Dismissed Worker Didn’t Follow Proper Procedure for Raising Safety Concerns



A worker claimed that he was fired for raising safety concerns and following up to ensure that his complaints were resolved. The employer said it fired him over anger issues. An OHS officer investigated the reprisal complaint and concluded that the employer didn’t discriminate against the worker. He appealed. The Labour Relations Board explained that if a worker has a safety concern, he must first report it to a supervisor. If it’s not resolved to his satisfaction, he must report it to the JHSC or representative and then to the Division. Here, when the worker wasn’t satisfied, he got into angry confrontations with his supervisor and didn’t follow the established procedure under the OHS law. So the Board concluded that his dismissal wasn’t related to enforcement of the OHS laws [*Wooten v. 323195 Nova Scotia Ltd.*, [2014] NSLB 72 (CanLII), Aug. 12, 2014].