

# Accommodations: Fighting for Members

## Workplace solutions for workers with illnesses get spotlight at 2009 Labour School in Jasper

The cards have been stacked against Lyla Caton for a long-time. The Red Deer-based judicial clerk had a sky-diving crash in the early 1990s that resulted in the development of Fibromyalgia, and was later exposed to chemicals in the workplace that provoked the onset of Multiple Chemical Sensitivity (MCS) disorder that made it impossible to do her work at the courthouse. The string of bad situations eventually forced her into a long, uphill battle to get an accommodation that would allow her to work in a controlled environment and stay healthy.

Caton's story was recounted and discussed in a video presentation at the AUPE's 2009 Labour School, March 1-5 in Jasper, Alberta. AUPE OH&S Representative Dennis Malayko said the goal was to show union activists not only how an accommodation request gets fulfilled, but to also demonstrate the commitment required to win an accommodation.

Malayko said part of Caton's battle was due to MCS being poorly understood by most doctors and employers, not to mention the union.



After a long battle, AUPE was able to achieve an accommodation for Lyla Caton, who must work in a controlled environment.

would allow Caton to work in a controlled environment. The perseverance paid off. Today, she is successfully "telecommuting," completing her work duties at her spotless

and the difficulty in having that diagnosis accepted at the workplace.

She often felt her integrity was being questioned "with people thinking I had lost my mind." As the employer's occupational health and safety representative pointed out, she was the only one having the problem, even though everyone worked in the same conditions.

Now that the ordeal is behind her, and she's successfully working in a safe and healthy environment, Caton has advice for members struggling to get an accommodation:

"Try to stay focused on the positive and don't stop believing in yourself... Seek medical help, listen to your body and don't take it for granted," she said, adding that it is imperative to "document everything."

Malayko concurred: "Accommodations aren't a one-time fix in all cases. They may need to be revisited when there's a medical condition involved. And they always need to be supported by medical documentation." 🍀

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Dennis Malayko, AUPE Union Rep



"I remember telling Lyla, 'I can't make you any promises.' It was new territory and nobody knew how it would turn out," recalled Malayko. There was no precedent for an MCS accommodation, so he knew it could be a long road with no guarantees of success.

Nonetheless he and fellow Membership Services Officer Kathy Kadyk worked steadily to secure an accommodation that

and odourless home using a special intranet connection to Alberta Justice to stay connected with the rest of the organization.

Caton's accommodation request, originally filed in September 2007, was fulfilled in May 2008, but she started experiencing symptoms as far back as 2002. Part of the reason the accommodation took so long was the difficulty in getting an accurate diagnosis,