

# ALERT

A special bulletin for all  
BCGEU members

Please post  
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## Mandatory retirement ended by government

Legislation introduced in the Legislature on April 25 ends mandatory retirement in the province. The legislation amends the mandatory retirement provisions of the *B.C. Human Rights Code* and also amends the *Public Service Act*, which authorizes the current mandatory retirement age for public sector employees. The law will come into force January 1, 2008.

Bill 31 ends mandatory retirement by amending the *Code's* definition of "age" to 19 years or more. Pension plans will still be able to differentiate on the basis of age. For example, pension plans can continue to set the age 65 as to when someone can collect a pension.

A government employee who wants to work past 65 sends a written request to the appropriate Deputy Minister, and then a Order-in-Council will be issued permitting the work. Other employers will likely have different approaches and the union will deal with these as they arise.

The elimination of mandatory retirement does not affect members in the Public Service Pension Plan (PSPP), the Municipal Pension Plan (MPP) or the College Pension Plan (CPP). Those plans currently allow for the accrual of service up to age 69 and that is likely to be raised to age 71 in the future (the federal government has indicated they will make this change). The elimination of mandatory retirement will also have no impact on community health workers who are now eligible to join the MPP, or social services workers who will be eligible to join the MPP in 2010.

The new legislation does not have any impact on the financial health of the pension plans.

Members who wish to continue to work past age 65 should be aware that the legislation removing the age of mandatory retirement allows an employer to be selective in terms of the other benefits it provides. Specifically, there is no assurance that one will be entitled to coverage of health plans and income replacement plans such as a short term disability plan or a long term disability plan. The union will continue to monitor the impact of the change and will address any issues that come up.

The legislation also allows for programs such as WCB to be able to continue with their current practice of ending or converting benefits at age 65.

Restrictions on some employees (like correctional centre employees) working past age 60 will continue. These restrictions are known as "bona fide occupational requirements."

The union is not expecting a major impact on members as a result of the legislation. "We will monitor the situation and provide information to members as needed," said George Heyman, BCGEU president. "The government does appear to have cherry picked the recommendation on mandatory retirement made by the Premier's Council on Aging and Seniors, yet they have ignored other major concerns, especially the need to improve home support."

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