

Company Fired Worker for Making Safety Complaints



A worker complained to his supervisor that carrying heavy boxes up and down stairs was causing him knee pain and was dangerous because the bulky boxes obstructed his view. The supervisor did nothing. The worker then complained to someone else in the company about the hazards of carrying heavy items up and down stairs. The next day, he was fired. The worker filed a complaint, alleging reprisal. The Labour Relations Board found that there was a nexus between the worker's exercising his OHS rights by raising a safety issue and his subsequent firing. It rejected the employer's claims that it had fired the worker for not being himself and 'not doing what he normally would be doing' as well as due to rumors he planned to 'stage' an accident to collect workers' comp. The only event that could've sparked the termination process was his safety complaint the day before he was fired. So the Board ordered the employer to reinstate the worker and compensate him for his lost wages [*Le v. Safecross First Aid Ltd.*, [2015] CanLII 72242 (ON LRB), Nov. 3, 2015].