



The Pen

Pensioned Employees' Newsletter

www.bcgrea.com

Fall 2009

Ex-supreme court judge to handle appeal in BCGREA class-action suit

Former BC Supreme Court Justice Thomas Berger has



Fred Bennett

been retained to appeal the dismissal of our class-action lawsuit over the scaling back of health benefits for about 27,000

President's report

Expectation of success

By Lawrence Johnson

We received a decision Oct 1 from Madame Justice Dorgan of the B.C. Supreme Court regarding our Class Action Lawsuit.

Unfortunately her decision dismissed our claim.

We then met with our legal team via conference call to decide whether or not an appeal should be pursued.

We decided that there was a reasonable expectation that an appeal could be successful.

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people with provincial-government or public-sector retirement packages.

The suit, initiated by BCGREA Vice-President Fred Bennett, was dismissed in B.C. Supreme Court by Justice Jacqueline Dorgan in October.

Bennett, who retired in 1996 after a 35-year career as a psychiatric nurse, took legal action after the government unilaterally reduced the retirement benefits in Jan. 1, 2003.

Both premium-free Medical Services Plan benefits and extended-health coverage were affected.

Dorgan ruled the government did not have a "fiduciary duty" to fund the benefits, and that doing so would affect the level of benefits of future retirees.

B.C. Government Retired Employees' Association newsletter



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Lapel pins Available for \$3 each

The association, to mark
its 60th anniversary, has
made up lapel pins.

These handsome pins
may be obtained from
branch executives at a
cost of \$3 each.

PENSION CORPORATION
1-866-876-6777 (Client
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228-1501

You could win with Johnson Inc.

Johnson Inc. has
agreed to sponsor
another membership
drive.

As President Lawrence
Johnson reports, the
BC Pension
Corporation has
decided it will no
longer help us recruit
retirees.

**Sign up a new
member** and both you
and that new member
will be entered for a
chance to **win some
fabulous prizes.**

Receive additional
entries for each
member you sign up.
Contest is open to
current members and
newly enrolled
members only.

The contest begins
Jan. 1, 2010 and will
conclude at the
October 2010 AGM.

**Contact your
respective Branch
Membership Chair**
(check our [Contact List](#)
on the website at
www.BCGREA.com for
your Branch
Membership Chair).



President Lawrence Johnson, Vice-President Fred Bennett and Second Vice-President Sarjit Manhas were re-elected by acclamation. They were sworn into office by returning officer Denis Carriere

— Charles La Vertu photo

President's report

(Continued from page 1)

The topic was debated by the delegates at the October 14th, 2009 Annual General Meeting.

There was an overwhelming majority who voted to support an appeal to the B.C. Court of Appeal.

After the Annual General Meeting the Table Officers have been able to secure the services of retired Supreme Court Judge Tom Berger to handle our appeal on a contingency basis.

We are hopeful that Mr. Berger's outstanding experience and knowledge will increase the likelihood of a successful appeal. (See p. 7)

Your Table Officers continue to be very active with their responsibilities.

We met on three separate occasions since the 2008 Annual General Meeting, March 11, 2009 in Nanaimo, June 17, 2009 in Langley and in Victoria on September 29.

During the June 17 Table Officers meeting we held our second draw for our



Tom Berger

membership drive contest with winners coming from the Victoria Branch, the Cheam View (Chilliwack) Branch and the Peninsula and Gulf Islands Branch.

During the AGM of October 14 the winners of the Grand Prize draw came from the Kelowna Branch, the Peninsula and Gulf Islands Branch and the Langley Surrey Branch.

Congratulations to all of the winners and to the Branches who signed them up.

The B.C. Pension Corporation has made the decision to no longer assist the Association with an annual mail out to new retirees, makes the task of attracting new membership much more difficult.

With this in mind Johnson Inc. has agreed to sponsor another Membership Contest for 2010.

Everyone is urged to get out into your communities and sign up eligible retirees to join our Association.

Each time you sign up a new member you get an entry into the contest as does the new member.

We have completed the production of a promotional DVD which highlights the advantages of membership in the BCGREA.

This was a major undertaking by the association and took two years to fund and complete.

A copy has been given to each Branch to use at membership meetings and other venues in their communities.

(Continued on page 6)

Honourary, Life members will continue to pay dues

Effective Jan. 1, 2010 the portion of non-payment of dues for active, honorary, life and associate are amended to read, "shall continue to pay dues".

