No Evidence of Worker's Need of Accommodations for Nicotine Addiction



Is smoking and addiction to nicotine a disability requiring accommodation under human rights laws' That was the central question in this grievance by an air terminal screening officer contending that the employer had to provide a designated smoking area or at least a shuttle van to places where employees could go to smoke on their breaks. But the Nova Scotia arbitrator found a convenient way to nix the grievance without answering the question. Even if nicotine addiction was a disability, there was no evidence that the screening officer actually had one and that the employer was aware of her disability and need for accommodation, he reasoned [*United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, Local 5319 v Securitas Transport Aviation Security Ltd.,* 2019 CanLII 29679 (NS LA), March 29, 2019].