordinate with Cindy's calendar.

Thanks

Nelson
416-212-0514

2 - Email - February 1 2017 - RE_ CATTPP Update.pdf

From: Tam, Nelson (TBS)
To: [Rubashewsky, Bohodar \(EDU\)](#)
Cc: [Yee, Sandra \(MET\)](#)
Subject: RE: CATTPP Update
Date: February-01-17 8:40:00 AM

Good morning Bohodar, Welcome to CMSD Sandra

As a result of the differences in opinion between the government and the Auditor General regarding the recognition of a pension asset in Public Accounts, the Pension Asset Expert Advisory Panel (the Panel) was created to provide independent accounting advice to the government.

The Panel completed their work and TBS Communications is working towards a February 13th release (always subject to change in date and direction). The report is focused on OPSEU and Teachers' Pension Plans. The CATTPP (yes you are correct regarding the acronym) will be in a supplemental report.

TBS Communications advised OPCD to identify internal (status update) and external stakeholders (verbal advance notice of the release) who may have an interest in the Panel's report.

You may be interested in the status as CAO of MAESD. FYI - Paul Duffy, Education Finance Branch, met with us yesterday and will facilitate any advance notice to the Teachers' Pension Plan and Ontario Teachers Federation (OTF).

Hope this helps.

Thanks

Nelson
X20514

From: Rubashewsky, Bohodar (EDU)
Sent: January-31-17 8:08 PM
To: Tam, Nelson (TBS)
Cc: Yee, Sandra (MET)
Subject: CATTPP Update

Hi Nelson – hope all is well! Cindy has scheduled a 15 minute phone call on the above topic tomorrow (Wednesday) afternoon at 4:45pm. I see that you have also been invited as well. I'm assuming that CATTPP stands for College of Applied Technology Teachers Pension Plan – is that correct? I have no clue as to what this is about, so would appreciate a little background prior to the call if you're able to provide. FYI I have also invited Sandra Yee, who has taken over from Susan Flanagan as Director CFSB, to join me for the call.

Bohodar

Bohodar Rubashewsky

Assistant Deputy Minister
Corporate Management and Services Division
Ministry of Education
Ministry of Advanced Education and Skills Development
900 Bay Street, 18th Floor, Mowat Block
Toronto ON M7A 1L2
Phone: 416-325-2773
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3 - Email - February 1 2017 - CATTPP Update.pdf

From: [Veinot, Cindy \(TBS\)](#)
To: [Rubashewsky, Bohodar \(EDU\)](#); [Tam, Nelson \(TBS\)](#)
Cc: [Yee, Sandra \(MET\)](#)
Subject: CATTPP Update
Date: February-01-17 5:18:34 PM
Attachments: [image001.png](#)

Link to webpage as discussed.

<https://www.caatpension.on.ca/en/about-us/governance>

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Treasury Board Secretariat
Frost Building South
7 Queen's Park Crescent East
Toronto, Ontario M7A 1Y7

T: 416-325-8017

E: cindy.veinot@ontario.ca



image001.pdf

TBS

4 - Email - February 3 2017 - RE_ CATTPP.pdf

From: [Veinot, Cindy \(TBS\)](#)
To: [Rubashewsky, Bohodar \(EDU\)](#); [Tam, Nelson \(TBS\)](#)
Cc: [Yee, Sandra \(MET\)](#)
Subject: RE: CATTPP
Date: February-03-17 10:39:01 AM

Thanks very much for your quick turnaround -- Cindy

From: Rubashewsky, Bohodar (EDU)
Sent: February-03-17 10:34 AM
To: Veinot, Cindy (TBS); Tam, Nelson (TBS)
Cc: Yee, Sandra (MET)
Subject: FW: CATTPP

Cindy / Nelson: further to your inquiry, please see below: confirmation from MAESD's Post-Secondary Education Division that the Province does NOT have the authority to influence or direct who is on its two governing committees. If you need further information, please feel free to contact Kelly Shields (Director, Postsecondary Finance and Information Management Branch) directly.

Bohodar

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From: Shields, Kelly (MAESD)
Sent: February-03-17 8:04 AM
To: Yee, Sandra (MET); Carter-Whitney, David (MAESD)
Cc: Rubashewsky, Bohodar (EDU)
Subject: RE: CATTPP

Hi Sandra,

The CAAT plan has three sponsors and a two-tier governance structure: an 8-member Sponsors' Committee and a 12-member Board of Trustees, both equally appointed by employer and employee groups.

The three sponsors are the employers (College Employer Council), OPSEU, and OCASA (Ontario Colleges Administrative Staff Association -- which represents non-unionized employees).

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I hope this helps and just let me know if there is anything else I can provide.

