

# Potential Wrongful Dismissal Isn't Discriminatory Simply Because Worker was Minority



An accountant was terminated by his employer on a without cause basis but the employer did note there were performance issues. The accountant claimed there were no performance issues and his termination was discriminatory based on his Indian heritage. He claimed his supervisor said “I don’t care where you came from” and “your place is out there [point out the window]” as evidence of racial comments. He also alleged he was passed over for job vacancies when he was more qualified than the applicant chosen, his white supervisor made comments about his dress, he wasn’t given training opportunities and wasn’t permitted to take a personal day on his mother’s birthday. The employer alleged the accountant didn’t respect his team or his supervisor’s managerial approach. The human rights tribunal found the accountant didn’t prove he was terminated on discriminatory grounds but rather there was a “clash” between the accountant and his supervisor and possible grounds for a wrongful dismissal claim. However, a wrongful dismissal didn’t give rise to a discrimination claim simply because the worker is a minority [[Chander v. Aon Reed Stenhouse Inc.](#), [2014] HRT0 83 (CanLII), Jan. 21, 2014].