

New Brunswick Amended 1973,⁽¹⁾ *The Human Rights Code of Newfoundland 1969*,⁽²⁾ and *The Human Rights Code of Ontario Amended 1972*⁽³⁾ provide that no employer shall refuse to employ or refuse to continue to employ or otherwise discriminate in employment because of age. These provisions are applicable to persons between the ages of 45 and 65 in Alberta, British Columbia and Newfoundland. *The New Brunswick Code* defines "age" as 19 years of age and over. In Ontario, a reference to age means any age of 40 years or more and less than 65 years. Trade unions shall not exclude from membership, expel or suspend a person in these age groups. An employer may not publish an advertisement in connection with employment which expresses directly or indirectly any limitation, preference or discrimination in employment because of age. These provisions do not apply to the operation of a bona fide retirement or insurance plan.

The Canadian Labour Code does not mention discrimination on the basis of age. Employers must not discriminate on the basis of race, national origin, colour or religion.⁽⁴⁾

The policy of the Department of Manpower which is governed by the Unemployment Insurance Act is to refer to the prospective employer the best qualified people available irrespective of age.

Recommendation 5

- (a) The Committee recommends that studies be made by the Federal Department of Labour of experience with gradual retirement programs now in effect in private business and the public service and that the findings of these studies be used to stimulate wider interest in such programs on the part of management and labour.
- (b) That programs of counselling and planning in preparation for retirement be more widely adopted by private business and the public service, and that Federal and Provincial Departments of Labour provide to interested employers and unions the technical consultation necessary for their successful operation.

ACTION TAKEN

(a) There are very few gradual retirement programs in industry and there is no Federal policy relating to employees in the Public Service. No department has been charged with responsibility for studies.

(b) The Federal Government has issued no policy statement on this subject and no department of government has been given an mandate to assist with programs or provide counselling.

Some departments of the Federal Government sponsor retirement programs both at headquarters and in their

- (1) Statutes of New Brunswick, 1973. An Amendment to The Human Rights Code of New Brunswick, Chapter 45.
- (2) Statutes of Newfoundland, 1969, Chapter 75.
- (3) Statutes of Ontario, 1972, An Amendment to The Ontario Human Rights Code, Chapter 119.
- (4) Revised Statutes, Vol. V, 1970, Chap. L-1, 5(1).

districts. The Department of Indian and Northern Affairs collaborates with the universities in Saskatchewan, Alberta and British Columbia to provide employees with programs on retirement. There are at least four Government departments active in this field—Indian and Northern Affairs Department, Public Works Department, Statistics Canada and Supply and Services Canada.⁽¹⁾

Paramount Retirement Counselling,⁽²⁾ Montreal, is unique in Canada. This agency began operations mid 1972 and by the end of 1973 had contracts with eight provinces to provide information on pre-retirement as well as post-retirement planning. The agency has some 20 booklets for distribution, one being produced each quarter of the year. In addition there are newsletters suitable for insertion with pension cheques. Research is conducted on a contract basis on various subjects such as nutrition, dental care, leisure activities, etc.

Maurice Miron,⁽³⁾ program director for aging of the Canadian Council of Social Development said he knows of no company in Canada with its own pre-retirement program. But it is not all the fault of management he added. The Northern Electric Company had such a program but abandoned it when workers made it plain they did not want to hear about retirement, even on company time.

The Alberta⁽⁴⁾ Department of Manpower and Labour has instituted a study which will more specifically identify the preparation needs with regard to retirement. This is a three year study and it is being carried out in co-operation with several departments of the Alberta Government, private industry and several retired citizens. It is intended that the results of this study will provide the department and other provincial agencies with the necessary information to plan programs of employer and union consultation as well as support programs in the area of retirement preparation.

The Extension Department of the University of Saskatchewan, Regina has formulated a course entitled "Preparation for Retirement" which is supported by the Saskatchewan⁽⁵⁾ Department of Labour. In addition to supplying resource material for use in teaching of the course, various officials of the Department of Labour (e.g. Superintendent of Pension Plans) are available to assist with the discussion of various topics covered by the course material.

The Manitoba⁽⁶⁾ Department of Labour has not acted in any formal way upon the recommendations, but some assistance is given to individuals who contact the department directly. The Age and Opportunity Bureau in Winnipeg assists in this area.

- (1) Indian and Northern Affairs Department. Mr. McCrank Telephone communication, April 23, 1974.
- (2) Paramount Retirement Counselling, Montreal. Telephone communication October 25, 1973.
- (3) *The Ottawa Journal*, June 13, 1972.
- (4) Alberta. Department of Manpower and Labour. Letter dated March 26, 1974.
- (5) Saskatchewan. Department of Labour. Letter dated March 29, 1974.
- (6) Manitoba. Department of Labour. Letter dated April 1, 1974.