Kelly

From: Yee, Sandra (MET)
Sent: February 2, 2017 9:54 PM
To: Carter-Whitney, David (MAESD); Shields, Kelly (MAESD)
Cc: Rubashewsky, Bohodar (EDU)
Subject: CATTPP

Hi David, Kelly,

Bohodar and I took a call from the provincial controller regarding the College of Applied Technology Teachers Pension Plan (CATTPP).

TBS is preparing to release a report by the Pension Asset Expert Advisory Panel. Although the focus of the report will be on OPSEU and Teachers' Pension Plans, the CATTPP may be mentioned as something that is being looked at.

This raises a question re the governance of the CATTPP. Do you know if the province has the authority to influence or direct who is on its two governing committees?

Link to the committees: <https://www.caatpension.on.ca/en/about-us/governance>

Any insight would be appreciated! Happy to chat too

Thanks,
Sandy

Sandy Yee

A/Director, Corporate Finance and Services Branch
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416-325-7677
Sandra.Yee@ontario.ca

4A - Email - February 3 2017 - FW_ CATTPP.pdf

From: [Veinot, Cindy \(TBS\)](#)
To: [Tam, Nelson \(TBS\)](#)
Subject: FW: CATTPP
Date: February-03-17 11:43:47 AM

Nelson – can you follow up with Kelly Shields to get more information about the College Employer Council.

From: Rubashewsky, Bohodar (EDU)
Sent: February-03-17 10:34 AM
To: Veinot, Cindy (TBS); Tam, Nelson (TBS)
Cc: Yee, Sandra (MET)
Subject: FW: CATTPP

Cindy / Nelson: further to your inquiry, please see below: confirmation from MAESD's Post-Secondary Education Division that the Province does NOT have the authority to influence or direct who is on its two governing committees. If you need further information, please feel free to contact Kelly Shields (Director, Postsecondary Finance and Information Management Branch) directly.

Bohodar

Bohodar Rubashewsky

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Cc: Rubashewsky, Bohodar (EDU)
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Sent: February 2, 2017 9:54 PM
To: Carter-Whitney, David (MAESD); Shields, Kelly (MAESD)
Cc: Rubashewsky, Bohodar (EDU)
Subject: CATTPP

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Any insight would be appreciated! Happy to chat too

Thanks,
Sandy

Sandy Yee

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416-325-7677
Sandra.Yee@ontario.ca

4B - Email - February 3 2017 - RE_ CATTPP.pdf

From: [Brown, Joanne \(MAESD\)](#)
To: [Peschken, Susan \(MAESD\)](#); [Mok, Shu-Yan \(MAESD\)](#); [Shields, Kelly \(MAESD\)](#); [Tam, Nelson \(TBS\)](#); [Veinot, Cindy \(TBS\)](#)
Cc: [Yuen, Karen \(MAESD\)](#); [Wilde, Sarah \(MAESD\)](#)
Subject: RE: CATTPP
Date: February-03-17 12:48:27 PM

Thanks. The CEC was established as a result of modernizing the College Collective Bargaining Act (2008). The CEC is a non share corporation without any attachment to government – they get no funding from us and they act as the employer for colleges in collective bargaining. Pensions are specifically excluded from bargaining.

If you need more information contact Sarah

From: Peschken, Susan (MAESD)
Sent: February-03-17 12:11 PM
To: Mok, Shu-Yan (MAESD); Shields, Kelly (MAESD)
Cc: Yuen, Karen (MAESD); Brown, Joanne (MAESD); Wilde, Sarah (MAESD)
Subject: RE: CATTPP

PSAB question I believe.

From: Mok, Shu-Yan (MAESD)
Sent: February 3, 2017 12:10 PM
To: Shields, Kelly (MAESD)
Cc: Peschken, Susan (MAESD); Yuen, Karen (MAESD)
Subject: RE: CATTPP

Susan or Karen: can you answer Kelly's question?

I don't know what more they want to know about CEC! Precisely because they are the collective bargaining agent for the colleges, they represent the colleges as a Sponsor of the CAAT Pension Plan.

Shu-Yan

From: Shields, Kelly (MAESD)
Sent: February 3, 2017 12:06 PM
To: Mok, Shu-Yan (MAESD)
Subject: FW: CATTPP

Hi Shu-Yan – do you have any further info on the employer council?

From: Tam, Nelson (TBS)
Sent: February 3, 2017 12:00 PM
To: Shields, Kelly (MAESD)
Subject: FW: CATTPP

Kelly

Cindy asked me to follow up with you. Do you have any additional information on the

College Employer Council?

We looked at their website - <https://thecouncil.on.ca/>

We looked on Colleges Ontario website -

http://collegesontario.org/directory/partners/partner_college_employer_council.html

The key message was they are the bargaining agent for the colleges.

