

# Firing Not Warranted for Former Pro Wrestler's Inappropriate Conduct



A part-time worker at a rec centre went to the centre to pick up his girlfriend, who also worked there. When he saw a co-worker with whom he had a non-work-related dispute at the front desk, he slammed his fist down on the desk as he passed by, startling the co-worker and customers. In the pool office, he got into an argument with his girlfriend and threw a chair. As the worker passed the co-worker on his way out, he said the co-worker was 'going to be in trouble.' The employer fired him based on this conduct. But an arbitrator found that although the worker's conduct was serious and highly inappropriate, it didn't warrant termination. The worker was a large man and former professional wrestler, who could be intimidating. However, his conduct was unplanned. He'd been dealing with a serious illness and suffering side effects from the treatment. Moreover, he had a clean five-year employment record. So the arbitrator concluded that a two-month suspension was more appropriate [*Ottawa (City) v. Canadian Union of Public Employees, Local 503*, [2016] CanLII 89777 (ON LA), Dec. 20, 2016].