Acommodating dis(Ability) in the Work Place: A Right or Employers' Discretion?

Liana Lativelle, Rachel Levy, Christine McPhedran, Bonnie Richardson, Kelly Tiara

Dalhousie University School of Social Work

Introduction

Tanner V. Alumitech Distribution Centre Ltd. (2015) is a decision made by the Nova Scotia Human Rights Commission assessing whether or not Mr. Tanner was discriminated against by his employer, after allegedly suffering a disability (dis)ability at the hands of his supervisor. This case will take readers through the claims made by Mr. Tanner and the response from the company, Alumitech. It will explain the writer’s analyses of the case, the decision, and the portrayal in the media; and the decisions of the adjudicator. It will explain the writers’ breakdown of the case, the decision, and the portrayal in the media; and the decisions of the adjudicator. Finally, readers will be able to explore suggestions made by these writers about how (dis)Ability can be manipulated and alienated.

Alumitech's Breakdown of the Case:

(Dis)Abilities and Oppression

Historically, people with (dis)abilities have been disempowered and their perspectives and contributions minimized. In Tanner V. Alumitech (2015, p. 106), Privilege, Power and Oppression: Written Accounts. Anti-Oppressive Social Work. published by the Nova Scotia Human Rights Commission assessing whether or not Mr. Tanner was discriminated against by his employer, after allegedly suffering a disability (dis)ability at the hands of his supervisor. This case will take readers through the claims made by Mr. Tanner and the response from the company, Alumitech. It will explain the writer’s analyses of the case, the decision, and the portrayal in the media; and the decisions of the adjudicator. Finally, readers will be able to explore suggestions made by these writers about how (dis)Ability can be manipulated and alienated.

Case Analysis

Alumitech has paid Mr. Tanner $2,500 in general damages due to Mr. Tanner's employment at Alumitech.

Media Analysis

Media has the ability to mold the opinions of its viewers and users. A lack of media coverage can give the impression that those issues are not relevant. As such, the media coverage was minimal and had not even got the complainant's name current in one of the local papers. The employers, the employer and the employer's employee and was terminated due to the need of the workplace.

The Board of Inquiry Chair praised the supervisor for “respectfully participating in the process” and “expressing insight into his behavior.” Alternately, the Board of Inquiry Chair made a comment that “had Mr. Tanner been forthright...” It is possible that Mr. Tanner experienced the Human Rights Commission not only as a participant, but as another participant, or at the very least, a bystander of oppression.

Decision Analysis

Alumitech has to pay Mr. Tanner $2,500 in general damages due to Mr. Tanner's employment at Alumitech.

Open Discussion

Social Work Interventions: How to be a part of the solution

Examples of interventions include: creating a safe, confidential space within the organization for individuals to share their experiences; ensuring that individuals like Mr. Tanner take corrective measures for counseling, ensuring Mr. Tanner is supported in the workplace to return to, and to ensure that the counseling support says if testimony is needed from the social worker in relation to the HRC case. All of these interventions would be tailored to the specific individual’s needs, and the individual’s mental health and safety will be considered.

Conclusion

In conclusion, the case of Tanner V. Alumitech Distribution Centre Ltd. is an example of the challenges that people with (dis)abilities face in the workplace. The Nova Scotia Human Rights Act (1989) provides a reminder of the need to challenge the status quo and ask uncomfortable questions. This case also demonstrates the importance of advocating for those who may not be able to advocate for themselves.

References


Discussion Question

Reflect upon some of the policy, practice, and culture on your work environment: what are the current challenges you or your organization may face to move away from a medical model of disability to a social model of disability? What are the implications and opportunities for you and your organization?