

# Johnstone v. Canada Border Services Agency at Federal Court of Appeal <sup>[1]</sup>

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Johnstone v Canada Border Services Agency is concerned with an employee (Fiona Johnstone) who complained that her employer (CBSA) had discriminated against her by refusing her request for regular shifts so that she could to make ongoing child care arrangements. In 2010, the Canadian Human Rights Tribunal found in Johnstone's favour. The CBSA appealed to the Federal Court, which upheld the Tribunal's decision in 2013. The CBSA appealed again; the case is now being heard by the Federal Court of Appeal.

CRRU has collected news and resources on this groundbreaking case.

## Recent news

- CBSA appeals ruling over shift change request for mother <sup>[2]</sup>, 11 Mar 14
- CBC's Metro Morning featured a discussion of the case between host Matt Galloway and CCPA's Armine Yalnizian, 11 Mar 14 (Audio, 4:54 <sup>[3]</sup>)
- CBC The National: CBSA appeals ruling over shift change request (Video, 2:21 <sup>[4]</sup>)

## Resources

Women's Legal Education and Action Fund has intervenor status in the case.

- Summary of LEAF's position
- LEAF's factum to the Federal Court of Appeal

## Past judgments

- Federal Court <sup>[5]</sup>'s judgment <sup>[5]</sup>
- Case <sup>[6]</sup>
- Canadian Human Rights Tribunal's decision

**Region:** Canada <sup>[7]</sup>

**Tags:** accessibility <sup>[8]</sup>

availability <sup>[9]</sup>

work-life balance <sup>[10]</sup>

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**Source URL (modified on 27 Jan 2022):** <https://childcarecanada.org/documents/research-policy-practice/14/03/johnstone-v-canada-border-services-agency-federal-court>

## Links

[1] <https://childcarecanada.org/documents/research-policy-practice/14/03/johnstone-v-canada-border-services-agency-federal-court> [2]

<https://www.cbc.ca/news/canada/toronto/cbsa-appeals-ruling-over-shift-change-request-for-mother-1.2568510> [3]

<https://www.cbc.ca/video/news/audioplayer.html?clipid=2441417367> [4] <https://www.cbc.ca/player/play/2441525744> [5]

<https://childcarecanada.org/documents/research-policy-practice/13/02/attorney-general-canada-vs-fiona-ann-johnstone-reasons-judg> [6]

<http://files.ctctcdn.com/8dc812c3001/0d598f2b-35c6-4c8e-ba12-0fff06e004a7.pdf> [7] <https://childcarecanada.org/taxonomy/term/7864> [8]  
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