

Invisible Barriers: Accommodating Mental Illness in the Workplace

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Overview

Mental illness is a leading cause of disability in Canada.¹ In fact, at least 500,000 employed Canadians are not able to work due to mental health problems in any given week.² Twenty percent of Canadians will personally experience a mental illness in their lifetime, and it is likely that all of us will be directly or indirectly impacted by mental illness through family members, friends or colleagues.³ As Canadians and medical professionals increase awareness and understanding regarding mental illness, our workplace and human rights laws similarly evolve in attempts to protect mental illnesses like any other disability. While our laws strive to provide adequate workplace protections in relation to mental illness, the art of managing mental health accommodations remains challenging for employers and employees alike.

Visible or physical disabilities can often be easier to understand and to accommodate. Defined physical restrictions or recovery periods provide finite terms which are easier to address and are easier to accept as legitimate needs. Accommodating the invisible barriers presented by mental illness often remains far more challenging. Many persons experiencing mental illness may not wish to share details in the workplace, fearing stigmatization, embarrassment or privacy issues. Other persons may lack awareness that they are undergoing a health-related issue. For example, those struggling with addiction may have little or no self-knowledge that a medically recognized disability drives their compulsion to use. Adults experiencing their first episode related to mental illness may not recognize the signs and symptoms until weeks, months or years after the occasion.

Employers face a variety of different but equally challenging situations. For instance, when an employee silently struggles, employers may be tasked with difficult conversations to ensure adequate inquiry while not overreaching. The inability to clearly define prognosis and restrictions related to mental illness can make it difficult for employers to differentiate between legitimate medical needs versus employee abuse. Employers also often receive questionable and seemingly unsubstantiated accommodation requests, for instance: he cannot work Tuesdays or he cannot drive a Smart Car. No matter how obscure, employers should carefully consider each circumstance on a case-by-case basis and request adequate medical information without overreaching. Even in the very best circumstances where the employer and the employee harmoniously work together, difficulties may arise since the unpredictable and episodic nature of some mental illness can create attendance and staffing issues, and create obstacles even with good faith accommodation efforts.

Understanding and accommodating mental illness is an evolving area that requires a flexible approach. This article will discuss the key legal requirements and interesting related case-law related to workplace mental health issues.

¹ Fast Facts about Mental Illness. Canadian Mental Health Association. Retrieved from: <http://www.cmha.ca/media/fast-facts-about-mental-illness/#.VsosVjbSl3g>

² Mental Illness and Addictions: Facts and Statistics. Centre for Addiction and Mental Health. Retrieved from: http://www.camh.ca/en/hospital/about_camh/newsroom/for_reporters/Pages/addictionmentalhealthstatistics.aspx

³ Fast Facts about Mental Illness. Canadian Mental Health Association. Retrieved from: <http://www.cmha.ca/media/fast-facts-about-mental-illness/#.VsosVjbSl3g>

The Law

Employer Responsibilities - the Duty to Accommodate

Employers are required to accommodate mental illness exactly as legally required to accommodate any other disability or human rights protected ground. The “duty to accommodate” requires that employers and unions are required to make every reasonable effort to accommodate an employee who has a disability, to the point of undue hardship.

The Human Rights Tribunal of Ontario (HRTO) has found that the duty to accommodate includes both procedural and substantive obligations. According to HRTO decisions, the procedural component requires that an employer take steps to understand the employee’s disability-related needs and to undertake an individualized investigation of potential accommodation measures to address those needs. The substantive component of the analysis considers the reasonableness of the accommodation offered or the employer’s reasons for not providing accommodation. It is the respondent (the employer) who bears the onus of demonstrating what considerations, assessments, and steps were undertaken to accommodate the employee to the point of undue hardship.

Not all Canadian jurisdictions have adopted this two-part approach followed by the HRTO (considering both procedural and substantive duty). For instance, in the decision of *Canada (Human Rights Commission) v. Canada (Attorney General)*⁴, the Federal Court of Appeal found instead that the appropriateness of a standard must be assessed as a matter of substance and not procedure in the decision. In essence, that decision found that as long as there is a finding that the complainant could not be accommodated without undue hardship, an employer can still meet its “duty to accommodate” even if the employer did nothing at all (i.e. there is no free-standing procedural duty to accommodate).