Your assistance is greatly appreciated.

Thanks

Nelson
X20514

From: Rubashewsky, Bohodar (EDU)
Sent: February-03-17 10:34 AM
To: Veinot, Cindy (TBS); Tam, Nelson (TBS)
Cc: Yee, Sandra (MET)
Subject: FW: CATTPP

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Thanks,
Sandy

Sandy Yee

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Toronto, ON M7A 1L2
416-325-7677
Sandra.Yee@ontario.ca

4C - Email - February 3 2017 - FW_ CATTPP.pdf

From: Tam, Nelson (TBS)
To: [Veinot, Cindy \(TBS\) \(Cindy.Veinot@ontario.ca\)](mailto:Cindy.Veinot@ontario.ca)
Subject: FW: CATTPP
Date: February-03-17 1:16:00 PM
Attachments: [Ontario Colleges of Applied Arts and Technology Act.doc](#)

Cindy

See response from Kelly. Basically, they don't have additional information that may assist. I went to the Act mentioned below and there was a reference to the attached Act. In section 7.1, it provides some information such as object, function, composition.

Hope this helps.

Thanks

Nelson
X20514

From: Shields, Kelly (MAESD)
Sent: February-03-17 12:51 PM
To: Tam, Nelson (TBS)
Cc: Wilde, Sarah (MAESD)
Subject: RE: CATTPP

Hi Nelson,

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Kelly

From: Tam, Nelson (TBS)
Sent: February 3, 2017 12:00 PM
To: Shields, Kelly (MAESD)
Subject: FW: CATTPP

Kelly

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Sandy Yee

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Ontario Colleges of Applied Arts and Technolog.pdf

Ontario Colleges of Applied Arts and Technology Act, 2002

S.O. 2002, CHAPTER 8 Schedule F

Consolidation Period: From December 3, 2015 to the [e-Laws currency date](#).

Last amendment: 2015, c. 27, Sched. 6, s. 1.

Definition

1. In this Act,

“Minister” means the Minister of Training, Colleges and Universities or such other member of the Executive Council to whom the administration of this Act may be assigned under the *Executive Council Act*. 2002, c. 8, Sched. F, s. 1.

Colleges

2. (1) Colleges of applied arts and technology may be established by regulation. 2002, c. 8, Sched. F, s. 2 (1).

Corporate entity

(1.1) Each college established under subsection (1) is a corporation without share capital and shall consist of the members of its board of governors. 2006, c. 19, Sched. S, s. 2 (1).

Same corporate entity

(1.2) For greater certainty, for each college, the corporation referred to in subsection (1.1) is the same corporation as the non-share corporation for the college referred to in subsection 3 (2) of this Act, as it read on June 21, 2006. 2015, c. 27, Sched. 6, s. 1.

Objects

(2) The objects of the colleges are to offer a comprehensive program of career-oriented, post-secondary education and training to assist individuals in finding and keeping employment, to meet the needs of employers and the changing work environment and to support the economic and social development of their local and diverse communities. 2002, c. 8, Sched. F, s. 2 (2).

Carrying out its objects

(3) In carrying out its objects, a college may undertake a range of education-related and training-related activities, including but not limited to,

- (a) entering into partnerships with business, industry and other educational institutions;
- (b) offering its courses in the French language where the college is authorized to do so by regulation;
- (c) adult vocational education and training;
- (d) basic skills and literacy training;
- (e) apprenticeship in-school training; and
- (f) applied research. 2002, c. 8, Sched. F, s. 2 (3).

Crown agent

(4) A college established under subsection (1) is an agency of the Crown. 2002, c. 8, Sched. F, s. 2 (4).

Boards of governors

3. (1) There shall be a board of governors for each college established under this Act consisting of such members as may be prescribed by regulation. 2002, c. 8, Sched. F, s. 3 (1).

(2) REPEALED: 2006, c. 19, Sched. S, s. 2 (2).

Policy directives

4. (1) The Minister may issue policy directives in relation to the manner in which colleges carry out their objects or conduct their affairs. 2002, c. 8, Sched. F, s. 4 (1).

Binding

(2) The policy directives are binding upon the colleges and the colleges to which they apply shall carry out their objects and conduct their affairs in accordance with the policy directives. 2002, c. 8, Sched. F, s. 4 (2).

General or particular

(3) A policy directive of the Minister may be general or particular in its application. 2002, c. 8, Sched. F, s. 4 (3).

Non-application of *Legislation Act, 2006*

(4) Part III (Regulations) of the *Legislation Act, 2006* does not apply to the policy directives. 2009, c. 33, Sched. 25, s. 3.

