

Is your employee's illness or injury impairing their work so badly that you are thinking about firing them? Not so fast, it could cost you! A recent decision from the Ontario Superior Court of Justice (*Altman v. Steve's Music*, 2011 ONSC 1480) provides guidance on this issue. Although using an illness or injury as grounds for dismissal is a delicate proposition, a permanent illness or injury can be sufficient evidence for the *frustration* of an employment contract and a basis for dismissal. Avoid risk exposure and costly mistakes: speak to a lawyer as early as possible.