# Aging Workforce May Equal Higher Notice Awards



Two 2013 decisions of the Ontario Superior Court, *Kotecha v. Affinia* and *Filiatrault v. Tri-County Welding Supplies Ltd.* may indicate a trend towards higher notice periods in light of an aging workforce and the abolishment of mandatory retirement. These decisions considered terminations for employees (in their 70s and 80s) who had in some cases over 40 years of service. While notice periods in those cases were 22 months and 18 months respectively, the Court suggested that much higher notice periods could be possible, likely beyond what had formerly been considered the "upper limit" of 24 months. With an aging workforce across Canada, this is surely a development to watch for all Canadian employers.

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