The Federal Court of Appeal’s decision was subsequent to a similar decision of the British Columbia Supreme Court which found that an employer’s duty to accommodate does not extend to include a free-standing procedural requirement.⁵ In this respect, some Canadian employers (including federally regulated employers or provincially regulated employers in British Columbia) may attempt to argue that there is no procedural obligation in relation to the duty to accommodate; however, failure to meet the procedural duty to determine an employee’s needs, to consider accommodation possibilities and to attempt to accommodate an employee would likely make it difficult for an employer to prove that the employee could not be accommodated without undue hardship. As such, it would be unadvisable for employers in any Canadian jurisdiction to ignore the procedural duty. In sum, if an employer is going to decline an accommodation request, it should be based on evidence, and such evidence is acquired at the procedural stage of inquiry.

⁴ 2014 FCA 131 (CanLII)

⁵ *Emergency Health Services Commission v. Cassidy*, 2011 BCSC 1003

The Procedural Duty to Accommodation and the Duty to Inquire

In general terms, the procedural duty to accommodate requires the considerations, assessments and steps taken to respond to an accommodation need. With respect to the procedural component, mental illness certainly may raise additional duties beyond the regular procedural obligation to inquire about an employee's disability related needs. In particular, when considering mental illness, more recent human rights decisions in Canada have recognized the "duty to inquire" where an employer knows or ought to have known that an employee had a disability, there is a duty to inquire about same. This may occur in circumstances where the employee has not disclosed any disability or requested accommodation. For instance, in a 2013 decision, the HRTO specifically held:

When an employer is aware, or reasonably ought to be aware, that an employee has disability related needs the procedural branch of the duty to accommodate is engaged and the employer has a positive obligation to inquire into the employee's needs.⁶

In that case, an employee was terminated for poor performance. The employee filed an application at the HRTO against her employer alleging discrimination in relation to various grounds, including on the basis of disability (ADHD and a learning disability). She had not disclosed the disabilities to her employer; however, she argued the employer ought to have known about her disabilities. The HRTO found that although the employee genuinely believed the employer knew or ought to have known of her processing learning disorder and ADHD, the evidence provided did not support that conclusion. While the HRTO dismissed the application in relation to the employee's disability, the decision is useful insofar as it clearly identifies an employer's obligations in relation to the duty to inquire.

The Ontario Human Rights Commission's "Policy on preventing discrimination based on mental health disabilities and addictions" addresses the "duty to inquire" at section 13.6.1, which provides, in part:

...in some circumstances, the nature of a psychosocial disability may leave people unable to identify that they have a disability, or that they have accommodation needs.

Accommodation providers should also be aware that people with psychosocial disabilities may be reluctant to disclose their disabilities, due to the considerable stigma surrounding mental health issues and addictions.

Accommodation providers must attempt to help a person who is clearly unwell or perceived to have a mental health disability or addiction by inquiring further to see if the person has needs related to a disability and offering assistance and accommodation.⁷

⁶ *Stewart v Ontario (Government Services)*, 2013 HRTO 1635 at paragraph 41

⁷ Ontario Human Rights Commission's "Policy on preventing discrimination based on mental health disabilities and addictions" Retrieved from: <http://www.ohrc.on.ca/en/policy-preventing-discrimination-based-mental-health-disabilities-and-addictions/13-duty-accommodate>

Other Canadian jurisdictions have similarly recognized the duty to inquire. For instance, in *Mackenzie v. Jace Holdings*,⁸ the British Columbia Human Rights Tribunal found an employer in breach of human rights obligations for failing to inquire into whether or not an employee's different behaviour was in any way related to her mental health issues. The employer terminated her as a result of behavioural issues. In noting the duty to inquire, the Tribunal held that the employer:

...had a duty to inquire into whether the behaviour exhibited by Ms. Mackenzie was due to her mental disability and whether she required any accommodation. They did not fulfill that duty.⁹

The duty to inquire recognizes that those with mental health issues may not disclose such issues or request accommodation, when such accommodation may be needed. In this respect, employers are responsible for asking questions when appropriate. For instance, an employee may not be self-aware of addiction issues, or may not feel comfortable disclosing same. An employee struggling with depression may suddenly be late and have poor attendance when never previously experiencing these issues. Some adults may experience a first episode related to mental illness (for instance mania) at the workplace and not even been aware of what is going on, or alternative may feel uncomfortable disclosing such information. These types of situations warrant that employers engage in an inquiry to ensure the employee's performance based issues are not related to a disability. Failing to inquire could result in a finding that the employer has failed in the procedural duty to accommodate and has therefore breached applicable human rights legislation.

