

Injured Worker Wasn't Fired Because of His Disability



A cross dock worker for a warehouse and distribution facility suffered a leg injury on the job. He claimed that his supervisors discriminated against him while he was recovering from this injury and ultimately fired him for his disability. The Human Rights Tribunal dismissed his complaint. The facility took various steps to accommodate the worker's disability. But a number of times, the worker refused a graduated return to work plan or modified duties. He also didn't notify the facility when he was discharged from rehab and given a discharge report indicating he was able to return to work. When the facility learned of his discharge, it had reasonable cause to fire him for his unexcused absence [*Verma v. Damco Distribution Canada*, [2013] BCHRT 97 (CanLII), April 18, 2013].