

Is Grief a Mental Disorder?

After nearly 20 years, the *Diagnostic and Statistical Manual of Mental Disorders* (“DSM-5”) has been updated. The manual has long been recognized as the authoritative source for diagnosing mental disorders and is referred to directly in workers’ compensation legislation in various jurisdictions across Canada. This newest version has received substantial criticism due, in part, to a questionable expansion of an already extensive list of conditions that are labeled as mental disorders.

One of the most significant and controversial changes is the characterization of extreme sadness, weight loss, fatigue, and trouble sleeping, all of which are commonly experienced after a loved one’s death, as major depression. Some argue that this effectively turns the ordinary human response to death, grief, into a mental disorder to be treated with antidepressants.

What does this mean for employers?

- Conditions that have once been considered normal may require accommodation.
- Employers should be requesting medical information from employees, when applicable, to minimize the likelihood of employees taking advantage of the expanded protections.
- Costs associated with sick leaves, disability insurance and drug plans may increase.
- Employers may be more vulnerable to discrimination claims.

e2r Solutions® will be cognizant of these changes when providing advice/assistance with medical files and will keep employers apprised of any potential changes to legislation (i.e. leaves of absence provisions) that may occur in response to these developments. If you have any questions regarding human rights, or, more specifically, disability accommodation in the workplace, please do not hesitate to contact us.