Employers should consider potential signs and symptoms that may indicate an employee has a mental illness. Such signs and symptoms may be considered as an employee providing "constructive notice" of a disability and may include some of the following:

- Significant departure from consistent behaviour
- Frequent absences or late arrivals
- Poor work performance
- Increased anger/frustration
- Loss of focus/concentration
- Lack of cooperation (especially when previously cooperative)
- Decreased productivity
- Decreased interest and/or involvement

When considering the duty to inquire, employers must consider engaging in conversations with employees about issues when constructive notice has been observed. Such conversations should highlight behavioural or performance concerns. During such conversations relevant policies/procedures for accommodation and leaves should be available to provide to the employee if it becomes appropriate. Employers should also ensure that they are able to readily refer such employees to other available resources which may include: an Employee Assistance Program, human

⁸ (2012 BCHRT 376)

⁹ *Mackenzie v. Jace Holdings* (2012 BCHRT 376) at paragraph 50

resources personnel; disability application forms and/or any other outside local resources (social services, additional resources, etc). While such information should not automatically be presented to the employee, it should be available in case such inquiring conversations lead to a conclusion that these resources may be helpful. Once an employer has adequately inquired about an employee's potential mental illness, the next step is to consider substantive requirement to accommodate when applicable.

The Substantive Duty to Accommodate and Undue Hardship

With respect to the substantive component (reasonableness of accommodation offer), once an employer is aware that there is a disability related need requiring accommodation, the employer must provide accommodation options. Where an employee can demonstrate he or she was discriminated on the basis of a disability (or any other protected ground), a decision maker (for instance, a human rights tribunal or labour arbitrator) will then consider the three part test first outlined by the Supreme Court of Canada's decision in *British Columbia (PSERC) v. British Columbia Government and Service Employees' Union*¹⁰ ("*Meiorin*"). The three part test set out in *Meiorin* provides that the employer may justify the discriminatory standard by establishing on the balance of probabilities:

1. Has the employer adopted the challenged standard or practice for a purpose rationally connected to the performance of the job?
2. Has the employer adopted the standard in an honest and good faith belief that it is necessary to fulfil the work-related purpose? and
3. Is the standard reasonably necessary, in that it would be impossible to accommodate an individual employee without imposing undue hardship upon the employer?¹¹

Reaching "undue hardship" is a very significant standard to meet. The Supreme Court of Canada has set out some significant aspects of the "undue hardship" test, providing the following a non-exhaustive list of factors which an employer might rely to show undue hardship:

- Financial Cost
- Disruption of a collective agreement
- Problems relating to employee morale
- Interchangeability of workforce and facilities
- Size of the employer's operation
- Safety considerations¹²

An employer's legitimate operational requirements of the workplace is also another factor considered by decision makers. Numerous decisions have considered what amounts to "undue hardship" and the simple answer for employers is that it is difficult (although not impossible) standard to meet. Employers are required to provide a flexible approach to accommodate. For instance, the application of an attendance policy should provide adequate flexibility for mental illnesses that may impact

¹⁰ [1999] 3 SCR 3 (McLachlin)

¹¹ *British Columbia (PSERC) v. British Columbia Government and Service Employees' Union* [1999] 3 SCR 3 at paragraph 54.

¹² *Central Alberta Dairy Pool v. Alberta (Human Rights Commission)*, [1990] 2 S.C.R. 489

attendance or lateness. In relation to undue hardship and cost, any argument related to this would have to contain significant, quantifiable evidence.

The duty to accommodate is an art, not a science, it requires an individualized approach for each situation, and its application can be difficult, especially when considering how to accommodate mental illness.

Some potential accommodation options for employers include, but are not limited to the following:

- Flexible scheduling (modified hours, late start times, part-time work, etc.)
- Modifying job duties
- Modifying workspace for focus/ noise issues or changing office locations
- Using technology

What Medical Information Can Employers Request?