Intervention

5. (1) The Minister may intervene into the affairs of a college or a subsidiary of a college in such manner and under such conditions as may be prescribed, if the Minister is of the opinion that,

- (a) the college is not providing services in accordance with this Act or the regulations or with any other Act that applies to the college;
- (b) the college fails to follow a policy directive under section 4; or
- (c) it is in the public interest to do so. 2002, c. 8, Sched. F, s. 5 (1).

Public interest

(2) In determining whether an intervention is in the public interest, the Minister may take into consideration, among other things,

- (a) the quality of the management and administration of the college;
- (b) the college's utilization of its financial resources for the management and delivery of core education and training services;
- (c) the accessibility to education and training services in the community where the college is located; and
- (d) the quality of education and training services provided to students. 2002, c. 8, Sched. F, s. 5 (2).

Information

6. A college established under this Act shall provide to the Minister any financial or other information that the Minister may request. 2002, c. 8, Sched. F, s. 6.

Student governing body

7. Nothing in this Act restricts a student governing body of a college elected by the students of the college from carrying on its normal activities and no college shall prevent the student governing body from doing so. 2002, c. 8, Sched. F, s. 7.

College Employer Council

7.1 (1) A corporation without share capital is established under the name College Employer Council in English and Conseil des employeurs des collèges in French and is composed of the members of its board of directors. 2008, c. 15, s. 87 (1).

Object

(2) The object of the Council is to be responsible for certain functions relating to collective negotiations and establishment of terms and conditions of employment of persons employed by colleges. 2008, c. 15, s. 87 (1).

Functions

- (3) The Council,
 - (a) shall exercise the powers and perform the functions and duties assigned to it under the *Colleges Collective Bargaining Act, 2008*;
 - (b) subject to subsection (7), shall establish, on behalf of the colleges and in consultation with them, the terms and conditions of employment, except superannuation, for persons employed by colleges who are not in a bargaining unit established under the *Colleges Collective Bargaining Act, 2008*; and
 - (c) may be the policy holder for insured benefit plans for persons employed by colleges. 2008, c. 15, s. 87 (1).

Transition, insured benefit plan policy

(4) The Council shall be deemed to be the policy holder for any insured benefit plans for persons employed by colleges for which the College Compensation and Appointments Council was the policy holder immediately before this section came into force. 2008, c. 15, s. 87 (1).

Limit on Council's function, certain employees

(5) On the written recommendation of a college, the Minister may direct that the college shall establish the terms and conditions of employment for persons employed by the college who are not in a bargaining unit established under the *Colleges Collective Bargaining Act, 2008*. 2008, c. 15, s. 87 (1).

Same

(6) A direction of the Minister shall be given to the Council and the college and shall be made available to the public on the internet and by such other means as the Minister may consider appropriate. 2008, c. 15, s. 87 (1).

Same

(7) Where the Minister has made a direction in respect of a college, the Council shall not act under clause (3) (b) in respect of the college. 2008, c. 15, s. 87 (1).

Board

(8) The affairs of the Council shall be managed by its board of directors. 2008, c. 15, s. 87 (1).

Composition of board

(9) The board of directors shall consist of,

- (a) the chair of the board of governors of each college or, if the chair of a college so directs, the vice-chair of the board of governors of the college;
- (b) the president of each college. 2008, c. 15, s. 87 (1).

Same

(10) Despite clause (9) (a), a chair or vice-chair of a board of governors of a college who was appointed to the board of governors of the college following his or her election to it by students or a staff group shall not be a member of the board of directors of the Council. 2008, c. 15, s. 87 (1).

Chair, vice-chair

(11) The members of the board of directors shall, in accordance with its by-laws, elect a chair and vice-chair from among themselves. 2008, c. 15, s. 87 (1).

Same

(12) The president of a college shall not attend a part of a meeting of the board of directors during which the remuneration of college presidents is discussed and shall not vote on any matter relating to that remuneration. 2008, c. 15, s. 87 (1).

Annual report

(13) Within 90 days after the end of each fiscal year, the Council shall provide the board of governors of each college with,

- (a) a report on its activities in respect of the year;
- (b) its audited financial statements for the year. 2008, c. 15, s. 87 (1).

Assessments to cover expenses

(14) The Council may, in accordance with the by-laws passed by the board of directors, assess amounts against each college in respect of the Council's expenses and each college shall pay the amount assessed against it. 2008, c. 15, s. 87 (1).

Same

(15) The Council may assess different amounts for different colleges. 2008, c. 15, s. 87 (1).

