

# Employer Must Accommodate Worker's Injury, Not His Preferences



After a subway operator was injured on the job, he required accommodations. The employer offered or assisted in obtaining him accommodated work within his disability-related limitations. But the operator refused such work because it didn't meet his preferences. So he claimed disability discrimination. The Human Rights Tribunal rejected his claim, ruling that the employer wasn't required to accommodate the operator's preferred days off, type of work, hours of work and location. The *Human Rights Code* doesn't require employers to provide a "perfect solution" or ensure that workplace preferences are met. Here, the employer satisfied its duty. But the operator was "highly uncooperative" and unreasonably demanding [*Akash v. Toronto Transit Commission*, [2012] O.H.R.T.D. No. 663, April 2, 2012].