

Injured Employee Wasn't in Union Long Enough to Qualify for Pension



A Nova Scotia pension plan required members to work at least 300 hours as a union member. A veteran longshoreman who finally became a union member after 26 years of service was able to work only 245 more hours before becoming permanently disabled. The longshoreman claimed the hours for which he was credited under workers' comp should have counted toward his service eligibility; he also argued that even if he hadn't put in the necessary 300 hours, the plan had sent him benefits statements and was thus "estopped" from denying he wasn't a member. But the court disagreed on both accounts and the appeals court upheld its decision to toss out his case [*Downey v. Cranston*, [2012] N.S.J. No. 234, May 8, 2012].