Regulations

8. (1) The Lieutenant Governor in Council may make regulations,

- (a) establishing, naming and governing colleges, including varying or expanding the objects or responsibilities of any college, and prescribing any other matter related to the manner in which a college may carry out its affairs;

- (b) providing for the appointment, composition, powers and duties of boards of governors and the removal of any or all members of any board of governors upon such conditions and subject to such processes as may be prescribed, including delegating any of these powers to the council established under clause (g);
- (c) limiting the powers that may be exercised by a college under the *Corporations Act* under such conditions as may be prescribed;
- (d) amalgamating or closing colleges and providing for any matters that must be dealt with as a result of the amalgamation or closure;
- (e) in respect of an intervention under section 5,
 - (i) prescribing under what conditions an intervention may be taken,
 - (ii) prescribing the types of intervention that may be taken, including replacing any or all members of a board,
 - (iii) delegating to the Minister or an agent of the Minister any powers necessary to carry out the intervention,
 - (iv) governing procedures that apply in respect of an intervention and requiring colleges to comply with those procedures;
- (f) respecting the languages of instruction, including authorizing specified colleges to offer any or all of their programs in the French language and excluding others from doing so;
- (g) establishing or continuing a council and setting out its functions, powers and duties;
- (h) providing for any transitional matter necessary for the effective implementation of this Act or the regulations. 2002, c. 8, Sched. F, s. 8 (1); 2008, c. 15, s. 87 (2).

General or specific

- (2) A regulation may be general or specific in its application. 2002, c. 8, Sched. F, s. 8 (2).

Conflict

- (3) If there is a conflict between a regulation made under this section and the *Corporations Act*, the regulation prevails. 2002, c. 8, Sched. F, s. 8 (3).

9. REPEALED: 2008, c. 15, s. 87 (3).

10.-12. OMITTED (AMENDS OR REPEALS OTHER ACTS). 2002, c. 8, Sched. F, ss. 10-12.

13. OMITTED (PROVIDES FOR COMING INTO FORCE OF PROVISIONS OF THIS ACT). 2002, c. 8, Sched. F, s. 13.

14. OMITTED (ENACTS SHORT TITLE OF THIS ACT). 2002, c. 8, Sched. F, s. 14.

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4C - Ontario Colleges of Applied Arts and Technology Act.doc

Ontario Colleges of Applied Arts and Technology Act, 2002

S.O. 2002, CHAPTER 8 Schedule F

Consolidation Period: From December 3, 2015 to the [e-Laws currency date](#).

Last amendment: 2015, c. 27, Sched. 6, s. 1.

Definition

1. In this Act,

“Minister” means the Minister of Training, Colleges and Universities or such other member of the Executive Council to whom the administration of this Act may be assigned under the *Executive Council Act*. 2002, c. 8, Sched. F, s. 1.

Colleges

2. (1) Colleges of applied arts and technology may be established by regulation. 2002, c. 8, Sched. F, s. 2 (1).

Corporate entity

(1.1) Each college established under subsection (1) is a corporation without share capital and shall consist of the members of its board of governors. 2006, c. 19, Sched. S, s. 2 (1).

Same corporate entity

(1.2) For greater certainty, for each college, the corporation referred to in subsection (1.1) is the same corporation as the non-share corporation for the college referred to in subsection 3 (2) of this Act, as it read on June 21, 2006. 2015, c. 27, Sched. 6, s. 1.

Objects

(2) The objects of the colleges are to offer a comprehensive program of career-oriented, post-secondary education and training to assist individuals in finding and keeping employment, to meet the needs of employers and the changing work environment and to support the economic and social development of their local and diverse communities. 2002, c. 8, Sched. F, s. 2 (2).

Carrying out its objects

(3) In carrying out its objects, a college may undertake a range of education-related and training-related activities, including but not limited to,

- (a) entering into partnerships with business, industry and other educational institutions;
- (b) offering its courses in the French language where the college is authorized to do so by regulation;
- (c) adult vocational education and training;
- (d) basic skills and literacy training;
- (e) apprenticeship in-school training; and
- (f) applied research. 2002, c. 8, Sched. F, s. 2 (3).

Crown agent

(4) A college established under subsection (1) is an agency of the Crown. 2002, c. 8, Sched. F, s. 2 (4).

Boards of governors

3. (1) There shall be a board of governors for each college established under this Act consisting of such members as may be prescribed by regulation. 2002, c. 8, Sched. F, s. 3 (1).

(2) REPEALED: 2006, c. 19, Sched. S, s. 2 (2).

Policy directives

4. (1) The Minister may issue policy directives in relation to the manner in which colleges carry out their objects or conduct their affairs. 2002, c. 8, Sched. F, s. 4 (1).

Binding

(2) The policy directives are binding upon the colleges and the colleges to which they apply shall carry out their objects and conduct their affairs in accordance with the policy directives. 2002, c. 8, Sched. F, s. 4 (2).

