

# Hospital Fired Probationary Nurse for Poor Attendance–Not Disability



A hospital fired a probationary nurse for poor attendance. She claimed disability discrimination. But the Human Rights Tribunal dismissed her complaint. The hospital didn't know she had a disability or treat her as disabled. Rather, it perceived her to be a probationary employee with a poor attendance record and thus not a suitable employee in what was essentially a relief position. As a result, there was no evidence to support the conclusion that the nurse was the victim of disability discrimination [*Lemieux v. Guelph General Hospital*, [2011] O.H.R.T.D. No. 2230, Dec. 14, 2011].