

Air Canada loses discrimination case

Rights infringed at job interview, tribunal finds

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STAFF REPORTER

Air Canada has been ordered to pay a Toronto man 3½ years worth of back wages after a human rights tribunal found he was discriminated against during a job interview for a baggage-handler position.

Kanags Premakumar is also to receive \$4,000 from the airline for the pain and suffering he endured after being turned down for a job with the now-defunct Canadian Airlines, even though he had more airport work experience than other successful candidates.

The ruling makes it clear to employers that there is no room for discrimination during job interviews, said Premakumar's lawyer, Davies Bagambire.

Because Air Canada assumed legal responsibility when it merged with Canadian Airlines two years ago, it is responsible for compensating

Premakumar for the lost wages and benefits dating back to the time of the interview.

The exact amount of the settlement is yet to be determined.

A Tamil originally from Sri Lanka, Premakumar applied for a baggage-handler job with Canadian Airlines at Pearson airport in the spring of 1998.

Premakumar, who has worked at airlines in Canada and Sri Lanka, lost out to people who had never worked at an airport.

The tribunal ordered one of the two former Canadian Airlines employees who conducted the interview to provide Premakumar with a written apology within 30 days.

While the tribunal found Premakumar had been discriminated against, it said there was no evidence that Air Canada's hiring policies need to be reviewed.

"The discriminatory practice in issue in this case was committed by Canadian Airlines — an entity that no longer exists," wrote Anne Mactavish, who chaired the tribunal.

Air Canada has up to 30 days to decide whether to apply for a judicial review of the ruling.

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