

Discrimination: Chemical Dependency Does Not Require Accommodation.

A registered nurse sued claiming to have a disability which required reasonable accommodation from her employer, an acute-care hospital. The US District Court for the Western District of Pennsylvania dismissed her lawsuit.

The nurse claimed that depression and post-traumatic stress disorder stemming from her victimization in a violent crime led to a drinking problem which required her to take a medical leave. The hospital only allowed the nurse to return to work if she signed a last-chance agreement stipulating she could be fired for any on-duty or off-duty alcohol abuse.

The court validated the hospital's position that the nurse was unfit for duty caring for critically ill patients, due to off-duty abuse of alcohol, and there was no way for the hospital reasonably to accommodate that. **Nicholson v. West Penn Allegheny Health System**, 2007 WL 4863910 (W.D. Penna., October 23, 2007).