

# Donut Shop Discriminated Against Worker with Epilepsy



A worker with epilepsy worked at the counter of a donut and coffee shop. After she was out sick for three days with the flu, the employer refused to let her return to work until she provided a doctor's note saying her epilepsy didn't prevent her from working there. When she failed to provide such a note, the employer assumed she'd quit. So she sued for disability discrimination. The Human Rights Tribunal found that the employer prevented the worker from returning to work because of her disability, despite the fact she'd never had a seizure at work. The request for a doctor's note indicating that she'd returned to her 'prior state' of health was unreasonable under the circumstances. So the Tribunal ordered the employer to pay her lost wages and \$12,500 in damages [Thompson v. 1552754 Ontario Inc., [2013] HRT0 716 (CanLII), May 3, 2013].