

## NOTICE OF HEARING

**IMPORTANT: This notice is addressed to Garda employees previously employed by G4S Cash Solutions (Canada) Ltd.**

Agreement on the class action concerning recognition of past service under the Multi-Sector Pension Plan for Garda employees of the province of Quebec.

*Syndicat national des convoyeurs de Fonds (SNCF), (CUPE Local 3812) v. Conseil des fiduciaires du Régime de retraite multi-secteur*, Superior Court District of Montréal: 500-06-000873-170

**This notice could affect your rights. Please read it carefully.**

An agreement is entered into between the Syndicat national des convoyeurs de fonds (SNCF), (CUPE Local 3812) (hereinafter the "**Union**") and the Board of Trustees of the Multi-Sector Pension Plan (hereinafter the "**MSPP**") in connection with an application for authorization to institute a class action against the MSPP (hereinafter "**Class Action**").

### **WHO IS COVERED BY THE AGREEMENT?**

The following employees are covered by the agreement:

*"All former employees of G4S Cash Solutions (Canada) Ltd. (hereinafter "G4S") who became employees of Société en commandite de transport de valeurs Garda (hereinafter "Garda") following the acquisition of G4S by Garda in January 2014 and who became eligible for the Multi-Sector Pension Plan as of October 5, 2014 in accordance with the terms of the collective agreement between Syndicat national des convoyeurs de fonds (CUPE, Local 3812) and Garda in force between December 19, 2013, and September 30, 2018" (hereinafter the "**Class**").*

### **PURPOSE OF THE CLASS ACTION**

On January 17, 2014, Garda acquired G4S. Following this acquisition, all G4S employees in the province of Quebec became employees of Garda and the bargaining units were reorganized.

On May 22, 2014, the Union became the bargaining agent of the newly accredited bargaining unit comprising:

*"All employees of Société en commandite transport de valeurs Garda, excluding dispatchers, office employees, head vault cashier, technical support employees, investigators, road*

*supervisors, building maintenance workers and warehouse employees."*

The former employees of G4S covered by this new unit were integrated by the collective agreement in force between December 19, 2013, and September 30, 2018, entered into between Garda and the Union. They became eligible for the Pension Plan as of October 5, 2014.

On July 10, 2017, the Union instituted a Class Action on behalf of the persons included in the Class.

By the Class Action, the Union aimed for the Class Members, namely the former employees of G4S who became Garda employees, to benefit from the past service credit provided in the Pension Plan Rules and Regulations.

On May 28, 2018, the parties entered into a "Settlement Agreement, Transaction, Release and Discharge" (hereinafter the "**Transaction**") intended to settle the dispute. The Transaction is entered into without admission of liability of any nature and is conditional upon its approval by the Superior Court of Quebec.

The Union applied for and was granted a judgment on the authorization to institute the Class Action solely for purposes of having the Transaction approved.

## **SUMMARY OF THE AGREEMENT**

What is the purpose of the agreement?

**Up to a maximum of five years** of past service credit may be recognized for each eligible Class Member retroactively from October 5, 2014, in accordance with an amendment to the Pension Plan Rules and Regulations that was adopted.

How will the entitlement to past service credit be recognized?

On June 26, 2018, the Financial Services Commission of Ontario approved the amendment to the Pension Plan Rules and Regulations so that up to five years of past service credit may be recognized for Class Members.

In accordance with the amendment to the Rules and Regulations, the scope of past service credit recognized for each Class Member will be established based on hours worked annually before October 5, 2014 at G4S and Garda.

The coming into force of the amendment to the Rules and Regulations is conditional on the Court's approval of the Transaction.

The Class Members or the Union must provide the MSPP with the information required to determine the scope of their entitlement to past service credit under the terms of the amendment to the Pension Plan Rules and Regulations.

After approval of the Transaction by the Court, the Class members will receive a written notice of identification inviting them to provide the information required to determine the scope of their right to the past service credit.

