

Back to the Future: Feds Propose Human Rights Prohibition Against Discrimination For (Possible) Future Disabilities!

The ever-expanding protections afforded by human rights legislation may get a little more crowded if the (current) Federal Government has its way.

Bill C-68, known as *Protection Against Genetic Discrimination Act*, is proposing privacy and human rights protection related to the use, collection and disclosure of an employee's genetic information. The *Act*, if passed, would amend the *Privacy Act*, the *Personal Information Protection and Electronic Documents Act (PIPEDA)* and the *Canadian Human Rights Act*. In particular, the *Act* would amend the *Canadian Human Rights Act* by prohibiting an employer from discriminating against an employee based upon their genetic test results and would clarify that 'genetic testing information' qualifies as 'personal information' protected under *PIPEDA* and the *Privacy Act*.

This may all sound a little too Orwellian for some and in fact the *Act* may not pass due to the Federal election this fall, even so, this is not likely the last we will be hearing about 'genetic testing' protection. Please contact e2r® should you have any questions regarding the foregoing.