

Repealed
By-law No. 5643/91 was repealed by By-law No. 80/2015 on July 15, 2015.
Therefore, this amending by-law is also deemed to be repealed.

BY-LAW NO. 6468/94

A By-law of THE CITY OF WINNIPEG to amend By-law No. 5643/91 being the Police Employees' Group Life Insurance Plan By-law.

THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

By-law No. 5643/91 is amended as follows:

1. By deleting the words "Section 3 of By-law No. 2148/78" in the definition of **"Board"** and substituting therefor "Section 4 of By-law No. 6253/93".
2. By deleting the definition of **"Board of Commissioners"**.
3. By deleting the word and number "Section 17" in the definition of **"Investment Committee"** and substituting therefor the word and number "Section 15".
4. By deleting the definition of **"Person"**.
5. By deleting the words and numbers "subsections 3(4), 3(5) and 3(6) of By-law No. 2148/78" in the third and fourth lines of subsection 4(1) and substituting therefor the words "Sections 5, 6 and 7 of By-law No. 6253/93".

Schedule "A" of By-law No. 5643/91 is amended as follows:

1. By deleting **"SECTION 1 - DEFINITIONS"** thereof and substituting therefor the following:

"SECTION 1 - DEFINITIONS"

In this Plan:

"Actuary" means a person who is a Fellow of the Canadian Institute of Actuaries, appointed by the Board for the purpose of the Plan;

"Annual Earnings" means 26 times the Member's Average Bi-weekly Earnings;

"Annual Salary" means the base salary of a Member in the Member's confirmed rank as of the first Pay Period of the Taxation Year multiplied by twenty-six;

"Approved Leave Of Absence For Union Business" means a period approved by the Board during which the Member receives remuneration from a union, but does not participate in a pension plan for union employees;

"Assumed Earnings" means:

- (a) for a Member who is a Disabled Member, the remuneration which the Member would have received from the City had the Member continued to be employed in the Position Regularly Occupied by the Member immediately prior to the date disability commenced, less the Member's Employment Earnings, if any;
- (b) for a Member who is on Approved Leave Of Absence For Union Business, all or a portion of the remuneration received by the Member during such absence;
- (c) for any Member who is on an Eligible Period Of Temporary Absence, the remuneration which the Member would have received from the City had the Member continued to be employed in the Position Regularly Occupied when granted leave of absence, less the Member's Employment Earnings, if any;

"Average Bi-weekly Earnings" means the Member's average Earnings for the 13 Pay Periods immediately prior to the date as at which the calculation is being made. If the Member did not receive Earnings in each of these 13 Pay Periods, the Member's Earnings for the period covered by these Pay Periods shall be divided by the number of Pay Periods for which the Member received Earnings;

"Board" means the "Winnipeg Police Pension Board" created and established under Section 4 of By-law No. 6253/93;

"City" means The City of Winnipeg;

"Disabled Member" means:

- (a) a Member who is in receipt of benefits under the Police Long Term Disability Plan, or
- (b) a Member who, in the opinion of the Board, would otherwise qualify for benefits under the Police Long Term Disability Plan but is not an eligible employee under that plan;

"Earnings" means the total of a Member's Employment Earnings and Assumed Earnings. A Member's Earnings shall be considered as having been earned in equal instalments throughout the Taxation Year;

"Eligible Period of Temporary Absence" means a period throughout which a Member does not render services to the City by reason of a leave of

absence, or any other circumstances acceptable to the Minister of National Revenue and approved by the City other than a period any part of which is a period during which the Member is Disabled or is on Approved Leave of Absence For Union Business;

"Employment Earnings" means the remuneration paid to an Employee by the City. Employment Earnings shall include periodic payments from Workers' Compensation while Disabled;

"Insurance Company" means a company licensed to carry on the business of insurance within the Province of Manitoba appointed by the City to provide benefits under the Plan;

"Insurance Fund" means the Police Employee's Group Life Insurance Fund established for the Plan in accordance with the terms of this by-law;

"Member" means a Police Officer who joined the Plan in accordance with Section 2;

"Pay Period" means for a Police Officer, the period used by the City to determine the dates on which earnings are paid, and for a retired Police Officer it means the period used by the Board to determine the dates on which pensions are normally paid;

"Plan" means the Police Employee's Group Life Insurance Plan established in accordance with this by-law;

"Police Long Term Disability Plan" means the Long Term Disability Plan sponsored by the Winnipeg Police Association;

"Police Officer" means a member of the Winnipeg Police Association or of the Winnipeg Police Senior Officers' Association or chief and deputy chief of the Winnipeg Police Service;

"Position Regularly Occupied" means the position occupied by the Member on the permanent establishment list, or if he or she is employed in a temporary or a seasonal position, on the seniority list as maintained by the City. If the Position Regularly Occupied by the Member becomes redundant, for the purpose of determining benefits under this Plan, the Board shall designate the position to be used.

