Firing Addicted Nurse for Stealing Drugs May Be Failure to Accommodate



It wasn’t me, it was my addiction. So argued the nurse who got fired for stealing drugs from the hospital for her own use. The arbitrator didn’t buy it and found that her actions were ‘voluntary.’ But the appeals court said the ruling was unreasonable and reversed it. ‘Voluntary’ for purposes of committing a criminal act is different from voluntary for purposes of determining if there’s a causal connection between behaviour and an addiction disability. Because the Ontario arbitrator’s decision didn’t address this issue, the case had to go back down for a new trial [*Ontario Nurses’ Association v. Royal Victoria Regional Health Centre,* 2019 ONSC 1268 (CanLII), June 10, 2019].