

# Disabling Braking Device Is Just Cause to Fire Transit Worker



A rapid transit worker with 8 years of service and no disciplinary record was fired for disabling a safety braking device called a deadman switch. The union claimed the discipline was excessive but the BC arbitrator disagreed, noting that the safety violation violated OHS laws and endangered life, the worker did it deliberately and knowing of its potential consequences and his remorse was 'insincere' and 'coached' [*British Columbia Rapid Transit Company Ltd. v CUPE, Local 7000*, 2022 CanLII 67647 (BC LA), July 27, 2022].

**Action Point:** Implement a legally sound machine guarding policy at your workplace