In accommodation matters, the employer must take into consideration both the rights of the employee and those of the clientele

January 1, 2010

Last August, an arbitrator ruled on a dispute in the context of which accommodation measures were sought for the benefit of a person who had in excess of ten years of seniority and no longer held her position, having been absent for nearly three years for physiological reasons.

The arbitration tribunal had to rule on several issues pertaining to the day-to-day management of absences and to the return to work sought by a female employee based simply on the submission of a medical certificate.

The tribunal thus ruled that the employee's grievances were *unfounded*. The content of its analysis of the various questions asked, showed that the obligation of accommodation is not without limits and that the rights of an organization's clientele are relevant for the purposes of this analysis.

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