

Firing of Foreman for Setting Worker's Safety Vest on Fire Is Excessive



A foreman flicked a lighter at a piece hanging off a worker's safety vest, setting it on fire. A customer put the small fire out, suffering burns to his hand. The employer fired the foreman for engaging in dangerous horseplay. The union challenged the termination as excessive, noting that he was a 32-year employee with a clean record. The arbitrator noted that the employer's safety manual forbade horseplay. Despite the seriousness of the incident, the foreman didn't consider his behaviour reckless, although he did immediately apologize. But his actions weren't malicious'they were just 'stupid.' So the arbitrator concluded that, based on all the circumstances, a lengthy unpaid suspension was more appropriate than termination [*Dryco Drywall Supplies Ltd. v. Teamsters Local Union No. 213 (Sobieski Grievance)*, [2013] B.C.C.A.A.A. No. 18, Feb. 19, 2013].