

After a doctor was charged with domestic violence related crimes, the hospital investigated the situation and suspended his privileges because his brother- and sister-in-law also worked there and they'd directly intervened in the domestic situation. The hospital board agreed to reinstate his privileges subject to certain conditions, including a risk assessment. But the doctor appealed. The hospital argued that it had a duty under the OHS laws to ensure workers felt safe in the workplace. The Appeals Board found that the initial suspension was a reasonable effort to comply with the hospital's workplace violence duties under the OHS law. But it concluded that there was no legitimate concern for staff safety that justified the hospital's boards imposition of a risk assessment. So the Appeals Board reinstated the doctor's privileges subject to certain conditions [*Kaila v. Bluewater Health*, [2014] CanLII 19532 (ON HPARB), April 23, 2014].