It Wasn’t Me, It Was My Mental Disability, Claims Worker Fired for Violence



A warehouse worker was put on leave after hurling a printer across the workplace in frustration. The worker received psychiatric evaluation and the company decided to let him come back, provided that there were no further incidents. But a few months into his return, the worker again lost his temper and smashed a shelf with a pallet jack, causing loaded bins to spill to the floor. Having blown his last chance, the worker got fired. While fully acknowledging both incidents, the worker insisted that they were caused by his mental depression and sued for disability discrimination. The Newfoundland Human Rights Commission tossed the case. The company offered the worker counseling. And while it had to make reasonable accommodations for the worker’s mental disability, tolerating his repeated acts of violent and dangerous behaviour was undue hardship [*Reid v Sobeys Inc*., 2022 CanLII 82024 (NL HRC), September 6, 2022].

Action Point: Create a legally sound policy for accommodating employees with mental disabilities