

Undue Hardship to Accommodate Worker's Illegal Pot Smoking on the Job



A logging company worker who was a cancer survivor claimed disability discrimination, saying the company fired him instead of accommodating his marijuana smoking on the job. The Human Rights Tribunal found that the worker smoked marijuana to manage his pain. But because he didn't have a 'marijuana card,' doing so was illegal. And he admitted smoking pot on the job, although he claimed he was never impaired. The Tribunal concluded that letting the worker smoke pot at work without legal or medical authorization to do so would've been an undue hardship for the company. Thus, firing him for violating the company's zero tolerance policy on drugs wasn't discriminatory [*French v. Selkin Logging*, [2015] BCHRT 101 (CanLII), July 8, 2015].