

Lousy Training, Not Worker's Safety Violation, Causes Train Accident



A breakdown in radio communications between the switchman and trackmobile operator during a routine moving operation caused a railway car to break loose and smash into a warehouse. The railway blamed the accident on the switchman's failure to follow safety rules. Coupled with his previous violations, it was confident it had just cause to terminate. But the court saw otherwise. Although the railway provided safety training, it didn't train the men what to do in the event of a radio breakdown. So it didn't have just cause and had to pay the switchman 2 months' termination notice for wrongful dismissal [[Tymko v 4-D Warner Enterprises Ltd.](#), 2018 BCSC 372 (CanLII), March 9, 2018].