General or particular

(3) A policy directive of the Minister may be general or particular in its application. 2002, c. 8, Sched. F, s. 4 (3).

Non-application of *Legislation Act, 2006*

(4) Part III (Regulations) of the *Legislation Act, 2006* does not apply to the policy directives. 2009, c. 33, Sched. 25, s. 3.

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5. (1) The Minister may intervene into the affairs of a college or a subsidiary of a college in such manner and under such conditions as may be prescribed, if the Minister is of the opinion that,

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- (c) it is in the public interest to do so. 2002, c. 8, Sched. F, s. 5 (1).

Public interest

(2) In determining whether an intervention is in the public interest, the Minister may take into consideration, among other things,

- (a) the quality of the management and administration of the college;
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6. A college established under this Act shall provide to the Minister any financial or other information that the Minister may request. 2002, c. 8, Sched. F, s. 6.

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(15) The Council may assess different amounts for different colleges. 2008, c. 15, s. 87 (1).

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- (d) amalgamating or closing colleges and providing for any matters that must be dealt with as a result of the amalgamation or closure;
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 - (i) prescribing under what conditions an intervention may be taken,
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 - (iii) delegating to the Minister or an agent of the Minister any powers necessary to carry out the intervention,
 - (iv) governing procedures that apply in respect of an intervention and requiring colleges to comply with those procedures;
- (f) respecting the languages of instruction, including authorizing specified colleges to offer any or all of their programs in the French language and excluding others from doing so;
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- (h) providing for any transitional matter necessary for the effective implementation of this Act or the regulations. 2002, c. 8, Sched. F, s. 8 (1); 2008, c. 15, s. 87 (2).

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14. OMITTED (ENACTS SHORT TITLE OF THIS ACT). 2002, c. 8, Sched. F, s. 14.

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5 - Briefing-Note - HOOPP and CAATPP.docx

Pension Asset Expert Advisory Panel Status Update

Issue:

Provide an update on the strategy to complete the HOOPP and CAATPP supplemental report.

Current Status:

- The Ministry is currently conducting research into the government's control/influence of HOOPP and CAATPP as the government is not a sponsor of these plans.
- The Chair advised that to complete the analysis for the supplemental report, she requires the full panel to be available for discussions.
- Panel member with legal expertise is not available until March 8th.
- One panel member is not available for two weeks starting the week of February 13th.
- The Chair believes that the supplemental report can be completed fairly quickly after March 8th. The main points regarding pension asset accounting have already been addressed in the Panel's OPSEUPP and OTPP report. The panel needs to discuss the "control" aspect of HOOPP and CAATPP.
- The risk is that the supplemental report will not be completed by March 31, 2017, the end of the appointments. The potential impacts are: (a) no budget allocation for the panel for 2017-2018, (b) approval by Treasury Board to extend the Panel's appointment, (c) the process to extend the appointment of the panel to 2017 – 2018, and (d) potential implications on the 5-year budgeting process (accounting treatment if the plans are in an asset position).
- An option, with Chair approval, is to obtain separate legal advice regarding HOOPP and CAATPP during the absence of the legal expert panel member. The advice would be discussed with the legal expert panel member after March 8 to confirm agreement with the recommendations.

Next Steps:

To obtain direction regarding the completion of the supplemental report.

Prepared by: Nelson Tam
Project Manager, Pension Asset Evaluation

Approved by: Cindy Veinot
Provincial Controller
Assistant Deputy Minister, Office of the Provincial Controller

Date: February 2, 2017

5 - Briefing-Note - HOOPP and CAATPP_v1.docx

Pension Asset Expert Advisory Panel - Status Update on Supplemental Report

Issue:

The Panel has provided an update that the completion of Provide an update on the strategy to complete the HOOPP and CAATPP supplemental report could be delayed until late March 2017. This new timeline creates a risk that the panel's appointment may require extension into April.

Current Status:

The Ministry is currently conducting research into the government's control/influence of HOOPP and CAATPP as the government is not a sponsor of these plans.

The Chair advised that to complete the analysis for the supplemental report, she requires the full panel to be available for discussions.

- However, the Panel member with legal expertise is not available until March 8th, and -
- One panel another -member is not available for two weeks starting the week of February 13th.

The Chair believes that the supplemental report can be completed fairly quickly after March 8th. The main points regarding pension asset accounting have already been addressed in the Panel's OPSEUPP and OTPP report. The panel needs to discuss the "control" aspect of HOOPP and CAATPP.

