

Mine's Random Use of Drug Sniffing Dogs Violated Workers' Privacy



A union challenged a random drug search process using drug sniffing dogs and follow-up interviews at a mine site's guardhouse. The unilateral mandatory entry requirement applied to everyone accessing the mine site, with disciplinary consequences for bargaining unit employees. An arbitrator found that although the process didn't involve testing, it still seriously intruded on workers' reasonable expectations of privacy. Was the intrusion justified by a legitimate company goal? There wasn't sufficient evidence of a general problem with drug abuse at the mine. Thus, the process failed the test spelled out in *Irving* and wasn't justified, concluded the arbitrator [*United Steelworkers Local 7552 v. Agrium Vanscoy Potash Operations (Grievance 16-10, Random Drug Searches/Interviews)*, [2015] S.L.A.A. No. 1, Jan. 5, 2015].