

# Employer Didn't Properly Respond to or Accommodate Worker's Seizures



A worker with epilepsy had several seizures at work. After the last one, which occurred near the end of his shift, he told the plant nurse he wanted to go home with his carpool. She said she was calling an ambulance. When he went to the front gate, the nurse called security, who physically restrained him and wouldn't let him leave. They also called the police, who took him to the hospital, where he was assessed and released. He sued his employer for disability discrimination. The Human Rights Tribunal found that the employer had violated its duty to reasonably accommodate the worker. It knew he had epilepsy but didn't make meaningful inquiries into how to accommodate him and to understand his disability-related needs. And there was no evidence to justify the extreme measures taken after his last seizure. The Tribunal ordered the employer to pay the worker \$10,000 plus interest in damages [*Britton v. General Motors of Canada*, [2012] O.H.R.T.D. No. 695, April 3, 2012].