

# Railway Didn't Do Enough to Accommodate Returning Worker



*'Not always fully alert;' 'Requires frequent supervision.'* A railway relied on these restrictions in refusing to assign a worker returning from injury to a safety sensitive job. While that decision may have been justifiable, pulling the plug on the entire return to work process without considering alternative positions was a violation of the railway's duty to accommodate the worker to the point of undue hardship, ruled the arbitrator, especially since there were office positions he was capable of performing available [*Canadian Pacific Railway v Teamsters Canada Rail Conference*, 2018 CanLII 74181 (CA LA), Aug. 2, 2018].