



April 26, 2007

MANDATORY RETIREMENT IN BC

On April 25, 2007 the BC Government introduced Bill 31: the *Human Rights Code (Mandatory Retirement Elimination) Amendment Act, 2007*.

Once the amendments are in force, the changes to the legislation are to be effective January 1, 2008.

Currently, the BC *Human Rights Code* defines “age” as being an age of 19 years or more and less than 65 years. Following the amendment, “age” will be defined as being an age of 19 years or more. Accordingly, employers in BC will no longer be entitled to have mandatory retirement policies requiring all employees to retire at age 65.

The legislation makes provision for age based distinctions under *bona fide* pension plans and group or employee insurance plans, including those that are self funded by employers or provided by a third party insurer.

The Government is allowing a transition time in order that employers can bring their policies into line with the new legislation. The timing will also allow parties to collective agreements sufficient time to renegotiate collective agreement provisions that are inconsistent with the new legislation.

Please call any member of the Labour and Employment Group (listed below) if you have any questions regarding the proposed changes to the legislation.

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