"Prior Group Insurance Fund" means the insurance fund established under By-law No. 1125/75 to fund the Prior Group Insurance Plan;

"Prior Group Insurance Plan" means the group insurance benefits made available by the City to Police Officers prior to the effective date of this by-

law;

"Taxation Year" means all of the Pay Periods of a Member which end in the same calendar year;

"Winnipeg Police Association" means that Association certified under The Labour Relations Act for Manitoba by the Manitoba Labour Board on the 16th day of March, 1972, under Certificate No. MLB-2402, as the certified bargaining agent for a unit described as follows:

"All police officers employed by the City, up to and including each person whose name is shown in Appendix A to this Schedule.";

"Winnipeg Police Senior Officers' Association" means that Association certified under The Labour Relations Act for Manitoba by the Manitoba Labour Relations Board on the 9th day of May, 1972, under Certificate No. MLB-2309, who are senior officers of the rank of Inspector or higher, employed in The City of Winnipeg Police Service."

2. By amending Section 2 as follows:

(1)By deleting the word "Employee" where it appears in the first line of subsection (1) and substituting therefor the word "Officer".

(2)By deleting subsection (2) thereof and substituting therefor the following:

"(2)Each Employee who is employed in The City of Winnipeg Police Service as a Police Officer who was not a member of the Prior Group Insurance Plan on December 31, 1986 shall become a Member on the first day of his or her employment by the City."

(3)By deleting the word "Employee" where it appears in the first line of subsection (3) and substituting therefor the word "Officer".

(4)By deleting the word "Employee's" where it appears in the first line of subsection (4) and substituting therefor the word "Officer's";

(5)By deleting the word "Employee" where it appears in the second line of subsection (4) and substituting therefor the word "Officer".

3. By amending Section 3 as follows:

(1)By renumbering subsection (1) to clause (1)(a).

(2)By inserting immediately after clause (1)(a) the following:

"(b)Effective December 26, 1993 the amount of basic coverage provided on the life of each Member shall be equal to 2 times Annual Earnings."

(3)By deleting the words "Annual Salary" where they appear in the second line of subsection (2) and substituting therefor the words "Annual Earnings".

4. By amending Section 4 as follows:

(1)By deleting the words "Annual Salary" where they appear in the second and third lines of subsection (1) and substituting therefor the words "Annual Earnings".

(2)By deleting the number and word "1.75 times" where they appear in the first line of subsection (1) and substituting therefor the number and word "2 times".

(3)By deleting the words "Annual Salary" where they appear in the first and third lines of subsection (2) and substituting therefor the words "Annual Earnings".

(4)By deleting the number and word "1.75 times" where they appear in the second and third lines of subsection (2) and substituting therefor the number and word "2 times".

5.By deleting the words "Annual Salary" in the fifth line of subsection 5(7) and substituting therefor the words "Annual Earnings".

6.By deleting the words "Annual Salary" where they appear in the sixth line of subsection 6(1) and substituting therefor the words "Annual Earnings".

7.By deleting the words "Annual Salary" where they appear in subsection 7(1) and substituting therefor the words "Annual Earnings".

8. By amending Section 9 as follows:

(1)By deleting the word "Employees" where it appears in the sub-heading of subsection (1) and substituting therefor the word "Officers".

(2)By deleting the word "Employee" where it appears in the first line of subsection (1) and substituting therefor the word "Officer".

9.By deleting from Appendix A to Schedule "A" the following numbers and names:

"888 747
710 724

Crawley, J.L.
Ginter, D.G.

641 140
313 710
251 884
333 055
617 529
433 624

Alves, A.F.
Clifford, T.F.
Everatt, E.R.
Henderson, K.J.
Liscum, D.W.
Welwood, M. L."

10.The definition of "**Annual Earnings**" in Section 1, clause 3(2)(b) and subsections 4(2) and 4(4) of this By-law shall be deemed to have been in force on, from and after the 26th day of December, 1993.

11.Section 2(2) of this By-law shall be deemed to have been in force on, from and after the 20th day of July, 1994.

DONE AND PASSED in Council assembled, this 19th day of October, A.D. 1994.