

# Benefits for Employees Age 65 and Older

In 2006, Ontario passed a law that no longer allowed employers to terminate employment for employees at age 65. At that time, the province's Human Rights Code and Employment Standards Act allowed employers to terminate or modify benefits for employees age 65 and older.

You may have recently heard in the news that the Human Rights Tribunal of Ontario has issued an interim decision in favor of a Brantford teacher who challenged his coverage being terminated at age 65. If this decision holds up to challenges, it means that employers will no longer be able to terminate employees from their benefit plans based upon the attainment of a certain age. It also suggests that coverage cannot be modified or reduced based upon attainment of a certain age. It may even have an effect on the current termination age for Long Term Disability benefit payments, which is age 65.

We have approached the insurers regarding their position on this matter, and all have confirmed that they do not have an answer at this time, but will be consulting with regulators.

This decision may have far reaching effects for both employers and in turn for employees.

We have contacted the Tribunal outlining our concerns with the practical issues impacted by this decision. We will continue to inform you of any updates or decisions made that would impact your group benefits plan. However, at this point in time, there is no action required.