Resolution submitted by Kamloops Branch was deliberated and passed.

Existing life, honorary and associate members are grandfathered, effective Dec. 31, 2009.

Reasoning behind this resolution is that as time goes on there will be many non-paying dues members.

The Association does require income to operate and regardless of designation, the Association still works on their behalf.

Dues are a meager \$20 a year.

The opinions expressed in The Pen are those of the contributors and not necessarily those of BCGREA.

Honourary Members



Branch 800 (New Westminster and District) first vice-chair Wendell Ratcliffe accepted the certificate on behalf of newly-elected honorary member Andrew McColl



Accepting for long-time Victoria membership director Howard Willis was Branch 1200 (Victoria) chair Sarjit Manhas



Branch 200 (Comox Valley) chair Ed Bodner nominated Norma King who was on hand to accept the award. Vice-President Fred Bennett made the presentations. — Charles La Vertu photos

Member Services

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and International)

CHOICE HOTELS –
Corporate ID 00067265
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Includes: Quality, Comfort,
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Howard Johnson, Travelodge,
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Wyndham purchased Cendant
Hotels)

It's important that you have
your up-to-date membership
card available when you
check-in.

PRESTIGE INN –
No ID number.
An up-to-date membership
card is needed when checking
in.

Members must make advance
reservations prior to check-in
by calling the direct line of
each hotel/motel in which they
want to stay.

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Members wishing
information on Fair
Pharmacare may
do so at
[www.health.gov.bc.ca/
pharme](http://www.health.gov.bc.ca/pharme)

Locations and telephone
numbers are as follows – all
have the 250 prefix.

Kelowna	860-7900
Vernon	598-5991
Golden	344-7990
Nelson	352-7222
Cranbrook	417-0444
Radium Hot Springs	347-2300
Salmon Arm	833-5800
Rossland	362-7375

Conditions: The discount rate
may not be available if hotel/
motel expects to be 80 per cent
full, especially during peak
season, long weekends and
conventions.

Remember, some hotels/motels
may not take part in providing
discounts AND **don't forget to
ask for a senior's rate since it
may be less.**

*With BCGREA Guaranteed-Issue Life Insurance,
you can offer your loved ones up to \$10,000
to help look after their needs!*

As a B.C. government retired employee, aged 50 to 85 and resident in Canada,
you are guaranteed eligible for this exclusive life insurance at low rates that
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President's report

(Continued from page 3)

We have sent a copy of this DVD to the B.C. Pension Corporation for their review and have asked that this DVD be shown at their retirement seminars.

In a continuing effort to reduce expenses the Association has been working out the details on a project to e-mail our provincial newsletter "The Pen" to members who agree to receive the newsletter electronically.

As part of the design of this program we will maintain the integrity of our membership database and meet the requirements of Freedom of Information and Privacy legislation.

We are hopeful that we will be

able to begin with the Spring 2010 issue.

We encourage all members to sign up for the electronic issue when the opportunity is available.

Louise Wright has volunteered to keep the database and circulate electronic copies of The Pen.

So far she has received approximately 1,400 e-mail addresses.

This will not be a significant saving in mail costs and each branch is reminded to get the addresses in to her at wrightplace@shaw.ca.

Many thanks for your cooperation.

During the October AGM the impact of the implementation of the Harmonized Sales Tax was discussed and it appears the impact will be significant.

The AGM delegates voted to reduce the number of delegates to the 2010 AGM as part of a plan to reduce costs.

Another initiative that was implemented at the AGM to reduce costs was to have new "Life Members" after 2009 to continue to pay annual dues.

I want to thank all of the Table Officers for their continuing dedication to this organization and to all of the hours of hard work.

I know that sometimes that it feels like you have a full time job complete with overtime and the paycheck of a volunteer.



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About Berger, Justice, Teacher

Tom Berger has been one of the pre-eminent legal figures in province for more than 40 years.

He was counsel for the Nisga'a nation of B.C. in a case in which the Supreme Court recognized the place of aboriginal rights in Canadian law.

He was the youngest judge appointed to the Supreme Court in the 20th Century, and served for 12 years.

During that time, Berger headed many inquiries, including the Mackenzie Valley Pipeline Inquiry.

His commission report, Northern Frontier, Northern Homeland, is the best-selling document ever published by the government.

Berger's public intervention in 1981 was instrumental in the inclusion of aboriginal rights in the new Canadian Constitution.

