

7. Council member overview

The OMERS Plan defines a councillor as "...a person who is a member of a council of a municipality...". Council members are usually elected officials.

Members of school boards (trustees) or other local boards, elected or appointed, are not included in this definition and **may not** enrol in the Plan.

A council can choose to enrol all council members in the Plan (including the head of council) or the head of council only. Council members, without the head of council, cannot enrol in the Plan. The terms and conditions of membership for council members are similar to those for regular municipal employees.

Existing council members

At the effective date of council enrolment, existing council members can individually choose to enrol in the Plan. A council member who does not enrol on the effective date can choose to enrol at a future date.

New council members

After the effective date of council enrolment, any new or future council members must enrol in the Plan. However, council members (like regular municipal employees) cannot enrol later than November 30 of the year of their 71st birthday.

Retired OMERS members

Council members who are also retired OMERS members are automatically enrolled in the Plan, however, they can choose to opt out and not enrol. For more information, see [Council members receiving a pension](#).

Last modified: November 2019

7.1 Classification of council members as members

A council may choose to enrol in the OMERS Plan even if the employees of the municipality are not members.

The council, as a group or class, is treated separately for purposes of OMERS membership.

Last modified: November 2019

7.2 Initiate participation for council members

Follow these steps to initiate participation in the OMERS Plan for a new group of council members or head of council.

1. Contact OMERS ([General contact information](#)) indicating the intent to participate in the Plan.
2. OMERS will provide a template by-law with instructions.
3. Council must pass the by-law that authorizes participation and states the effective date.
4. Send a certified copy of the by-law to OMERS.
5. Forward a listing of all council members at the participation date and indicate those who are electing to join and those who are electing not to.
6. Complete an *Enrolling a member* (102) e-form for all council members enrolling in the Plan.

The enrolment process is the same as for continuous full-time members. For more information, see [Enrolment procedure](#).

Last modified: November 2019

7.3 Contributory earnings for council members

A council member's contributory earnings are defined in the OMERS Plan as taxable "money paid to the councillor for the councillor's services as a councillor under the *Municipal Act*".

Therefore, the contributory earnings of a council member are the taxable earnings, excluding any additional nontaxable allowances or reimbursements.

Before 2019, some municipalities decided to keep one third of the council member's salary as a non-taxable expense reimbursement. Any non-taxable monies to reimburse expenses are excluded from contributory earnings.

As of January 1, 2019, because of a 2017 Federal Budget change, municipalities are no longer able to keep this one third tax exemption and council members must be taxed on their full salary. These taxable earnings are included in contributory earnings.

A council member receives contributory earnings as payment for their services under the *Municipal Act*. If the council member is not re-elected, any money that is paid as severance is not for their services as a council member and is ineligible in the Plan.

Contribution rates

OMERS contributions should be calculated on and deducted from the contributory earnings paid to the council member. The contribution rates for council members and the pension

benefits earned by council members are the same as for other OMERS normal retirement age (NRA) 65 members.

Last modified: November 2019

7.4 Credited service for council members

OMERS assumes that council members are continuous full-time members.

Council members earn credited service for the period of time that they are an elected official. For more information, see [Credited service](#).

Last modified: November 2019

7.5 Council member re-election

OMERS membership continues for council members who are re-elected for consecutive terms. This is not a termination and re-enrolment.

The period of time between terms of office, if any, cannot be purchased.

Last modified: November 2019

7.6 Council members receiving a pension

A retired OMERS member who is elected to a participating council before December 1 of the year of their 71st birthday will be re-enrolled in the OMERS Plan unless they elect not to enrol.

The same re-enrolment rules for retired members apply to council members as are applied to any other OMERS member. For more information, see [Re-employed retired members](#).

Last modified: November 2019

7.7 Dual membership for council members

Dual membership for council members in the OMERS Plan may occur when:

- A member is simultaneously an employee of a participating municipality and a member of a participating council, or,
- A member is simultaneously a council member with more than one participating council.

Each employment situation is a separate enrolment. However, council members (like any other OMERS members) may not receive a pension and contribute to the Plan at the same time.

For information about members with dual membership starting their pension, see [Retirement for dual members](#).

Last modified: December 2019