Nursing Home Didn’t Discriminate Against Worker with Back Problems



A worker at a nursing home went out with a recurring back problem that required surgery. When she asked about returning to work, the home said that given her physical restrictions’especially the ban on lifting’she couldn’t do her prior job, even with accommodations. The worker filed a disability discrimination complaint. The Tribunal ruled that the worker couldn’t do the essential duties of the three jobs available and no accommodations could be made to allow her to do so. In addition, the nursing home didn’t have a duty to create a new job for her. So it concluded that the home wasn’t liable for disability discrimination [*Perron v. Revera Long Term Care Inc.*, [2014] HRTO 766 (CanLII), May 29, 2014].