

Oil Company Bound by Arbitrator's Decision on Workers' Termination



Three workers for a contractor were fired after being denied access to an oil company's project site. The oil company's policy barred the use or consumption of alcohol onsite. These workers had been found under the influence of alcohol onsite. An arbitrator reinstated the fired workers and ruled that the oil company was bound by this decision. The oil company, which wasn't a party to the collective agreement or the arbitration, appealed, arguing that the arbitrator had no jurisdiction over it. On appeal, the court noted that the arbitrator had jurisdiction over the workers' termination based on their conduct at the oil company's site. And because the workers' presence at this site was 'intrical and fundamental' to their employment, it was appropriate for the arbitrator to exercise jurisdiction over the oil company, concluded the court [*Hebron Project Employers Association v. Resource Development Trades Council of Newfoundland and Labrador*, [2014] CanLII 76043 (NL SCTD), Dec. 19, 2014].