



# Randy Bauslaugh

## Associé

Toronto

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t. +1 416-601-7695

## Admission au barreau

Ontario 1983

## Faculté de droit

Osgoode Hall Law School

## Secteurs de pratique

Régimes de retraite, avantages sociaux et rémunération des dirigeants

## Expertise sectorielle

Industrie automobile  
Groupe Caisses de retraite

**Client interviews indicate Randy is practical, solutions oriented and a clear communicator. He possesses the knowledge and expertise to advise clients on the most complex pension and benefits issues.**

Randy Bauslaugh is co-Chair of McCarthy Tétrault's 7-lawyer national Pensions, Benefits & Executive Compensation practice, and co-Chair of our 45-lawyer national Pension Funds Group.

Randy provides legal advice to plan sponsors, administrators, service providers and governments on a wide range of pension and benefit matters. He has been involved in many of the leading pension and benefit cases over the past 35 years. He has also been a litigator, mediator, arbitrator, plan trustee and professional lobbyist. Randy has worked closely with public and private companies, appointed administrators of wound up plans, financial institutions, joint boards of trustees, and Canadian and foreign governments. This variety of experience has provided him with many insights to identify and solve a broad range of legal problems efficiently.

Randy strives to provide practical solutions. As a trustee of one of Canada's largest ELHTs and as a corporate director, he understands the need for diligent, practical and comprehensible legal advice when advising or representing decision makers and in-house counsel.

He is an active supporter of many industry associations: for example, he is a member of the Pension Policy Council of the C.D. Howe Institute, the editorial advisory board of Benefits and Pensions Monitor and a former Chairman of the International Pension and Employee Benefits Lawyers Association. Randy actively engages in community service. He served six years as Chair of the HR Committee of the Canadian Cancer Society and President of Theatre Direct Canada. He is currently a member of the Executive Committees of the Boards of Directors of the Canadian National Exhibition Association, its Foundation and a for-profit subsidiary.

Randy obtained a BA from the University of Waterloo in 1977 and his LLB from Osgoode Hall Law School in 1981. He was called to the Ontario Bar in 1983.

## REPRESENTATIVE WORK

Randy Bauslaugh often acts with his colleagues at McCarthy Tétrault LLP in high profile matters, including the following ongoing matters:

- On behalf of the Canadian Bar Insurance Association developing and implementing a multi-employer target benefit plan for law and accounting firms;

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- As a lobbyist for certain multi-employer plans to end discrimination against non-union workplaces in the provision of contingent (target) benefits;
- As lead counsel for the appointed administrator of Nortel's pension plans in which the firm recovered almost \$1 billion, and lead litigation counsel in 2019 relating to PBGF refunds;
- On behalf of Brewers Retail Inc., Canada's largest privately owned chain of retail outlets selling beer and other malt beverages, in class and regulatory proceedings relating to future indexing of benefits;
- Currently representing a leading North American marketer of grain, oilseeds and pulses in negotiating a settlement of regulatory and potential class action claims relating to misadministration of bridging benefits in the period since 1986;
- On behalf of foreign and domestic governments in designing, drafting and setting up regulatory structures for workplace pension arrangements; and
- Representing former senior executives on tax and other issues relating to their executive pension and compensation arrangements.

## RECENT SPEAKING ENGAGEMENTS

- Osgoode Hall Law School, Osgoode Certificate in Pension Law, Virtual, February 24, 2021. **Keynote Address: Three Current Issues**, Randy expressed his views and insights on, the urgency of climate change for pension fund fiduciaries, the advantages of plan consolidation, and provided a reminder that plan administrators in Canada have fiduciary duties to employers too.
- International Pensions and Employee Benefits Lawyers Association, January 26, 2021, **Recent ESG Developments**. Participated on a panel with lawyers from the UK, US and Belgium to discuss legal issues relating to a broad range of ESG risks and opportunities.
- Lancaster House, Pension Conference, December 4, 2020, "**Panel 5: Pension Plans in the New World of Work**", Pension Plans in the New World of Work: Assessing the impact of disruptive technologies, artificial intelligence, and shifting demographics.
- McCarthy Tétrault's 10<sup>th</sup> Annual Pension Seminar, November 18, 2020, "**The Accelerated Normal**", Webinar
- US Lawyers Webinar, October 29, 2020, "**Canadian Pensions and Benefits Law for U.S. Lawyers**"
- Osgoode Certificate in Pension Law, Toronto, February 19, 2020, "**ESG for Pension Fiduciaries: Focus on Value, not Values**"