Ninety (90) days after the notice of identification is sent, the MSPP will send a letter to the Class Members notifying them of the scope of past service credit recognized for each of them.

## **APPROVAL OF THE TRANSACTION BY THE COURT**

The Transaction shall be submitted for approval by the Court.

The hearing in relation to the approval of the Transaction will take place on **December 7, 2018 at 9:00 a.m. in the room 2.08** at the Montreal Courthouse located at 1 Notre-Dame Street East, Montréal, province of Quebec.

The Court will then decide if the Transaction is fair, reasonable and in the best interest of the Class Members.

## **WHAT SHOULD YOU DO NOW?**

If you are satisfied with the Transaction, you have nothing to do at the moment.

You will automatically benefit from the Transaction after it is approved by the Court. At that point, you will however need to complete the notice of identification in order to file your claim with the MSPP.

## **HOW TO OPT OUT?**

If you do not wish to be bound by this Transaction for any reason whatsoever, you must take steps to opt out of the Class.

### What happens if I opt out of the Class?

- You will not be entitled to any past service credit under the amendment to the Pension Plan Rules and Regulations;
- You will not be bound by the Class Action or this Transaction; and
- You will not be able to oppose this Transaction.

### Opt-out procedure

All requests to opt out must be sent by written request to counsel for the Union of which the address is indicated below.

All requests to opt out must contain the following information:

- A) The name of the person objecting, his or her address, telephone number, fax number and email address (if applicable);

The Class Members who wish to opt out of the Class may use the opt-out or objection form available on the website of the Union or of the counsel for the Union.

Requests to opt out must be received no later than on November 30, 2018.

## **HOW TO OBJECT?**

You may tell the Court that you do not agree with the Transaction and present your arguments to the Court to that effect.

### How can I present my objection to the Court?

To present your objection or your arguments, you must do so in writing no later than November 30, 2018 by sending to counsel for the Union an objection form with the following information:

- a) Your name and your contact information; and
- b) The reasons for your objection to the Transaction.

The Class Members who wish to object or present arguments may use the opt-out or objection form available on the website of the Union or of counsel for the Union.

To present your objection to the Court, you must attend the hearing, which will take place on December 7, 2018 at 9:00 a.m. in room 2.08 of the Montreal Courthouse, located at 1 Notre-Dame Street East, Montréal, province of Québec.

## **EFFECT OF APPROVAL OF THE TRANSACTION**

If the Transaction is approved by the Court, the Class Members will be bound by its terms, with the exception of the members who opted out of the Class by sending an opt-out request.

This means that all the members who did not opt out of the Class or the Class Action cannot bring proceedings or pursue another claim or legal proceeding against the MSPP in connection with the allegations contained in the proceedings bearing the number 500-06-000873-170.

This notice contains a summary of the settlement and the Class Members covered by the settlement are encouraged to consult the complete settlement. A copy of the settlement may be downloaded from the Union's website at <http://www.sncf.ca/Nouvelles.aspx>.

## **SUPPLEMENTAL INFORMATION**

For more information and access to the text of the agreement, the schedules and the various forms, please go to the following websites:

[www.sncf.ca](http://www.sncf.ca)

[www.cabinetdanis.com](http://www.cabinetdanis.com)

You can also contact the Union or counsel for the Union

### **Jean-Luc Brosseau – Syndicat national des convoyeur(e)s de fonds**

1418, Notre-Dame West  
Montreal (Quebec)  
H3C 1K8  
Telephone: 514-937-3812  
Facsimile: 514-937-1571

### **Cabinet Danis inc.**

370 chemin Chambly, Suite 420, Longueuil, J4H 3Z6  
Telephone: 450-396-7600  
Facsimile: 450-396-7617  
Email: [info@cabinetdanis.com](mailto:info@cabinetdanis.com)

In the event of discrepancy between this notice and the Transaction, the Transaction shall prevail.

Publication of this notice has been authorized by the Superior Court.