

# Board Rules that “Safety Stand Down” Was at Least Partially Disciplinary



An employer initiated a one-day ‘safety stand down’ for its sheet metal workers after one such worker suffered a hand injury. Workers were told to go home to think about ways to work more safely. The goal was to regroup to prevent more injuries or near misses. The union filed a grievance, arguing that telling these workers to stay home for a day was disciplinary in nature and essentially a one-day suspension. The employer argued that the stand down was a legitimate exercise of its management right to ensure a safe workplace. The Labour Relations Board found that the stand down was at least partially disciplinary in nature. It’s laudable to want to prevent incidents. But the incident that precipitated the stand down was very minor. And telling workers to stay home to think about safety has an element of public shaming. Plus, there was little, if any, real follow up to determine whether the stand down had any effect. So the Board ordered the employer to give all impacted workers one day’s pay [*Sheet Metal Workers’ International Association, Local 30 v. Black & McDonald Ltd.*, [2016] CanLII 90776 (ON LRB), Dec. 19, 2016].