

Reporter Lied about Job Restrictions Caused by Ankle Injury



A newspaper reporter suffered a serious ankle injury on assignment that required three surgeries. While she was initially recovering, the paper enabled her to work from home. The reporter eventually returned to the office, but said she couldn't drive or use mass transit. In the office, she walked slowly and used two canes. But co-workers saw her walking without the canes and much faster outside of work. The paper had an investigator follow and videotape her, confirming that she could drive and walk. It then fired her for lying about her restrictions. An arbitrator found that the reporter knowingly misled the paper about her ability to do her job, which undermined the accommodation process and her relationship with her employer. The paper had reasonable cause to investigate her conduct outside of work. And based on its findings, it had just cause to terminate her, concluded the arbitrator [[Toronto Sun v. Unifor Local 87-M](#), [2014] CanLII 22359 (ON LA), April 7, 2014].