Risk:

- The primary risk is that the supplemental report will may not be completed by March 31, 2017, the end of the appointments. The potential impacts are include: (a) 2017-18 no-bb budget allocation for the panel would need to be approved for 2017-2018, (b) approval by Treasury Board/Management Board of Cabinet to extend the Panel's appointment, (c) the process to extend the appointment of the panel members in to 2017 – 2018, and (d) potential implications on the 5-year budgeting process (accounting treatment if the plans are in an asset position) if the results of the report are unknown by the 2017 Budget release.
- An option to potentially mitigate risk of panel extending into April, with Chair approval, is to obtain separate legal advice regarding HOOPP and CAATPP during the absence of the legal

expert panel member. The advice would be discussed with the legal expert panel member after March 8 to confirm agreement with the recommendations.

Next Steps:

To obtain direction regarding the ~~completion of the supplemental report~~ potential extension of the Pension Panel.

Prepared by: Nelson Tam
Project Manager, Pension Asset Evaluation

Approved by: Cindy Veinot
Provincial Controller &
Assistant Deputy Minister, Office of the Provincial Controller

Date: February 2, 2017

DRAFT

5 - Email - February 2 2017 - RE_ HOOPP and CAATPP Briefing Note.pdf

From: [Hosick, Sarah \(TBS\)](#)
To: [Tam, Nelson \(TBS\)](#)
Subject: RE: HOOPP and CAATPP Briefing Note
Date: February-02-17 12:14:29 PM
Attachments: [Briefing-Note - HOOPP and CAATPP v1.docx](#)

Thanks!

I made a few edits in the issue and next steps section – are you ok with the proposed changes? I want to get the issue (risk) clear right up front, and that it's not just a normal status update.

Can you also send me the Qs/As doc you had updated once its complete?

Thanks
Sarah

From: Tam, Nelson (TBS)
Sent: February-02-17 11:41 AM
To: Hosick, Sarah (TBS)
Subject: HOOPP and CAATPP Briefing Note

Sarah

As discussed

Nelson
X20514

Briefing-Note - HOOPP and CAATPP_v1.pdf

Pension Asset Expert Advisory Panel - Status Update on Supplemental Report

Issue:

The Panel has provided an update that the completion of Provide an update on the strategy to complete the HOOPP and CAATPP supplemental report could be delayed until late March 2017. This new timeline creates a risk that the panel's appointment may require extension into April.

Current Status:

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Risk:

- The primary risk is that the supplemental report will may not be completed by March 31, 2017, the end of the appointments. The potential impacts are include: (a) 2017-18 no-bb budget allocation for the panel would need to be approved for 2017-2018, (b) approval by Treasury Board/Management Board of Cabinet to extend the Panel's appointment, (c) the process to extend the appointment of the panel members in to 2017 – 2018, and (d) potential implications on the 5-year budgeting process (accounting treatment if the plans are in an asset position) if the results of the report are unknown by the 2017 Budget release.
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expert panel member. The advice would be discussed with the legal expert panel member after March 8 to confirm agreement with the recommendations.

Next Steps:

To obtain direction regarding the ~~completion of the supplemental report~~ potential extension of the Pension Panel.

Prepared by: Nelson Tam
Project Manager, Pension Asset Evaluation

Approved by: Cindy Veinot
Provincial Controller &
Assistant Deputy Minister, Office of the Provincial Controller

Date: February 2, 2017

DRAFT

5A - Email - February 7 2017 - Re_ OHA and HOOPP.pdf

From: [Donaldson, Mark \(MOHLTC\)](#)
To: [Veinot, Cindy \(TBS\)](#)
Cc: [Tam, Nelson \(TBS\)](#)
Subject: Re: OHA and HOOPP
Date: February-07-17 6:10:06 PM
Attachments: [image001.png](#)

Hi Cindy,

Still waiting for someone to contact me -- was promised a contact name in legal services by tomorrow latest. Apologies for the delay.

Mark

On Feb 7, 2017, at 8:29 AM, Donaldson, Mark (MOHLTC) <Mark.Donaldson@ontario.ca> wrote:

Hi Cindy,
I will follow up again this morning with legal services and update you later today.
Cheers,
Mark

From: Veinot, Cindy (TBS)
Sent: February-06-17 5:18 PM
To: Donaldson, Mark (MOHLTC)
Cc: Tam, Nelson (TBS)
Subject: OHA and HOOPP

Hi Mark – wondering if you were able to track down who might know more about the relationship between the Province and the OHA in MOHLTC?

