

# WeirFoulds Employment Law Hot Takes: “Hello 911, I’m going to be late for work!”

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While the Toronto winter may make many of us chilly and irritable, one resident recently took his frustrations a step too far.

In early January, an angry driver called 911 to report that snowplows were driving too slowly and he was going to be late for work. He informed the 911 operator that if he was late again, he was going to be penalized by his employer. The 911 operator understandably informed him that she could not make snowplows go faster.

While winter weather and slow snowplows do not give rise to an employer’s duty to accommodate employees, adjusting an employee’s start time or hours of work may be required under the Ontario *Human Rights Code* to accommodate protected grounds such as family status, disability, or sex, unless doing so causes undue hardship. Employers risk liability if they penalize employees for conduct linked to a protected ground (e.g., lateness or absences) or fail to properly assess accommodation requests, even if accommodation is ultimately unnecessary.

If your organization could use assistance with understanding or meeting its duty to accommodate, call the WeirFoulds Employment Law Group, not 911.

***The information and comments herein are for the general information of the reader and are not intended as advice or opinion to be relied upon in relation to any particular circumstances. For particular application of the law to specific situations, the reader should seek professional advice.***

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