

Kallen v. Midwest Pallet Works Ltd.

[COMPLETE DECISION PDF](#)

SUMMARY

The complainant filed a complaint against her employer on the basis of disability and marital status under section 14 of *The Human Rights Code* alleging that her employer (the President was formerly her common law partner) failed to accommodate her by allowing her to continue on the company benefit plan, while she was away from work due to a back injury and collecting workers compensation benefits.

Despite numerous attempts, the Commission was unable to contact the complainant to confirm that she intended to pursue her complaint at a hearing and to gather evidence required to establish her complaint.

A hearing was convened via teleconference. The Commission and the respondent attended. The complainant did not attend. The Commission made a preliminary motion to have the complaint dismissed.

The Adjudicator found that it was no longer in the public interest that the matter should continue, given that the complainant did not appear to be willing to pursue her complaint and because the Commission has conduct of the complaint and could not communicate with her.

The complaint was dismissed without costs.