

Fighting forced retirement

Retirement at 65 discriminatory, Ontario study says

BY JEROME WATT
Staff Writer

A heart attack couldn't stop Grace Watson from doing her job as a switchboard operator at Scarborough Centenary Hospital; it took something more permanent — mandatory retirement.

"I was very, very good at my job," Grace said. "It was just the fact that I was 65."

Grace's daughter, Diane Watson, saw her mother wilt before her eyes after the forced retirement.

"This is the one thing that keeps her alive," the Jackson's Point resident said. "It gives her something to look forward to. Sometimes I see how hurt she is about losing her job."

Working past retirement is vital to many seniors.

"I'll be 66 shortly," said Terry Carter, office manager of the Newmarket Chamber of Commerce. "I just like what I am doing."

And working past the age of 65 has helped keep Aurora's Doug Dyson going.

"I think it's important to keep active," the 71-year-old associate real estate broker said. "If they kicked me out the door and I'm still producing, I'd be upset."

It's an issue Diane sees affecting her generation — the baby boomers — as well.

"This is important to the baby boomers," she said. "This could possibly happen to them."

Baby boomers, those born from 1945 to 1950, are looking to redefine retirement.

"Given the changes in our demographics it's time to look at (retirement)," said Douglas Robson, president and CEO of the Ontario Chamber of Commerce. "After World War II the demographics have changed."

Prompted by a growing public interest in mandatory retirement and cases such as Grace's, the Ontario Human Rights Commission conducted a study.

In its June 28 report *Time for Action: Advancing Human Rights For Older Ontarians*, the commission ruled mandatory retirement is age discrimination and recommended the Ontario Human Rights Code be amended to extend human rights protections to workers older than 65.



STAFF PHOTO/STEVE SOMERVILLE

Rachel Braunshtein, who owns Upper Crust Bakery, plans to work until she's 70. The self-employed baker enjoys an option many other Canadians, who are forced to retire at 65, don't.

While a person in Ontario isn't legally required to retire at any age, they also can't challenge an age imposed retirement.

"Any attempt to challenge mandatory retirement in court has failed," said Francois Larsen, spokesperson for the Ontario Human Rights Commission.

"There is no legal obligation to retire at 65," he said. "There is also no protection over the age of 65."

The need to redefine retirement is becoming more important as life expectancy increases in Canada. According to the Ontario Human Rights Commission, the average life span is now 85.

"In the 1950s people didn't reach their retirement," Robson said. "In my neighborhood, I see people biking, walking and running that wouldn't have been 30 years ago."

Mark Wiseman, president of the Richmond Hill Chamber of Commerce, believes mandatory retirement will eventually be eliminated.

"With the aging of the baby boomers there is a growing movement towards removing it," he said. "This group of grey haired Canadians are going to have more clout."

Wiseman said businesses will

also be forced to change policies due to the larger number of employees willing to work past the age of 65.

There are also sound economic reasons to work past the age of 65, as many self-employed workers have discovered.

When 55-year-old Rachel Braunshtein, owner of Richmond Hill's Upper Crust European Bakery and Cafe, came to Canada 24 years ago, she didn't have any funds.

"At that time we were not allowed to take anything," she said. "We have a lot of debts to pay. We really don't have a lot of

lifesavings."

Braunshtein's case isn't unusual. Early retirement forces many seniors into virtual poverty, according to the Ontario Human Rights commission.

"What we found were a lot of sub groups, like women who returned to the workforce and didn't develop a (large enough RRSP contribution)," Larsen said. "We found the same problem with people who immigrate to the country late in life."

A mature workforce can also benefit the economy with fewer people drawing from social security, according to the Ontario Rights commission's report.

Dyson, who went from construction to real estate, agrees.

"If you were to get rid of a fair number of senior people, you would have quite a dent in your business," he said. "There is a great knowledge base (with seniors)."

It's a waste of a valuable resource, Braunshtein said.

"Companies can use our experience. At 65 why should they throw you out?"

In order to match economic requirements with a worker's preference, retirement might be structured differently in the future.

"You're not going to have 65-year-olds working in construction," Wiseman said. "Maybe we'll have some sort of system for testing (to determine if they should retire)."

Wiseman suggested future retirement may be phased in.

Voices

"My new subsidized income, along with my feeling of professional uselessness has shown me one thing; the reality of how society views and treats the aging."

Grace Watson

"If I should not be able to find gainful employment in the future solely on the criteria of my being over 65, I will lose the capability of keeping my home."

Don Pelz



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