

# Employer Ordered to Reinstate Victim of Disability Discrimination



A worker developed an anxiety disorder from the stress of being in charge of asbestos response and removal and the threat of personal liability. When she tried to return from medical leave, she claimed her employer didn't try to accommodate her mental disability. The Human Rights Tribunal ruled that the employer failed to fulfill its duty to reasonably accommodate the worker by trying to determine what kind of employment she was capable of doing. The Tribunal, in a recent decision on the appropriate remedy, ordered the employer to reinstate the worker to a suitable position, pay her lost wages and medical costs and pay her \$30,000 to compensate for injuries to her dignity, self-respect and feelings [*Fair v. Hamilton-Wentworth District School Board*, [2013] O.H.R.T.D. No. 420, March 14, 2013].