Often employees go off for substantial periods of time and only provide very vague medical documentation. This can create staffing and accommodation issues, for instance, with no estimated or approximate return to work, it is unclear if an employer should hire additional temporary help, switch shifts or undergo other workplace changes to meet business needs. In other circumstances, the timing of a medical leave may be questionable. For example, it has now become common place for employees to present a vague doctor's note requiring time off subsequent to receiving discipline or a poor performance review. Did those events trigger a legitimate medically substantiated illness, or is the employee attempting to evade responsibility and game play? Employers are entitled to substantiating medical documentation, and generally employers are entitled to more detailed information as a leave becomes longer.

Below is a brief summary of the types of medical information an employer is entitled to:

- An expected or anticipated return to work date;
- A short and long term prognosis of the medical condition as it relates to the employee's current job (employers are generally entitled to prognosis but not diagnosis);
- Whether there are any physical or functional limitations on an employee's ability to perform the duties of their current position; and
- Other medical information to assist in the return to work process.

Employers may consider providing employees with a letter or form for the employee's doctors to complete and answer the above questions, because without such direction doctor's notes may be too vague, failing to provide prognosis or information to consider potential accommodation. In order to obtain a more detailed summary of exact limitations, it can be useful for employers to use a lawyer approved Functional Evaluation Form. Often employees with a work related injury have such forms completed for workers compensation boards; however, employers can request such information even when the injury is not work-related. The types of questions to be included may vary depending on the

employee's role. For instance, lifting and weight restrictions would generally be more relevant for a physical role than an office job.

Importantly, employers are entitled to confirmation that any request for accommodation is substantiated by an actual medical diagnosis. In this respect, where a doctor requests an accommodation (i.e. cannot work Tuesday's), an employer may request confirmation that this accommodation request is supported by a medical diagnosis (although the employer should not request the actual diagnosis). For instance, in *Crowley v. Liquor Control Board of Ontario*¹³, the HRTO found that an employee's medical note indicating that she could not work at a particular store location to not be substantiated by a medical diagnosis. The employee provided medical documentation indicating that she could not work in a particular store location. The HRTO held:

A bare assertion of 'stress' and other symptoms by an applicant is not sufficient to establish a mental disability within the meaning and protection of the *Code*.

... in order to meet the definition of mental disability within the meaning and protection of the *Code*, where the case does not involve an allegation of discrimination on the basis of perceived disability, there needs to be a diagnosis of some recognized mental disability, or at least a working diagnosis or articulation of clinically-significant symptoms, from a health professional in a report or other source of evidence that has specificity and substance. That is lacking in this case. The family physician's original note does not make reference to the applicant having any disability.¹⁴

Often the dance between acquiring adequate medical information and not overreaching can be challenging. In the event of lengthier absences, or more questionable circumstances when employers are unable to secure adequate information, it may be appropriate to request an Independent Medical Examination (IME). While an employee may not be obliged to agree to this, it could harm the employee if the employee has not provided enough information to substantiate the ongoing leave. When conducting an IME, employers should engage a third-party provider to obtain the medical directly from the employee. The employer should put up a wall between the information collected in order to protect the employee's privacy and only receive information relevant to the employment circumstances. Employers may even consider using third-party providers at other stages in the process, to assist with resources such as: assessing the medical information provided (including doctor to doctor conversations), providing an Employee Assistance Program or counselling, or assisting employees with transitions back into the workplace. It often can be useful to obtain outside help with the accommodation process in order to empower and to support the employee while also creating a layer of medical professionals proximate to the workplace accommodation process.

¹³ 2011 HRTO 1429 (CanLII)

¹⁴ *Crowley v. Liquor Control Board of Ontario*, 2011 HRTO 1429 (CanLII) at paragraphs 62 and 63.

Medical Note Mishaps

In recent years, employers have been inundated with what appear to be clearly unsubstantiated requests for accommodation. Unfortunately, some doctors take liberties to allege medical restrictions based on an employee's self-diagnosis rather than a medical diagnosis.

For instance, the decision in *Re City of Brampton and CUPE, Local 831*¹⁵, the grievor made a request for accommodation in relation to the city's employee vehicles. The grievor worked as a "property standard's officer" (PSO) for the City of Brampton. The city implemented a going green program and moved to using Smart Cars as part of this initiative. Many PSO's resisted the Smart Car initiative along with the new requirement for PSO's to wear uniforms similar to parking enforcement officers. Many PSO's felt the move to Smart Cars was "unfair" when other city employees got to drive Honda Hybrids. The grievor was one of the PSO's who vocally opposed these changes. He disliked the new uniforms and he wanted to drive his own small car. The grievor ultimately claimed he could not drive a Smart Car due to a medical disability, and provided a medical note to that effect. The grievor's view seemed to be that his doctor's note was a "trump card", and having played it, nothing further was required; however, the city disagreed and requested further medical information.

