

CLASS ACTION NOTICE

**Sophie Dupuis v. Parity Committee for the Building Services -  
Montreal region**

Superior Court: 500-06-001150-214

**Payment of employer contributions to the Parity Committee's  
Group RRSP in the public building maintenance industry in the  
Montreal region**

On August 11, 2022, the Superior Court authorized a class action against the Parity Committee for the Building Services - Montreal region (the "Parity Committee") for the following persons:

*"All employees covered by the Decree respecting building service employees in the Montréal region, CQLR, c. D-2, r. 15 (hereinafter the Decree) whose contributions to the pension plan paid by their employer to the Comité paritaire de l'entretien d'édifices publics de la région de Montréal (hereinafter the Defendant) from June 1, 2009 to December 31, 2021 were not remitted to the third parties SSQ Société d'assurance-vie inc. or Industrielle Alliance, assurances et services financiers inc. within thirty (30) days of their receipt by the Defendant."*

(the "**Members**")

The purpose of the class action is to obtain compensation for the investment return or increase of which the Members were allegedly deprived because of the delay in the Parity Committee remitting to the trustees the contributions that it had received on behalf of employees from employers covered by the Decree.

The status of representative for the purposes of the class action has been given to Ms. Sophie Dupuis.

The Court has not yet ruled on the class action, or on the award of compensation to class Members. The Parity Committee denies Ms. Dupuis' allegations and disputes the basis of the class action.

The main issues that are the subject of the class action are:

- a) What is the nature and extent of the Defendant's obligations towards the employees with respect to the pension plan provided for in the *Decree*?
- b) Has the Defendant failed to comply with the obligations referred to in subparagraph (a)?
- c) What is the difference between the return earned on their funds by the Defendant while it was retaining the amounts paid by the employers on behalf of the class members and the return that could have been earned by the class members if the amounts had been remitted progressively as they were transferred to the RRSP?
- d) Does this difference in returns constitute damages?

The conclusions sought and authorized by the Court by way of the class action are the following:

**DECLARE** that the Defendant has failed in its obligations as administrator of the group pension plan established by the *Decree respecting building service employees in the Montréal region, CQLR, c. D-2, r. 15* towards the employees for whom it received contributions and which it did not remit to the trustees of the plan within thirty (30) days of their receipt between June 1, 2009 and December 31, 2021;

**CONDEMN** the Defendant to pay to Sophie Dupuis personally the difference between (i) the return or increase obtained from the Defendant by Dupuis on the contributions received from her employer between the 30<sup>th</sup> day following the payment of the employer's contribution and April 26, 2019, and (ii) the return she would have obtained if the contributions paid by her employer had obtained the same return as the contributions remitted by the Defendant to the trustee SSQ Société d'assurance-vie inc. from June 1, 2009 to July 4, 2014, and to the trustee Industrielle Alliance, assurances et services financiers inc. from July 4, 2014 to April 26, 2019;

**CONDEMN** the Defendant to pay to the members of the Group whose contributions from their employer(s) were remitted more than thirty (30) days after their receipt, the difference between (i) the return or increase obtained by the Defendant on the contributions received from their employer(s) between the 30<sup>th</sup> day following the payment of the employer's contribution and December 31, 2021 or the date of transfer to the trustees, whichever is earlier, and (ii) the return that such members would have obtained, during the same period, if such contributions had instead been remitted by the Defendant to the trustee SSQ Société d'assurance-vie inc. from June 1, 2009 to July 4, 2014, and to the trustee Industrielle Alliance, assurances et services financiers inc. from July 4, 2014 to April 26, 2019;

**ORDER** the individual recovery of such compensatory damages in a manner to be determined.

If you wish to remain a class Member, no action is required on your part.

Members **will not be asked** to pay the legal costs of the class action if the action is dismissed.

Sophie Dupuis' lawyers are conducting the class action on a contingency fee basis and will only seek payment of their fees and expenses if the class action is successful. The lawyers' fees and disbursements that may be approved by the Court will be deducted from the amounts payable to the Members by the Parity Committee following a judgment or out-of-court settlement, if any.

If you wish to opt out of the class action, then you must notify the Clerk of the Superior Court of Québec for the District of Montreal by registered mail at 1 Notre-Dame Street East, Montreal, H2Y 1B6 no later than **December 7 2022, at 4:30pm.**

Any Member who has not opted out of the class action as set out above will be bound by any judgment to be rendered in the class action.

Any Member who has previously filed a claim with the same subject matter as the class action will be deemed to have opted out of the class if he or she does not withdraw their claim before the opt-out period expires.

A Member may apply to the Court to intervene in the class action. The Court will allow the intervention if it is of the opinion that it is helpful to the Class.

**A new notice will be published once the final judgment on the class action is rendered.**

The judgment authorizing this class action and the formalities relating to the opt-out procedure are available from the Clerk of the Superior Court for the District of Montreal and at the Class Action Registry on the website **[www.tribunaux.qc.ca](http://www.tribunaux.qc.ca)**.

Also, if you are a Member of the Class and would like to receive information on the progress of the case or any other information, you can contact the Members' lawyers at the contact information indicated below:

**To reach the Members' lawyers:**

Laurendeau Rasic s.e.n.c.,  
407 Saint-Laurent Blvd., Suite 800,  
Montréal, Québec, H2Y 2Y5  
Phone: 514-288-4241  
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**THE PUBLICATION OF THIS NOTICE HAS BEEN  
ORDERED BY THE COURT**

In case of discrepancy, the authorization judgment prevails.