

# The Toronto Sun

## Councillor denies 'poisonous workplace'

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Illustrations: photo of FRANCES NUNZIATA Denies abuse ; ; photo of GEORGE BERGER Wants money

Councillor Frances Nunziata created a "poisonous workplace environment" for an employee suing the city for harassment based on his disability, a Human Rights Tribunal heard Tuesday.

George Berger, Nunziata's former executive assistant, claims his ex-boss harassed him in 2005 and he wants \$140,000 in lost wages and \$30,000 for the harassment.

Berger briefly took the stand before summations to dispute a claim Nunziata made that at a meeting he had his feet on the table and was rubbing his crotch.

Berger has a condition called osteochondromatosis -- a bone disease that limits his mobility -- and told the hearing that it wouldn't be physically possible for him to perform such an act.

Berger's lawyer, Raj Anand, said Nunziata would scream at his client, tell him he was full of "f---ing s---" and at one point had his pass to disabled parking at City Hall cancelled.

"The city didn't take steps so Mr. Berger didn't have to work in a hostile environment. There are human rights issues that should have been investigated," Anand said. "He faced unjustified criticism and humiliating degrading comments."

Nunziata said Burger was the abusive one and he had a poor work ethic.

"There is not a shred of paper notifying Mr. Berger that his performance was inadequate," Anand said.

Nunziata's lawyer, Michelle Henry, told the hearing Berger has not been able to prove he was discriminated against because he was disabled.

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