

YOUR RIGHTS : AGE



Joseph is an insurance agent with a local insurance company. The company has a mandatory retirement policy. Joseph has been told that he will no longer be employed after his 65th birthday.

Beth and her friends, all age 20, decide to go camping. The campground requires that they submit a \$100 damage deposit for their site. Beth notices that the teller did not require a damage deposit from the older couple who were in front of them.

Joseph, Beth and her friends may have experienced discrimination on the basis of age.

THE LAW

The Prince Edward Island Human Rights Act prohibits discrimination on the basis of age in these situations:

- Employment
- Volunteering
- Offering accommodations, services or facilities to the public
- Membership in professional, business or trade associations and employee organizations
- Leasing or selling property
- Publishing, broadcasting and advertising

However there are some EXCEPTIONS:

1. Genuine Occupational Qualification

There are some jobs where being a certain age is a genuine occupational requirement. For example, a bartender must be of legal drinking age (19 years old on PEI) in order to serve liquor. In a job where safety is an issue, like driving a school bus, it may be necessary to require retirement at a certain age.

2. Pensions and Insurance

The Act states that the prohibition against age discrimination does not apply to the operation of any genuine retirement or pension plan or any genuine group or employee insurance plan. For example, most pension plans will not begin to provide benefits until the recipient reaches a certain age.

3. Special Programs

The Commission may approve programs of government, private organizations or individuals designed to promote the welfare of certain age groups, such as, programs designed to promote youth employment or provide housing for seniors.

4. Other Provincial Laws

Provincial laws that restrict accommodations, services or facilities on the basis of age are not discriminatory. For instance, under the PEI Highway Safety Act, one must be age 16 to obtain a driver's license.

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Prince Edward Island
Human Rights Commission
PO Box 2000
98 Water Street
Charlottetown PE
C1A 7N8

1-800-237-5031
368-4180

368-4236 (fax)
www.gov.pe.ca/humanrights

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Everyone's
Business...*

*Why Not Make It
Yours?*