Thanks,

Cindy Veinot
Provincial Controller and Assistant Deputy Minister, Office of the Provincial Controller
Treasury Board Secretariat
Frost Building South
7 Queen's Park Crescent East
Toronto, Ontario M7A 1Y7

T: 416-325-8017
E: cindy.veinot@ontario.ca

<image001.png>

image001_1.pdf

TBS

6 - Email - February 8 2017 - RE_ hospitals question.pdf

From: [Donaldson, Mark \(MOHLTC\)](#)
To: [Tam, Nelson \(TBS\)](#)
Cc: [Arruda, Armanda \(MOHLTC\)](#)
Subject: RE: hospitals question
Date: February-08-17 10:35:39 AM

Hi Nelson ... I'll have something set up and an invitation sent from my office.

Cheers,
Mark

From: Veinot, Cindy (TBS)
Sent: February-08-17 10:32 AM
To: Donaldson, Mark (MOHLTC)
Cc: Tam, Nelson (TBS); Arruda, Armanda (MOHLTC)
Subject: RE: hospitals question

Thanks Mark – that would be great. Please coordinate with Nelson – I don't need to be on the call.

Cindy

From: Donaldson, Mark (MOHLTC)
Sent: February-08-17 10:31 AM
To: Veinot, Cindy (TBS)
Cc: Tam, Nelson (TBS); Arruda, Armanda (MOHLTC)
Subject: FW: hospitals question

Hi Cindy,

As discussed, I've been able to land the names of individuals in our legal services branch who might be able to assist. If you would like me to co-ordinate a t/c with your office, I'm happy to do so.

Mark

From: Macdonald, Michelle (MOHLTC)
Sent: February-08-17 10:22 AM
To: Donaldson, Mark (MOHLTC)
Cc: Corless, Tara (MOHLTC); Dimitriadis, Fannie (MOHLTC)
Subject: hospitals question

Hi Mark –

As promised – cc'd here are my two colleagues that deal with public hospitals work (Tara Corless and Fannie Dimitriadis). I gave them a high level summary of the issue (ministry's ability to influence activities of HOOPP) – feel free to reach out to them to discuss.

Thanks,

Michelle

Michelle Macdonald

Counsel

Ministry of the Attorney General, Civil Law Division

Health and Long-Term Care Branch

56 Wellesley St. W., 8th Floor

Toronto, ON M5S 2S3

phone: 416-327-8603

fax: 416-327-8605

michelle.macdonald@ontario.ca

PLEASE NOTE: This e-mail message and any attachments are intended only for the above-named recipient(s), and may contain information that is confidential and solicitor-client privileged. If you have received this message in error, please notify me immediately and delete this e-mail and any attachments without copying, distributing or disclosing their contents.

7 - Email - February 7 2017 - Re_ Panel - Legal Advice on HOOPP and CAATPP.pdf

From: [Petsche, Nadine \(TBS\)](#)
To: [Tam, Nelson \(TBS\)](#)
Subject: Re: Panel - Legal Advice on HOOPP and CAATPP
Date: February-07-17 7:43:22 PM

Nelson,
You would have to talk to Len Hatzis on this item. N

From: Tam, Nelson (TBS)
Sent: Tuesday, February 7, 2017 2:02 PM
To: Petsche, Nadine (TBS)
Subject: Panel - Legal Advice on HOOPP and CAATPP

Nadine

To assist the Panel with their work on HOOPP and CAATPP, there was a suggestion of having an external lawyer to support the Panel in Murray's absence. The Chair suggested the following:

I think one of the opinions the gov't got on the use of surplus in joint plans was from Jana Steele at Oslers. She is familiar with all these plans and maybe there is some room in her previous contract to help us. This is the same question in other plans.

Not sure if you were directly involved in the procurement of the opinion. If yes, can we use that contract to support the panel as long as not all the funds have been used?

Thanks

Nelson
X20514

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From: [Hatzis, Len \(TBS\)](#)
To: [Tam, Nelson \(TBS\)](#)
Subject: RE: Panel - Legal Support for HOOPP and CAATPP
Date: February-10-17 3:55:18 PM

Hi

I need to check the status of the retainer with Jana – will be back to you.

From: Tam, Nelson (TBS)
Sent: February 10, 2017 3:41 PM
To: Hatzis, Len (TBS)
Subject: Panel - Legal Support for HOOPP and CAATPP

Len

To assist the Panel with their work on HOOPP and CAATPP, there was a suggestion of having an external lawyer to support the Panel in Murray's absence so the Panel can continue their work on the remaining plans until Murray is back on March 8th. The Chair suggested the following:

I think one of the opinions the gov't got on the use of surplus in joint plans was from Jana Steele at Oslers. She is familiar with all these plans and maybe there is some room in her previous contract to help us. This is the same question in other plans.

Did you obtain Jana's service through a VOR/procurement process? If yes, has the contract ended or we can still use Jana's service?

Your advice is greatly appreciated. Maybe you may have an alternative suggestion.

Thanks

Nelson
X20514