

No Proof that Medication Side Effects Make Airline Mechanic an Unacceptable Safety Risk



An airline mechanic returning to work from a work-related back injury tells his supervisor that the drugs he's using to control the pain interfere with his ability to drive and asks to be allowed to work in the hangar or have a co-worker drive him to the planes that he has to service on the tarmac. Air Canada initially grants the accommodation. But 3 years later, another manager determines that the drug's side effects create a safety risk and reassigns him to a totally different position. The mechanic gets laid off after COVID hits and doesn't recall him due to his functional limitations. The union claims that Air Canada violated its duty to make reasonable accommodations for the mechanic's disability and the federal arbitrator agrees, finding that the airline didn't meet its burden of proving that the drowsiness caused by the medications made the mechanic an unacceptable safety risk and faulting it for not performing a medical assessment before jumping to this conclusion.

Action Point: Use the HRI template to create a strict but legally sound [medical marijuana accommodations policy](#)