Essential Tasks of Pension and Benefit Plan Trustees

Chaired by
Murray Campbell
Lawson Lundell LLP

February 26th, 2014 • Segal Building, SFU • 500 Granville Street • Vancouver, BC
20TH ANNUAL
ESSENTIAL TASKS OF PENSION AND BENEFIT PLAN TRUSTEES

As a trustee, it is essential that you understand your legal duties, what to watch out for, and how to limit your exposure to liability.

To this end, this conference assembles leading experts to educate you on your legal duties as a trustee and how to protect yourself, to update you on recent changes in the law, and to provide you with best practices and practical advice to assist you in creating successful and sustainable plans.

Whether you are newly appointed or a more experienced trustee, this conference is designed to equip you with the tools required to successfully fulfill your duties and to assist in creating successful and sustainable plans.

YOU WILL LEARN:

- The keys to being an effective pension and benefit plan trustee
- Your responsibilities as a trustee and how to protect yourself from liability
- About recent legal developments, including the new pension standards legislation in BC and Alberta, key legislative changes and the implications of these changes
- Privacy and records management for pension and benefit plans
- The current state, and impact, of the solvency crisis as it affects pension plans
- The nuts and bolts of trusteeship, including running efficient meetings and dealing with conflict

THIS CONFERENCE IS DESIGNED FOR:

- Pension and benefit plan trustees
- Pension consultants, investment professionals, lawyers and other advisors
- Actuaries
- Insurance professionals

CHAIR

Murray Campbell, Partner, Lawson Lundell LLP, Vancouver, BC. Mr. Campbell practises exclusively in the pension and employee benefits area, and is the head of his firm’s Pension and Employee Benefits Group. He is legal counsel for over two dozen multi-employer pension and health and welfare plans, as well as numerous sponsors of single employer arrangements. He has advised on many disputes relating to pension and benefit plans, and is involved in all manners of compliance and governance issues arising out of the administration of such plans. He is a frequent speaker on pension and benefit issues.

FACULTY

Lisa Chamzuk, Partner, Lawson Lundell LLP, Vancouver, BC. Lisa practises exclusively in the area of pension and employee benefits, representing boards of trustees and corporate plan sponsors in both the public and private sector and in a wide variety of industries. Lisa regularly advises boards of trustees and other sponsors of pension and employee benefit plans in respect of the interpretation and amendment of plan texts, the application of the governing legal principles and of provincial and federal legislation. She often prepares formal opinions for her clients advising on proposed courses of action in light of the governing legal principles. Lisa is particularly familiar with the provincial and federal privacy legislation as they apply to pension and employee benefit plans and has drafted privacy policies for a number of her clients.

Joe Elworthy, Chair, Transit Employees’ Health & Benefit Trust; and Trustee, Public Service Pension Plan BC, Vancouver, BC. Joe began his career in Canada with Coast Mountain Bus Company (CMBC) as an Electrician in 1976. Throughout the course of his career, he has been elected into a number of full-time Union positions, including the National President of The Confederation of Canadian Unions, National President of the Independent Canadian Transit Union (ICTU), and most recently as President of the UNIFOR Local 2200 since 2000 (Note: formerly Canadian Auto Workers Local 2200). In these capacities, Joe has served as a lead Union negotiator on all Metro Vancouver Public Transit bargaining committees since 1995. In addition to his roles at CMBC and with UNIFOR, Joe is a Trustee with the Public Service Pension Plan BC, appointed by the BC Government Employees Union (BCEGU). He has also been one of the Union appointed Trustees of the joint Transit Employees’ Health and Benefit Trust from 1993 to present day. He has served as Chair of the Board of that joint Trust, as nominated by his fellow Union and Management Trustees, since 2006.

Brendan George, Partner, George & Bell Consulting, Vancouver, BC. Mr. George has worked in the pension and investment fields for 18 years. His areas of specialization include the financing and actuarial analysis of pension plans and investment consulting. Mr. George’s clients include pension plans, insurance funds, workers’ compensation funds, endowments and foundations. Mr. George has designed and implemented pension plans and supplementary pension plans. He also has experience with investment policy design and monitoring, investment manager searches, as well as performing risk analysis and asset-liability projections. Mr. George holds a Bachelor of Economic Science (with Distinction) in Statistics and Actuarial Science from the University of the Witwatersrand, South Africa, and is a Fellow of the Canadian Institute of Actuaries, a Fellow of the Institute of Actuaries (England), a Fellow of the Society of Actuaries, and a Chartered Financial Analyst charterholder. He is a frequent speaker at industry events.

Naveen Kapahi, Partner, Mercer LLC, Vancouver, BC. Naveen Kapahi is a Partner and senior consultant at Mercer’s Vancouver office. Naveen has over 30 years of experience in actuarial consulting in BC. He consults with clients on the design, financing, and administration of pension plans and health & welfare plans, including those sponsored by public and private sector employers. He also advises the trustees of multi-employer, negotiated-cost pension plans. Naveen has worked extensively with boards, executive committees, unions and staff to help them reach plan design and financial management decisions that work in their collective best interest. Further, he has helped all interested parties understand and see the benefits of proposed solutions to their constituencies. Naveen also has extensive experience with plans in both Canada and the US. In addition, he is often consulted by regulators of pension plans and was a key contributor to the proposed changes to BC pension regulations. Naveen is a past president of the Canadian Pension and Benefits Institute. He is also a regular speaker at industry events and the author of articles in numerous industry publications. Naveen has a Bachelor of Science in Mathematics from Simon Fraser University.