After he resigned from the bench in 1983, he led the Alaska Native Review Commission, sponsored by two international organizations of aboriginal peoples.

For three years, he taught at UBC, then returned to practising law in Vancouver.



Each year Branch 1500 Kelowna makes a donation to the Alzheimer Society of BC. Florence Gilbert, past president Kelowna 1500, received a plaque from Norma Selby of the Alzheimer Society of B.C.'s Kelowna Chapter, in appreciation for continued outstanding generosity and support.



Branch 2000 Cheam View chair Greig Simpson receives gift card from Johnson Inc.'s Linda Stewart, one of three door prizes.

Meet your executive

Mortgage manager to trust clerk to volunteer

My history begins with my birth Portland, Oregon where I was educated, married and raised a family of four children.

When my first husband died at a young age, I met and married a Canadian and emigrated to Nanaimo in 1973, taking Canadian citizenship in 1975.

My professional path led to Teachers' Investment and Housing Cooperative as an Investment Advisor and Mortgage Manager.

After assuming this position for a number of years, my career switched to Public Service at Corrections BC as a Trust Clerk.

This position involved supervising and managing inmate accounts in various capacities. I retired in 1994.

The description of retirement has an elusive connotation; I prefer to describe it as a conveyance to an alternative career (s).

I joined BCGREA immediately upon cessation of duties at Corrections.

Realizing the valuable import of the Association, I volunteered first as a branch phoner and then joined the executive as a Director of Nanaimo Branch where I served as membership chair for 10 years.

I have a spontaneous interest in people and the interaction that develop with contacts so membership involvement serves a gratifying purpose to me; hence the Provincial Membership Chair position,



Mary Foster

recently renamed Membership Secretary.

The career conveyance also includes my being part time Administrative Office Assistant

to the Director of the Loaves and Fishes Food Bank in Nanaimo and I am a volunteer driver for Meals on Wheels clients.

Both of these pursuits fulfills a principle in giving back to the community.

I traveled extensively after retirement.

For relaxation, I find satisfaction in gardening, creating greeting cards, quality TV, reading, taking courses at VIU Elder College and attending HD live transmissions of the Metropolitan Opera.

Socializing includes attending Red Hatter events.

Keeping in touch with my remaining three children and two grandchildren is, of course, an important element in my life.



Cliff Valin was winner of the Johnson Inc. door prize -TV/DVD at the Annual General Meeting. Lisa Hanson made the presentation.

2009 AGM



Estate & Tax Planning Tips

By Thomas Martell, CFP, CLU

The Pension Income Tax Credit - using an Insurance Company GIC

If you or your spouse are 65 or older and do not have income from a RRIF or private pension plan, there is another alternative to take advantage of the pension income tax credit.

WHAT IS THE PENSION INCOME TAX CREDIT?

If you receive eligible pension income, you are entitled to deduct from your taxes payable, a tax credit equal to 15% on the first \$2,000 of pension income received.

This means up to \$300 in tax savings at the federal level, plus the provincial tax credits.

WHAT TYPES OF INCOME QUALIFY?

Under age 65, only income



Tom Martell

received directly from a pension plan, annuity purchased with LIF funds or received because of the death of your spouse qualifies for the pension income tax credit.

Income from other registered plans such as RRIFs and RRSP annuities are only eligible for the credit if you are

age 65 or older.

Government plans such as Canada/Quebec Pension Plan and Old Age Security do not qualify.

Generally, income from non-registered investments will also not qualify for the pension income credit.

One exception is the income received from a GIC provided by an insurance company.

A GIC from a life insurance company reports the interest accrued as annuity income which qualifies for the pension income tax credit beginning at age 65.

TRANSFERRING UNUSED CREDITS TO A SPOUSE

If you are at least age 65 and have eligible income but are unable to use the full credit because you have reduced your taxes to zero, you can transfer the unused portion to your spouse (or common law partner).

Only you as the original recipient of the eligible income must be age 65 or older. The spouse receiving the transferred credit can claim it at any age and does not have to have eligible income to take advantage of the transferred credit.

TAKE ACTION

To determine the amount you need to invest to get \$2,000 of eligible pension income contact your financial advisor.

Peace of Mind Sweepstakes

Lynda Stewart and Lisa Hansen of Johnson Inc. spoke about the Peace of Mind Sweepstakes at the association Annual General Meeting.

