

OK to Fire Driver Who Posed Safety and Liability Risks



A hazardous waste company fired a truck driver for, among other things, failing to follow health and safety requirements. The driver claimed that the company was satisfied with his performance until he got injured and that there was no cause for his firing. An arbitrator noted that not only the company had concerns about the driver's performance, but also a client raised concerns about his lax view of safety procedures, logging his hours and paperwork completion. So in addition to creating a potential risk to public safety and the environment, and exposing the company to liability, the driver's attitude had the potential to cost the company significant business. Plus, the company gave him every opportunity to improve his performance before making the decision to terminate his employment. And there was no evidence his injury was a factor in that decision. So the arbitrator upheld the driver's firing [*Crandon v. Aevitas Inc.*, [2016] C.L.A.D. No. 215, Sept. 19, 2016].