

No Duty to Accommodate an Injured Worker Who Can't Work



After a city sanitation worker suffered an injury on the job, he claimed that the city delayed in providing him with accommodated work, provided unsuitable modified work, required him to attend a meeting against doctor's orders and then laid him off. The Human Rights Tribunal dismissed the complaints, ruling that there was no likelihood of their success. The Tribunal explained that it's impossible to accommodate someone in the workplace who's unable to work, such as this worker. In legal terms, 'there is no duty to accommodate an employee who cannot work,' said the Tribunal [*Cooper v. Toronto (City)*, [2013] HRT0 9 (CanLII), Jan. 3, 2013].