

## ***A. v. Natural Process Inc. c.o.b as Little Chief's Place et al.***

### [COMPLETE DECISION PDF](#)

#### SUMMARY

The complainant filed a complaint against her former employer under section 14 of *The Human Rights Code* alleging that she was discriminated against when her employment was terminated because she has a physical disability.

The complainant alleged that she was hired to work in the kitchen at a business comprised of gas service, a convenience store and restaurant. She alleged that a few days after telling her employer that she suffered from Hepatitis C, her shifts were reduced, she was sent to work as a cashier and then her employment was terminated. The respondent had contacted a public health nurse to obtain more information about Hepatitis C and was reassured that the business' standard kitchen procedures were sufficient to deal with any risk of transmission of the disease and that persons with this disease are not considered to raise any health risks for the food industry. Despite being provided with this information, the respondent terminated the complainant's employment.

The Adjudicator found that the complainant's employment was terminated because of her disability. Although the respondent had a legitimate need for information, sufficient information was supplied to him to allay his concerns. The respondent was not able to justify the discriminatory conduct.

Remedy: The complainant was awarded \$2,000 in damages as compensation for injury to her dignity, feelings and self respect. This was the amount sought by the Manitoba Human Rights Commission on the complainant's behalf, not because it considered this amount fair, but because she is on social assistance and anything greater would be clawed back by the government. The respondents were also ordered to refrain from discriminating against other persons with Hepatitis C in the future.