

M.H. v. College of Nurses of Ontario

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By Alan Bromstein,

Regulatory colleges must review accommodation requests from individuals with disabilities within the context of their public protection mandate. *The Ontario Human Rights Code (Code)* requires that they accommodate applicants and members with disabilities up to the point of undue hardship. Undue hardship is a term of art that refers to the limits on the duty to accommodate. It involves a consideration of costs, health and safety issues, and, for regulatory colleges in particular, of whether the accommodation would jeopardize their ability to meet their public protection mandate.

Although these principles are well known, they can be difficult to operationalize in practice. Regulatory colleges often struggle to determine how far they must (or may) go to accommodate applicants and members with disabilities.

The recent decision of *M.H. v. College of Nurses of Ontario* provides regulatory colleges with guidance with respect to the limits of their duty to accommodate individuals with disabilities.

Download the PDF to read the entire newsletter.

[For more information or inquiries:](#)



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