

Hospital's Request for Updated Medical Information Was Reasonable



A hospital worker injured both shoulders and so had a lot of limitations, especially as to pushing, pulling and lifting above the shoulders. He returned to work doing modified porter and clerical duties, but these jobs aggravated his condition. He then applied for various other positions. The hospital told him he needed to provide updated medical information to be considered for them. He filed a disability discrimination lawsuit. The Human Rights Tribunal said an employer is justified in getting medical clearance for an employee who has a disability and has had work-related aggravations of his disabilities in the past. The hospital had requested medical information that it needed to accommodate the worker, it wasn't forthcoming and the worker provided no timetable on when it might arrive. Accommodation requires the worker's cooperation and, in this case, he wasn't cooperating. Thus, the Tribunal ruled that the hospital had met its duty of accommodation [[Pazhaidam v. North York General Hospital](#), [2014] HRT0 984 (CanLII), July 7, 2014].