

Company Violated Collective Agreement by Considering Worker's Prior Discipline



A worker was fired after an altercation with a company vice-president. The union filed a grievance, arguing that the company had considered the worker's prior disciplinary record in violation of a "sunset" clause in the collective agreement. The arbitrator ruled that the company had inappropriately considered the worker's prior discipline. In fact, it should've removed the prior discipline from his file, which it didn't do. Thus, the arbitrator ordered the company to reinstate the worker [[Labourers' International Union of North America, Local 506 v. Tri-Krete Ltd.](#), [2012] CanLII 34143 (ON LA), June 11, 2012].