

Ministry of Education

Deputy Minister

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Ministère de l'Éducation

Sous-ministre

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2020:B21

Date: November 26, 2020

Memorandum to: Directors of Education

From: Nancy Naylor
Deputy Minister
Ministry of Education

Subject: Temporary Amendment to the Ontario Teachers' Pension Plan (OTPP) 50-day re-employment rule

As part of the ministry's ongoing effort to provide school boards with support to address COVID-19 related staffing concerns, the ministry and the Ontario Teachers' Federation (OTF) have reached an agreement to temporarily amend the OTPP re-employment rules set out in Schedule 1 of the *Teachers' Pension Act, 1990* to extend the 50-day limit to 95 days until June 30, 2021.

The ministry appreciates the challenges school boards have identified with respect to staffing and in response, has made it a priority to help school boards access a larger pool of qualified educators so that schools can maximize safety while ensuring the quality of education is maintained. By almost doubling the re-employment limit from 50 days to 95 days, the intent is to provide much needed COVID-19 staffing relief by offering retired educators with the opportunity to work up to a 95-day limit as teachers, vice-principals or principals without having their pensions suspended.

Details Regarding the Temporary Amendment

For retirees to qualify for re-employment beyond the 50-day limit and up to the 95-day limit, the following three criteria must be met:

- (1) The retiree is employed by a publicly funded school board in Ontario, the Provincial School Authority or the Centre Jules-Léger Consortium; and
- (2) The retiree works in a school (includes virtual, online and remote); and
- (3) The position requires the retiree to hold valid teaching certification from the Ontario College of Teachers or Ministry of Education (i.e. teacher, vice principal, principal).

If the above criteria are met, the retiree can work until the end of the month in which they exceed the 95-day limit or until June 30, 2021, whichever is sooner, without having their pensions suspended. However, if even one of these conditions is not met, or the retiree exceeds the 50-day limit by June 30, 2021 and continues working into July or August, their pension will be suspended.

As the 50-day limit is quickly approaching for many retirees currently employed at schools, the OTF has notified their members of this change. We would also encourage school boards to notify employed retirees of the new 95-day limit as soon as possible so that they may continue working if they meet the criteria.

Re-employed retirees continue to be responsible for tracking their days and must notify the OTPP immediately if they plan to exceed the 95-day limit or if they have any questions about how the re-employment rules affect their pension.

School Board Reporting Requirement

As part of the joint agreement to extend the re-employment limit to 95 days, the ministry has agreed with the OTF to collect monthly reports from school boards to monitor the hiring and days worked by retirees and the degree of staffing shortages that continue to exist.

The first batch of reports will collect staffing data for the months of **September, October and November 2020** and will be due no later than **January 15, 2021**. **Each subsequent month's report will be due by the end of the following month (e.g. December report due January 31, 2021), until July 31, 2021**. Please submit your completed reports each month to benefits@ontario.ca with the subject line: "Re-Employment Report – [add reporting month] – [add school board name]". Please see Appendix A for the report template.

If you have any questions regarding the completion of the report, please contact Romina DiPasquale at Romina.DiPasquale@ontario.ca or 416-325-2057 or Emily White at Emily.White@ontario.ca or 647-643-3180.

We thank you in advance for your cooperation.

Sincerely,

Original signed by

Nancy Naylor
Deputy Minister
Ministry of Education

- c: President, Ontario Teachers' Federation (OTF)
 Executive Director and Secretary-Treasurer, Association des enseignantes et des
 enseignants franco-ontariens (AEFO)
 General Secretary, Ontario English Catholic Teachers' Association (OECTA)
 General Secretary, Elementary Teachers' Federation of Ontario (ETFO)
 General Secretary, Ontario Secondary School Teachers' Federation (OSSTF)