

Worker Can't Sue Supervisors for Not Accommodating Her Latex Allergy



A city worker with a latex allergy sued 3 of her supervisors for disability discrimination and claimed they targeted her for elimination when she complained about the latex balloons in the office. Under the *Human Rights Code*, workers who think they've suffered discrimination can sue their employers but not the individuals working for the organization who are carrying out their job duties. Exception: Such suits are allowed if the worker can prove that holding the individual defendants personally liable would advance the purposes of the *Code*. While not judging the merits of her case, the Human Rights Tribunal said the worker didn't meet the purposes of the *Code* test, dismissed the claims against the supervisors and advised the worker to sue the employer instead [*Klewchuk v. City of Burnaby and others*, 2018 BCHRT 200 (CanLII), Aug. 21, 2018].