The matter was ultimately referred to arbitration to determine if the grievor had a *bona fide* medical "disability" in respect of Smart Cars (but not other small cars like his own); and, if he did, whether the employer was required accommodate that disability by giving him another vehicle to drive (a vehicle which, objectively, may be no "safer" than the Smart Car). At arbitration, the grievor's doctor testified that he had accepted the grievor's assertions that he would have a panic attack if driving the Smart Car and that this amounted to an "illness". However, the grievor's doctor admitted that he did not administer any tests related to so-called illness or provide any potential treatments. His doctor admitted that his findings were solely based on the grievor's self-diagnosis rather than any further medical evidence. In finding that this medical evidence was insufficient to establish a disability, Arbitrator MacDowell noted that it was trite law that a medical determination should be evidence based. In dismissing the grievance, Arbitrator MacDowell found that the evidence did not establish that the grievor has a medical disability that needs to be accommodated; and on that basis alone, this grievance should be dismissed.

In the decision of *Crowley v. Liquor Control Board of Ontario*,¹⁶ the HRTO found an employee's medical note related to work location to not be medically substantiated. The Applicant, an employee of the Liquor Control Board of Ontario (LCBO) requested a transfer away from Toronto stores after she experienced repeated and serious incidents with a homeless man at more than one store location. The LCBO eventually transferred her out of town, but this transfer was not permanent. The employee ultimately requested a permanent transfer to this new location. Prior to the temporary transfer, the employee had provided a medical note about the relocation that provided as follows:

¹⁵ (Brand) (15 June 2008, MacDowell)

¹⁶ 2011 HRTO 1429 (CanLII)

I am a family physician who has known [the applicant] since 1996. I have reviewed with her issues of serious concern regarding the location of her employment in the organization. After having reviewed the matter I strongly believe that consideration be given to relocating [the applicant] to another location.

The LCBO transferred the employee temporarily due to the circumstances of harassment without accepting the transfer as a duty to accommodate issue. When the employee could not stay permanently at this new location she took the position that this was a required medical accommodation. In considering this argument, the HRTO found that the employee had not provided sufficient evidence to establish a mental disability. The HRTO noted that while it accepted that the employee was originally stressed from the Toronto incidents, such stress did not automatically equate to a finding of mental disability. The decision went on to explain that mere assertions of symptoms, such as statements that the person experiences “stress,” “anxiety,” “pain” or “feels depressed” may not be enough to establish a mental disability within the meaning and protection of human rights legislation. Such assertions must be supported by a medical diagnosis, and while an employer is not entitled to know the diagnosis, the employer is entitled to know that the findings are based on such.

The above decisions illustrate that a doctor’s note is by no means a “trump card” requiring an employer to adhere to the doctor’s specific instructions. Instead, employers are entitled to be provided with sufficient information and requested accommodations must be linked to an actual medical need (based on diagnosis, not hypothesis or self-diagnosis). In this respect, it should be noted that doctors’ blanket letters simply requesting an employee’s desires without adequate medical assessment are a disservice to employees and employers alike. Further, employees should be aware of the requirement to participate in the accommodation process which includes obtaining adequate evidence based medical documentation.

Employee Responsibilities

Employees with a mental illness are absolutely under no obligation to disclose such information to their employer; however, if the mental illness impacts the employee’s ability to perform his or her job then disclosure may be required. The Ontario Human Rights Commission has provided the following as a list of employee responsibilities in relation to the duty to accommodate, as such, an employee is generally required to:

- Advise the accommodation provider of the disability (although the accommodation provider does not generally have the right to know what the disability is and in some circumstances mental health issues may impact the ability for disclosure);
- Make his or her needs known to the best of his or her ability, preferably in writing, so that the person responsible for accommodation may make the requested accommodation;
- Answer questions or provide information regarding relevant restrictions or limitations, including information from health care professionals, where appropriate and as needed
- Participate in discussions regarding possible accommodation solutions;
- Co-operate with any experts whose assistance is required to manage the accommodation process or when information is required that is unavailable to the person with a disability;

- Work with the accommodation provider on an ongoing basis to manage the accommodation process; and
- Discuss his or her disability only with persons who need to know. This may include the supervisor, a union representative or human rights staff.¹⁷

It is important for employees to understand that they are required to cooperate and to assist in the accommodation process, and that they are not entitled to their preferred or ideal accommodation.

