

## Supreme Court Vacates Landmark Racial Profiling Fine but Leaves Door Open to Future Claims



A Supreme Court of Canada case in July shed light on the liability risks of factoring racial profiling by government agencies into employment decisions. The Court ruled that relying on racial profiling may discriminate even if the profiling is conducted by a government security agency rather than the employer. The job applicant, a pilot from Pakistan, actually lost the case because he couldn't show that the U.S. government's failure to grant him a security clearance was based on his national origin [*Québec (Commission des droits de la personne et des droits de la jeunesse) v. Bombardier Inc.*, 2015 SCC 39, July 23, 2015].