Asking Senior Employee about His Retirement Plans Isn’t Age Discrimination



When his manager asked him when he was going to retire, a 65-year-old sales rep replied that he didn’t know. Three weeks later, the manager repeated the question and told the sales rep he wanted him to retire within 18 months. And 7 months after that, with the sales rep showing no interest in retiring, the company set a retirement date for him. The sales rep claimed age discrimination but the Alberta Human Rights Commission dismissed the complaint. It was legitimate for the company to ask about retirement for clarification; nor was pushing him out the door discriminatory given the sales rep’s well documented performance issues [*Davidson v Advance Tank Centres Ltd*., 2021 AHRC 194 (CanLII), November 15, 2021].