

Firing Worker with the Sniffles? Disability Discrimination



A mining technician sued for disability discrimination claiming he was fired right after reporting symptoms of his illness to the onsite medic. But the Human Rights Tribunal wasn't buying. First of all, he had neither a real nor a perceived disability. His symptoms, which included coughing and muscle pain, were minor, treatable with non-prescription meds and didn't debilitate him or cause him to miss work. And while the employer could and maybe should have asked him to get a medical exam before firing him, the fact that his symptoms were so minor meant that there was no duty to accommodate [[Mazerolle v Stuart Olson Diamond Ventures Inc.](#), 2018 CanLII 128780 (NT HRAP), Dec. 20, 2018].