Workplace Mental Health

Finally, in considering mental illness in the workplace, we cannot ignore the importance of facilitating a workplace environment that does not contribute to or cause mental health issues. Employers may also be liable for additional damages in wrongful dismissal claims where harassment, bullying or poor treatment result in mental distress. Some industries may be predisposed to work-related trauma, such as first aid responders, fire fighters and other emergency workers. Employers in those industries should ensure to have open dialogue and various resources available for employees at all times.

In more recent years, Canadian workers compensations boards have found increased protections in relation to findings of mental stress as a work-related injury. For instance, in 2014, Ontario's Workplace Safety and Insurance Appeals Tribunal (WSIAT) found provisions under the Ontario *Workplace Safety and Insurance Act (WSIA)* related to traumatic mental stress were unconstitutional.¹⁸ Although the WSIAT is not bound to follow its own decisions, there have been decisions which have followed that decision, opening the door to more mental illness related claims as work-related injuries. This means incidents of workplace bullying and harassment can potentially lead to an employee claiming a work-related injury if such conduct is found to cause traumatic mental stress.

Similar application applies across Canada. For instance, in Alberta, mental stress claims are granted where the workplace is the "predominate cause" of the illness, and the events causing the stress are "excessive or unusual."¹⁹

While legal liabilities and the expansion of workers compensation boards in relation to mental illness should persuade employers to ensure the workplace environment does not contribute to mental illness, this liability should be only a secondary consideration to motivate employers to maintain a healthy workplace and conflict free working environment. After all, a healthy and happy work environment will lead to a far more productive workplace. While conflict and mental illness may inevitably arise in any workplace, employers should also take proactive measures to ensure there are resources in place to address such issues and allow employees to bring forward the best version of themselves.

¹⁷ Ontario Human Rights Commission's "Policy and Guidelines on Disability and the Duty to Accommodate". Retrieved from: <http://www.ohrc.on.ca/en/policy-and-guidelines-disability-and-duty-accommodate/4-duty-accommodate>

¹⁸ Workplace Safety and Insurance Appeals Tribunal, Decision No. 2157/09

¹⁹ Alberta WCB Policies & Information, POLICY: 03-01 PART II

Conclusion

Accommodating mental illness requires flexibility by all parties and that employers address each situation on a case-by-case basis. Employers, employees and unions (when applicable) are all required to participate in the accommodation process. All involved parties should be motivated to participate in this process, not only as a result of their legal requirement to do so, but also simply to achieve harmonious employee relations.

About the Author



Deborah Hudson is a lawyer at Turnpenney Milne LLP. She represents both employees and employers in all aspects of workplace related law, with a particular interest in human rights matters, wrongful dismissals, accessibility laws and workplace investigations. Deborah also provides in-house training on a variety of workplace issues.

Deborah graduated from the University of Windsor law school in 2007 and spent the first eight years of her legal career at a preeminent boutique management-side labour and employment firm. From 2012 to 2013, Deborah worked in-house for a 12-month period on secondment with the human resources department of a significant Ontario municipality where she gained significant hands-on human resources experience involving both union and non-union staff. Deborah frequently speaks as a panelist at Lancaster House conferences on a variety of labour relations issues. Deborah has also authored and contributed to a number of publications touching on various labour relations and employment law matters. Most recently, Deborah was a contributing author of the *Ontario Human Rights Code: Quick Reference – 2015 Edition*²⁰, *Accommodation Issues in the Workplace* (2014)²¹, and *Halsbury's Labour Laws of Canada*.²²

²⁰ Jamie Knight et al, *Ontario Human Rights Code: Quick Reference*, 2015 ed. (Toronto: Thomson Reuters Canada, 2014).

²¹ Jamie Knight et al, *Accommodation Issues in the Workplace*, (Toronto: Wolters Kluwer Limited, 2014).

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