

Firing Nurse for Alcohol Addiction = Disability Discrimination



After coming to work drunk, a home care aide acknowledged her alcohol 'addiction' and signed a last chance agreement promising to abstain. A few weeks later, she was fired for allegedly being drunk in public. Addiction is a disability and the home didn't do enough to accommodate it, the Human Rights Board said. The home challenged not only the merits of the ruling but the Board's jurisdiction, i.e., legal authority, to issue it in the first place, contending that the case was a collective agreement dispute that should be decided by the labour board. The Court of Appeal disagreed, saying that this *was* a disability discrimination case, and thus well within the Board's sweet spot [*Northern Regional Health Authority v Manitoba Human Rights Commission et al*, 2017 MBCA 98 (CanLII), Oct. 5, 2017].