John Smith, Partner, Lawson Lundell LLP, Vancouver, BC. Mr. Smith has a wide ranging practice covering commercial law, securities and M&A, as well as significant trust matters. Mr. Smith also has a long history of dealing with pension plans and serves on the Pension Committee of a significant corporation. A significant part of his practice is devoted to advising trustees and other fiduciaries about the extent and discharge of their duties. Mr. Smith is widely published, has lectured extensively, and is an adjunct professor teaching a section of the Trusts course at University of British Columbia Faculty of Law.
ESSENTIAL TASKS OF PENSION AND BENEFIT PLAN TRUSTEES

THE AGENDA

9:00 Welcome and Introduction
Murray Campbell
Lawson Lundell LLP

9:10 The Keys to Being an Effective Pension and Benefit Plan Trustee: Trustee Responsibilities
John Smith
Lawson Lundell LLP
• What is a trust?
• Trust law as it applies to pension and benefit plans
• What are the core duties of a trustee?

9:45 Questions and Discussion

9:55 The Keys to Being an Effective Pension and Benefit Plan Trustee: Trustee Responsibilities (Continued) and Trustee Protection
John Smith
Lawson Lundell LLP
• Liability for other trustees’ actions
• Use of professional advisors
• Indemnity clauses
• Insurance
• Advice and direction

10:30 Questions and Discussion

10:40 Refreshment Adjournment

10:55 Recent Legal Developments
Murray Campbell
Lawson Lundell LLP
• Latest pension and benefits case law
• Federal and provincial statutory developments

11:30 Questions and Discussion

11:40 The New Pension Legislation in British Columbia and Alberta
Naveen Kapahi
Mercer LLC
• Review of the new British Columbia Pension Benefits Standards Act
• Review of the new Alberta Employment Pension Plans Act
• Key legislative changes
• Implications of legislative changes

12:15 Questions and Discussion

12:25 Networking Luncheon

1:30 Privacy and Record Management for Pension & Benefit Plans
Lisa Chamzuk
Lawson Lundell LLP
• Application of provincial and federal privacy legislation to pension and benefit plans
• Creation, management, retention and destruction of records (personal and business related) by pension and benefit plans
• Current issues

2:10 Questions and Discussion

2:20 Refreshment Adjournment

2:35 Is the Solvency Crisis Over for Pension Plans?
Brendan George
George & Bell Consulting
• Background
• Economic environment
• Pension reform and impact on solvency valuations
• Plan design innovations
• Investment policy issues

3:10 Questions and Discussion

3:20 The Nuts and Bolts of Trusteeship: A Trustee’s Perspective
Joe Elworthy
Transit Employees’ Health & Benefit Trust and Public Service Pension Plan BC Board of Trustees
• Skills needed by trustees
• Best practices for dealing with conflict
• Running effective trustee meetings
• Best practices for the circulation of information and relevant materials to the board
• Working successfully with the trustee’s staff and service providers

3:50 Questions and Discussion

4:00 Chair’s Closing Remarks

4:00 Networking Reception Sponsored by Lawson Lundell LLP
Information

Four Ways to Register:
1. Telephone us: 604-730-2500 or toll free: 1-877-730-2555
2. Fax us: 604-730-5085 or toll free: 1-866-730-5085
3. Mail your registration form with payment
4. Register at www.pbli.com/1055

Registration: The registration fee is $770.00 plus GST of $38.50 totalling $808.50 covering your attendance at the conference, written materials, a light breakfast, a networking luncheon and refreshments throughout the day.

Group Discounts: Register four persons from the same organization at the same time and you are entitled to a complimentary fifth registration.

Payment: You may pay by VISA, MasterCard or cheque. Cheques should be made payable to the Pacific Business & Law Institute. Registration fees must be paid prior to the conference.

When and Where: Check-in begins at 8:30 a.m. The conference starts at 9:00 a.m. Segal Building, Simon Fraser University is located at 500 Granville Street in Vancouver, BC.

Materials: The faculty will prepare papers and other materials explaining many of the points raised during this conference. Materials will be available for pick-up at the conference. Please contact us at registrations@pbli.com if you are unable to attend the conference and wish to purchase a set of materials.

Your Privacy: We will keep all information that you provide to us in strict confidence, other than to prepare a delegate list containing your name, title, firm and city for our faculty and the conference delegates. We do not share our mailing lists with any non-affiliated organization.

Cancellations: Full refunds will be given for cancellations if notice is received in writing five full business days prior to the conference (February 19th, 2014). After that time we are unable to refund registration fees. Substitutions will be permitted. We reserve the right to cancel, change or revise the date, faculty, content or venue of this event.

Course Accreditation: Attendance at this course can be listed for up to 5.4 hours of continuing professional development with the Law Societies of BC and Upper Canada.

---

 Registration Form

Pacific Business & Law Institute
305 – 1681 Chestnut Street
Vancouver, BC Canada V6J 4M6
Telephone: 604-730-2500; Fax: 604-730-5085
E-mail: registrations@pbli.com

Salute First Name Last Name Position/Title

Firm/Company

Address

City Province/Territory Postal Code

Telephone Fax Email

Paid by: VISA MasterCard Cheque payable to Pacific Business & Law Institute

Card Number Expiry Date

How did you hear about this conference?

☐ Brochure ☐ Email ☐ Colleague ☐ PBLI Website ☐ Other

Register today at www.pbli.com/1055