

# Employee Fired for Taking Medical Leave Wins Over \$25,000 in Damages



The day she returned from a week of medical leave, a warehouse employee was invited to a meeting with her boss where she was peppered with inappropriate questions about why she took leave and whether this was going to be a "recurring issue." The very next day, she got her pink slip. The employee sued for disability discrimination. The employer argued that she had no case but the New Brunswick labour board disagreed and refused to toss the case. The employer knew of the employee's diagnosed depression and mental health issues and behaved in a manner the board described as "reprehensible." **Result:** It awarded the employee \$12,500 in general damages and \$12,852 in special damages [[\*Martin v E.C. Wellness Centre Inc.\*](#), 2021 CanLII 60990 (NB LEB), June 21, 2021].