

## **SCHEDULE "A"**

### **AMENDMENT NO. 37 TO THE RULES AND REGULATIONS OF THE MULTI-SECTOR PENSION PLAN**

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**WHEREAS** the Trustees of the Multi-Sector Pension Plan (the "Trustees") have adopted the Rules and Regulations of the Multi-Sector Pension Plan (the "Rules and Regulations");

**AND WHEREAS** the Trustees want to amend the Rules and Regulations to enable the Trustees to evaluate potential new employers on a sectoral basis;

**AND WHEREAS** pursuant to Section 7.01 of the Rules and Regulations, the Trustees have the power to amend or modify the Rules and Regulations;

**NOW THEREFORE** the Rules and Regulations are hereby amended as follows effective January 1, 2022:

1. Section 1.06 of the Rules and Regulations is deleted and replaced with the following:

#### **Section 1.06 Collective Agreement**

"Collective Agreement" means any written agreement between a Union, Local Union or council of unions and an employer or multiple employers, which provides for Employee Contributions and Employer Contributions to the Trust Fund, including a Sectoral Agreement, or a Memorandum of Understanding, Memorandum of Agreement or similar instrument with a Union or Local Union, together with any amendments, renewals and successor agreements thereto and shall be deemed to include an Affiliation Agreement.

2. The Rules and Regulations are amended by adding the following Section 1.29C:

#### **Section 1.29C Sectoral Agreement**

"Sectoral Agreement" means a Collective Agreement, together with any conditions or requirements stipulated by the Trustees, that:

- (i) covers a sector or industry within a geographic region, or is a standard form of agreement between a Union, Local Union or council of unions and an employer in a sector or industry within a geographic region; and
- (ii) the Trustees designate as a Sectoral Agreement.

3. Section 2.01 of the Rules and Regulations is deleted and replaced with the following:

**Section 2.01 Acceptance of an Employer as a Contributing Employer**

- (a) An employer may be accepted by the Trustees as a Contributing Employer if:
  - (i) the employer meets the requirements for a “Contributing Employer” set out in subsection 1.08(a)(i)(A);
  - (ii) the employer furnishes the necessary Employee data or, where the Collective Agreement the employer is a party to or bound by is a Sectoral Agreement, the Union or an employer representative furnishes the necessary Employee data for the Employees covered by the Sectoral Agreement;
  - (iii) the acceptance of the employer, or where the applicable Collective Agreement is a Sectoral Agreement, the employer or multiple employers covered by the Sectoral Agreement, will not adversely affect the benefit rights of existing Participants, Former Participants and Pensioners, as determined by the Trustees;
  - (iv) participation in the Plan is compulsory for all Employees covered by the Collective Agreement, unless the Trustees agree to permit exclusions of some category of Employees;
  - (v) the rate of Employer Contributions for all Employees covered by the Collective Agreement is uniform for all Employees covered by that Collective Agreement, unless the Trustees agree to permit an exception for some category of Employees; and
  - (vi) the rate of Employee Contributions for all Employees covered by the Collective Agreement is uniform for all Employees covered by that Collective Agreement, unless the Trustees agree to permit an exception for some category of Employees.

- (b) If the Trustees have accepted an employer or multiple employers covered by a Sectoral Agreement as a Contributing Employer or Contributing Employers, any employer that subsequently becomes a party to or bound by the Sectoral Agreement may be accepted by the Trustees as a Contributing Employer.
- (c) A written notice of acceptance by the Trustees constitutes acceptance of an employer as a Contributing Employer.