

# Federal Court of Appeal upholds Johnstone decision <sup>[1]</sup>

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## Update

On June 26, 2014, Canada Border Services Agency notified Fiona Johnstone that it is not seeking leave to appeal her case to the Supreme Court of Canada.

- Editorial: Child care victory for working parents <sup>[2]</sup>, Toronto Star, 2 Jul 14
- Ottawa won't appeal landmark child-care ruling <sup>[3]</sup>, Toronto Star, 27 Jun 14

## Background

The Johnstone v Canada Border Services Agency (CBSA) case concerned 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 was heard by the Federal Court of Appeal, which has now delivered its judgement to uphold the decision made by the Canadian Human Rights Tribunal.

- Federal Court of Appeal Decision <sup>[4]</sup>

## Responses to Federal Court of Appeal decision

- LEAF press release: Johnstone decision underlines need for more flexible and inclusive workplaces <sup>[5]</sup>
- Canadian Human Rights Commission press release: CHRC welcomes court rulings on landmark family status cases <sup>[6]</sup>
- Public Service Alliance of Canada press release: Federal Court of Appeal rules CBSA discriminated against PSAC member Fiona Johnstone by failing to accommodate her family obligations <sup>[7]</sup>

## News on Federal Court of Appeal decision

- Federal Court of Appeal clarifies nature and scope of family status protections <sup>[8]</sup>, Canadian Employment Law Today, 7 May 14
- Federal appeal court upholds landmark child care ruling <sup>[9]</sup>, Toronto Star, 7 May 14

**Region:** Canada <sup>[10]</sup>

**Tags:** work/life balance <sup>[11]</sup>

women's work <sup>[12]</sup>

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