

Throughout, “OTPP” refers to the corporate organization, the Ontario Teachers' Pension Plan Board, and “the Board” and “board members” refers to the board members appointed to the OTPP.

1) AUTHORITY

- a) The Benefits Adjudication Committee (“Committee”) is a standing committee of the OTPP established to consider and determine appeals as provided in Section 87 of Schedule 1 of the Teachers’ Pension Act.
- b) The Committee is authorized to engage independent counsel and other outside experts as it determines necessary to carry out its duties, and to set and pay the compensation for any advisors engaged by the Committee. The Committee Chair shall engage the necessary advisors and the Committee members shall be kept informed of both the selection of the advisors and their advice. The Board may reserve the right to access more detailed information beyond that contained in the Committee reports and recommendations.

2) RESPONSIBILITIES

- a) To consider appeals from the decisions of OTPP staff concerning a person’s entitlement to, or the amount of, a pension benefit;
- b) To determine all appeals in accordance with the pension plan document including the Teachers’ Pension Act, Schedule 1 made under that Act and the Retirement Compensation Arrangement, all as amended from time to time;
- c) To advise the Appellant in writing of the Committee’s decision, stating reasons;
- d) To advise the Board of decisions of the Committee;
- e) To advise the Board and carry out such other tasks, consistent with the above matters, as directed by the Board;
- f) To establish the process and procedures for Committee meetings and appeal hearings; and
- g) Review the Terms of Reference of the Committee biennially and present any changes recommended to the Governance Committee for recommendation to the Board.

3) PROCEDURES

3.1) Membership

The Committee shall be composed of ten members as follows:

- a) Two board members (with preference that each of them was appointed to the OTPP by a different Partner);
- b) Five persons nominated by the Ontario Teachers' Federation; and
- c) Three persons nominated by the Ministry of Education.

3.2) Meetings

- a) The Committee will report the proceedings of each meeting and all recommendations made by the Committee at such meeting to the Board at the Board's next regularly scheduled Board meeting.
- b) The Committee will meet in camera at each meeting to discuss pertinent matters.

4) POSITION DESCRIPTION FOR CHAIR OF BENEFITS ADJUDICATION COMMITTEE

4.1) The Chair of the Committee shall provide leadership to enhance the Committee's effectiveness by:

- a) Ensuring that the areas of responsibilities of the Committee and OTPP staff are understood and respected by both;
- b) Promoting the independent thinking of the Committee;
- c) Overseeing the discharge of the Committee's responsibilities including its reporting to the Board;
- d) Ensuring that proper information is brought to the Committee's attention, including any presentation or reports from the Committee's independent legal counsel at its regular meetings; and
- e) Acting as the liaison between the Committee and OTPP staff for the purpose of scheduling Committee meetings and appeals and determining the agenda for Committee meetings.

4.2) The Vice-Chair of the Benefits Adjudication Committee shall:

- a) Assist the Chair of the Benefits Adjudication Committee with duties as listed above; and
- b) Act as Chair of the Benefits Adjudication Committee should the Chair be unable to do so.