

Firing Alcoholic Employee for Coming to Work Is Disability Discrimination



What would you do if one of your employees showed up late to work intoxicated by alcohol and prescription drugs, interrupted a staff meeting and belligerently cussed out his boss to the point where you had to call his wife to pick him up and take him home? The car dealer in this case decided on termination. And while that might have been justified for a casual drinker, the employee in this case had an alcohol dependency. So, the Alberta Human Rights Tribunal found disability discrimination and awarded the employee \$30,000 in damages. The dealer knew or should reasonably have known of the employee's dependency which rendered him incapable of complying with its workplace sobriety policy and at least considered making accommodations to the point of undue hardship [*Kvaska v Gateway Motors (Edmonton) Ltd.*, 2020 AHRC 94 (CanLII), December 14, 2020].