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- McCarthy Tétrault’s Vancouver Conference, February 12, 2020 “**Managing Risks Before The Boom Drops**”.
- KORIED/NYCBERS, January 25, 2020, Key West, Florida, “**Effective Trustee Oversight(or, How I learned to delegate without losing control)**”.
- McCarthy Tétrault’s 17<sup>th</sup> Annual Disclosure and Governance Seminar, November 19, 2019, “**Climate Change**”.
- CFA Institute of New York City, “Putting Beneficiaries First”, November 4, 2019. Day long conference for trustees of various New York City Pension Funds. Keynote speaker: “**ESG and Your Portfolio**”.
- Ontario Bar Association, “Pension Hot Spots”, October 8, 2019. **Target Benefit Developments: What’s New and What’s Needed**.
- National Coordinating Committee for Multiemployer Plans, 2019 Annual Conference, September 21-25, Hollywood, Florida. “**Composite Pension Plans: The Canadian Experience**”.
- Law Office Management Association of Toronto, August 8, 2019, “**Better Pensions For Law Firm Employees**”.
- KORIED Global Summit, “Future of Finance – Disruption, Innovation and Thinking Outside the Box”, July 11-12, 2019, Coral Gables, Florida. Presented and moderated an expert international panel on “**How UN Sustainable Development Goals are Shaping Investment Managers**”.
- International Pension and Employee Benefit Lawyers Association Biennial Conference, Lisbon Portugal, May 19-22, 2019. Participated on an expert panel on “**Flexible Benefits**”.
- International Pension and Employee Benefit Lawyers Association Biennial Conference, Lisbon Portugal, May 19-22, 2019. Lead a discussion workshop: **Managing Pension Fund Trustees**.
- Osgoode Certificate In Pension Law Program, Toronto, February 27, 2019, Luncheon Address: **Recent Trends to Watch**
- McCarthy Tétrault Client Pension Conferences in Vancouver and Calgary, February 6 and 7, 2019: **Trends, the View from Our Office**.
- KORIED Plan Sponsor Educational Institute, January 15-18, 2019, Key West Florida. Chaired Day 2 of the 3 day conference for U.S. public sector funds: **Responsible Investing**.
- TLOMA: Toronto Law Firm Leadership Conference, Toronto, Canada. November 8, 2018: **Cost Efficient Pension Plans**,

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- International Congress of Actuaries (quadrennial conference), Berlin, June 7, 2018, presented a paper entitled **Target Benefits – A Bold Innovation in Pension Plan Design**.
- International Congress of Actuaries (quadrennial conference), Berlin, June 3, 2018, presented a Paper and participated in a panel discussion: **Pension Fund Investment: Managing Environmental, Social and Governance (ESG) Factor Integration**.
- Joint Conference of the International Pension and Employee Benefit Lawyers Association, Canadian Bar Association and American Bar Association, Boston, MA, June 10 to 12, 2018, **Say it Ain't So — Dutch go DC?**

## RECENT ARTICLES

- **A Debate: Is Carbon Divestment Becoming Obligatory For Pension Plans**, Benefits Canada, April 2020
- **An ESG Mantra for Pension Fund Fiduciaries**, Benefits and Pensions Monitor, November, 2020
- **Are there legal issues for pension funds making charitable donations right now?**, Canadian Investment Review, April 8, 2020
- **A Tale of Two Pension Plans: My Experience with a Contingent Pension Plan and the Lessons Learned**, CD Howe Verbatim, October 3, 2019
- **How Funds Can Achieve ESG Integration**, *com*, June 2019:
- **Target Benefit Rules: End Discrimination Against Non-Union Workplaces**, CD Howe Intelligence Memo, February 26, 2019:
- **Pension Fund Investment: Managing Environmental, Social and Governance (ESG) Factor Integration**, 2019 Trust Law International, Vol. 32, No. 4, pp. 264-278.
- **Dumb and Dumber: Giving Members Investment Choice in DC Plans**, International Pension Lawyer, May 2019, Volume 90, and pp. 27-33.

## Prix et distinctions

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## Chambers Global

Band 1: Pensions, Benefits & Executive Compensation

## Chambers Canada

Band 1: Pensions & Benefits

## Canadian Legal Lexpert Directory

Leading Lawyer: Pensions & Employee Benefits - Employer

## The Legal 500 - Canada

Leading Lawyer: Pensions

## Who's Who Legal Canada

Leading Lawyer: Labour & Employment

## Lexpert/American Lawyer Guide to the Leading 500 Lawyers in Canada

Most Frequently Recommended: Pensions and Employee Benefits

## Federated Press Directory of Professionals

Distinguished Contributor

## Canadian Pension & Benefits Institute Hall of Fame

Key Leader & Third Inductee to CPB Hall of Fame

## Best Lawyers in Canada - 2020

"Lawyer of the Year" in the area of Employee Benefits Law (Toronto)

## Best Lawyers in Canada

Leading lawyer in the area of Employee Benefits Law

## Mandats récents

- **Centrica PLC conclut une entente visant la vente de Direct Energy à NRG Energy pour une contrepartie de 3,625 G\$ US**  
05 janvier 2021
- **Aon plc annonce l'acquisition de Willis Towers Watson pour un montant de 30 G\$ US**  
09 mars 2020

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## Publications récentes

- **Ontario Budget 2019: Pensions**  
11 avril 2019
- **Pension Fund Investment: Managing Environmental, Social and Governance (ESG) Factor Integration**  
01 mai 2019

## Événements

- **10e séminaire annuel sur les régimes de retraite et les avantages sociaux : la normalité accélérée**  
18 novembre 2020
- **9e séminaire annuel sur les régimes de retraite et les avantages sociaux : Recette du succès – Comment nous pouvons vous aider à gérer votre régime de retraite**  
27 novembre 2019
- **Régimes de retraite : évolution du droit et tendances émergentes en Colombie-Britannique, en Alberta et ailleurs**  
07 février 2019
- **Régimes de retraite : évolution du droit et tendances émergentes en Colombie-Britannique, en Alberta et ailleurs**  
06 février 2019