

Mine Worker's Suspension and Subsequent Firing Upheld



A worker at a potash mine and mill was disciplined for being AWOL and then for damaging a machine. He was then suspended for one day after he carelessly operated equipment, damaging a chute and stopping production. About three months later, while the worker was alone and supposed to be monitoring conveyor belts, his supervisor found him deeply asleep. Believing it would be unsafe to let the worker continue working, the supervisor sent him home in a cab. The mine then fired him. An arbitrator upheld the termination. The worker had a poor record in a safety-sensitive workplace. He wasn't candid about his conduct or remorseful. So the arbitrator concluded that there was no reason to overturn the mine's decisions to suspend and then fire the worker [*Potash Corporation of Saskatchewan Inc., Allan Division v. United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial*, [2017] CanLII 12998 (AB GAA), March 8, 2017].