lavery
Lawyers

The Court of Appeal confirms that a distinction based on age provided for by section 56 of the AIAOD is not discriminatory

July 1, 2012

On June 14, 2012, the Quebec Court of Appeal confirmed the validity of the second paragraph of section 56 of the *Act Respecting Industrial Accidents and Occupational Diseases* (hereinafter the “AIAOD” or the “Act”). Although this paragraph establishes a distinction based on age, the Court of Appeal is of the opinion that it is neither invalid nor discriminatory. The Court came to this conclusion in particular because the appellant, Mr. Bernard Côté, a worker 64 years old at the time his employment injury occurred, had not shown that the application of this paragraph created a disadvantage resulting from treatment different than that reserved for younger workers.

Copyright (c) Lavery, de Billy, S.E.N.C.R.L. - L.L.P.