



SECTION: Benefits

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PBA, 1987 ss. 27(1)*

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Benefit Improvements in Ongoing Plans

The following principles are to be applied to all plan amendments which seek to improve benefits in ongoing plans:

- 1) The plan amendment can be made to improve benefits for each category of employees - actives, deferreds, retirees - as long as the improvement is provided on the same basis for all members within each category;
- 2) If improvements are provided only for a class or classes within a category, this will be considered an adverse amendment and notice must be given to all members, or in the case of deferreds and retirees, to all former members within the category pursuant to subsection 27(1) of the PBA, 1987; and
- 3) Improvements cannot be provided for named individuals unless the employer pays the cost of the improvements in a lump sum, at the higher of a solvency basis or an on-going basis.

*PBA, R.S.O. 1990 ss. 26(1).