If you request a home and/or auto insurance quote, you are automatically entered for a chance to win one of the vacation package prizes or the third prize which is a shopping spree.

They conducted the Johnson Membership Incentive draws (last draw this year).

1st Prize \$500 Mavis Messerschmidt (Kelowna Branch)

2nd Prize \$250 John Braithwaite (Peninsula Branch)

3rd Prize \$100 Langley/Surrey Branch (in this case the Branch got it since there was no sponsor)

HST “Tax grab” will hurt seniors

Seniors are concerned that expanded sales taxes will affect those who live on fixed incomes, Sylvia MacLeay, president of the Council of Senior Citizens' Organizations of BC (COSCO) told the BCGREA Annual General Meeting.

An average family will be adding \$1,000 or more to items they normally buy, and the new HST will hit seniors particularly hard, she said.

"Many senior citizens are stretched to the limit. They don't have any money to spare. But with his plan to harmonize the PST and the GST, Mr. Campbell will take even more money out of their pockets," she said.

"Mr. Campbell will be adding seven per cent to the cost of a lot of services and products that are basic to people's lives. It will cost us more for home heating fuel, telephone service, and the cable TV that's often our main entertainment.

"It will cost us more for a haircut, household repairs and vitamins.

"It will cost us more for a plane ticket to visit our grandchildren and more for non-prescription drugs to ease our aches and pains," she said.

A survey shows that big business in our province will save \$2 billion because value added business could only be taxed once.



Sylvia MacLeay

"I know Mr. Campbell says the HST will be good for big corporations," said MacLeay.

"It's a shame he doesn't seem

to realize that it's going to hurt the elderly and their families. It doesn't do much for his credibility either."

COSCO considers the imposition of the HST as a "tax grab".

Naturally big business is happy because they will only pay once, she said.

But if big business is saving nearly \$2 billion, then somebody else has to pay, and that's ordinary citizens.

She said COSCO and its 70 affiliates and 70,000 members will continue to keep HST on the front burner,



Leona Pedosuk was winner of the \$50 gas card door prize

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Employees Association
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Nanaimo, BC V9T 6M4**



Our lawyer Albert Peeling gave an update at the AGM and Fred Bennett, the Plaintiff, advised he will proceed to the Appeal Court.

This decision was unanimously endorsed by the Table Officers.

The President then put forward that we continue to finance the disbursements (case taken by Counsel on contingency basis where we pay disbursements only).

Continued financing was overwhelmingly passed by the AGM.



Colleen Jones, BCGEU, and Al Jenson, BC Ferries also addressed the AGM



The guest speaker at the AGM was Dominique Roelents, Vice Chair of the College Pension Board of Trustees.

The topic of his speech was “College Pension Plan – Moving to Sustainable Indexing”.



....MEMORIES ARE PRICELESS!!

14 Nights Sea of Cortez – April 24-May 8th, 2010 Sail aboard Holland America's Oosterdam from San Diego to Mexico and sail back under the Lions Gate Bridge to Vancouver - Ports of Call Cabo San Lucas, Pichilique, Topolobampo, Loreto Mazatlan, Puerto Vallarta and Victoria. Inside Cabins start at \$1471.00 CAD per person cruise only including taxes based on dbl occupancy. \$50 cabin shipboard credit

21 Day Panama Canal aboard Holland America's Statendam – April 25 – May 16, 2010 Sail from Fort Lauderdale experiencing the Caribbean, Mexican Riviera, Costa Rica and the engineering miracle, the Panama Canal. Inside Cabins start at \$2467.00 CAD pp including taxes based on double occupancy. \$75 shipboard credit; wine & more! Deposits - due now!! One way flights can be arranged or use your points!

Cycle, Barge/Boat & Tour – July, 2010 2 nights Amsterdam; 7 nights cycle (easy pace) your barge/boat is your hotel for the week (meals included while on boat/barge); train to Paris where you spend 3 nights exploring on your own. Pricing will be available with or without flights. Limited space available call for more details and pricing.

Costa Rica to Panama – Small ship experience; 7 day voyages from San Jose to Panama City March, April, October or November dates available. Prices start at \$3675.00 US pp based on double occupancy

Essential Britain/Ireland – 10 Day bus tour visiting London, Cardiff, Dublin, Edinburgh, York are among this active tour itinerary. June 8-17 land only departures \$2129.00 pp based on dbl occupancy; single supplement available.



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