Was Worker Fired for Using Medical Marijuana for Her Disability?



A store fired an assistant manager soon after learning that she used medical marijuana for migraine headaches and anxiety. The assistant manager claimed the timing was no coincidence and sued for disability discrimination. The store argued she had no case and asked the BC Human Rights Tribunal to toss the complaint. The Tribunal said no. At this stage, it was too early to rule out the possibility that the assistant manager had actual disabilities and that this factored into the decision to fire her. Result: The claim could go to trial [*McNish v. The Source and others*, 2019 BCHRT 126, June 21, 2019].