

Alberta: OK to Fire Nurse for Biting a Patient



Biting an 80-year-old patient with stroke symptoms was hardly the best career move for a nurse. But the union claimed that she acted in self-defence after the patient menacingly brandished a door stop above her head. The Alberta Labour Board didn't believe the nurse or her story and upheld her dismissal, 2 to 1. The court had some reservations with the ruling, including the determination that the nurse, who stood all of 4'9"-tall, could have broken the patient's choke hold with a single punch. But while another panel might have come to a different conclusion, the panel's ruling wasn't beyond the realm of reason, the court concluded [*Alberta Union of Provincial Employees v Alberta Health Services*, 2019 ABQB 111 (CanLII), Feb. 20, 2019].