

Flour Mill Had Accommodated Addicted Worker to Point of Undue Hardship



A flour mill fired a worker for being absent without approval and failing to provide adequate medical information. At the time, he was addicted to drugs and alcohol and thus disabled. So the union challenged the termination. The arbitrator ruled that the mill had fulfilled its duty to accommodate the worker and any further accommodation would be an undue hardship. For example, the mill had already granted him leaves of absence so he could go into rehab. But he always relapsed. And there was no evidence to suggest that this time would be any different. Plus, the mill's safety concerns as to having a high worker in the workplace were reasonable [*Dover Flour Mills v. United Food and Commercial Workers Canada, Local 175*, [2012] CanLII 1234 (ON LA), Jan. 15, 2012].