

RIGHTS OF EMPLOYEES AND RESPONSIBILITIES OF EMPLOYERS AT THE TIME OF HIRING

APPLICANTS

MUST

...tell the truth about their physical abilities when asked by the employer.

IF

...the physical abilities are directly related to the tasks of the position.

FAILING WHICH

...the employer may be justified in terminating the employment or refusing to hire the employee.

NOTE:

Employees are not required to reveal their disease by name. However, they must reveal their physical restrictions if they are related to the position, as applicable.

ARE NOT REQUIRED TO

...reveal their medical condition, if they have Parkinson's (or any other disease).

IF

...the symptoms of the disease are not directly related to the person's ability to perform the tasks of the position.

NOTE: Articles 16 and 18.1 of the *Charter of Human Rights and Freedoms* prohibit discrimination at hiring. Employers may not require information concerning an employee's disability because it is a type of discrimination prohibited by article 10 of the *Charter of Human Rights and Freedoms*, unless this disclosure is justified by the nature of the position.

EMPLOYERS

CAN

...ask the candidate about his or her physical abilities.

IF

...physical abilities are directly related to job tasks.

CANNOT

...ask the candidate about his or her physical abilities.

IF

...physical abilities are not directly related to job tasks.

For more information, please refer to the complete brochure.

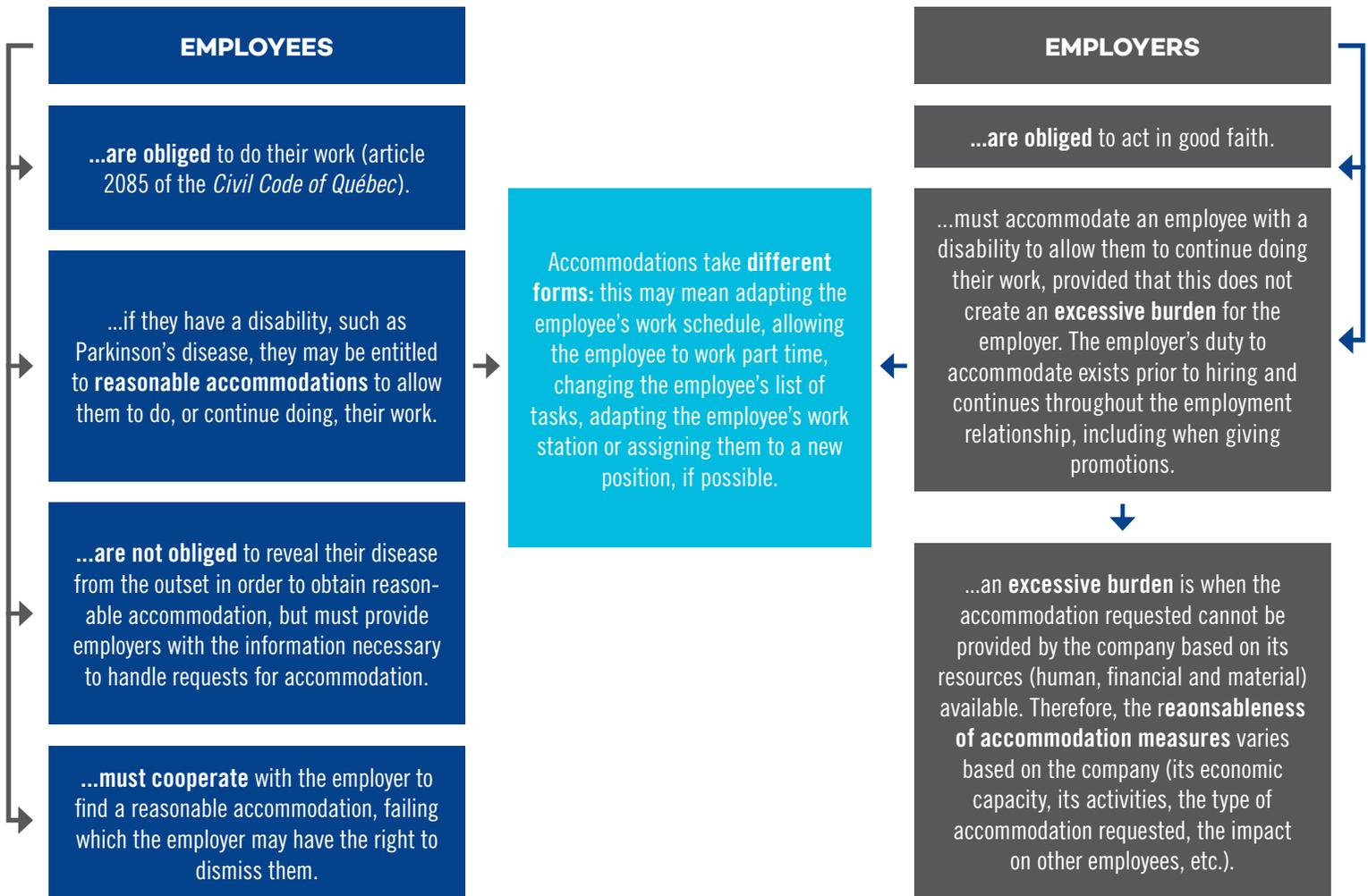


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RIGHTS OF EMPLOYEES AND RESPONSIBILITIES OF EMPLOYERS AT WORK



AT THE END OF EMPLOYMENT

In some situations, employers may have the right to dismiss employees with disabilities such as Parkinson's.

Here are some such situations.

When the employee lied at the time of hiring without reason.

Where the characteristics of a disease are such that the smooth operation of the **company is excessively impeded**.

When the employee **remains unable to do their work** in a reasonably foreseeable time despite the accommodation measures provided by the employer.

When the employee has an **excessive rate of absenteeism** without possible improvement in a reasonably foreseeable time.

When the **employee does not cooperate with** the employer to agree on reasonable accommodation measures.

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NOTE: The information in this document is not a legal opinion. Each situation must be analyzed on a case-by-case basis and legal advice is required to determine the exact scope of the rights and remedies that apply to your particular situation.