

# Minor Chemical Spill Isn't Serious Enough to Justify Post-Incident Drug Testing



A worker had to undergo post-incident testing after a chemical spill in the bed of the truck she was driving caused some minor equipment damage. The test came back positive for marijuana and the worker was fired. While acknowledging the legality of the testing policy, the union challenged the way the company applied it in this case. The Alberta arbitrator agreed, finding that the incident wasn't serious enough to justify the privacy intrusion inflicted by urine drug testing. As a result, the company committed wrongful dismissal and had to pay the worker money damages [[Fort Mckay Logistics LP, Fort McMurray Division v General Teamsters, local Union No. 362](#), 2022 CanLII 78227 (AB GAA), August 26, 2022].

Action Point: Create a legally sound [drugs and alcohol testing policy](#) for your workplace