Grounding Pilot at Age 65 Isn’t Age Discrimination



Another age discrimination complaint by an Air Canada forced to retire at age 65 has been shot down, this time by a federal arbitrator. **Punchline:** While human rights laws require Air Canada to make reasonable accommodations, letting the pilot continue to fly past age 65 would constitute undue hardship. The problem is that under International Civil Aviation Organization rules, a plane with one pilot who’s over age 65 can’t fly internationally unless it has another pilot under age 65. Complying with the ACAO standard would require Air Canada to overhaul the scheduling system it painstakingly negotiated with the unions [*Air Canada Pilots Association v Air Canada*, 2021 CanLII 92847 (CA LA), September 30, 2021].