

OK to Fire Mining Worker for Endangering Safety of Truck Drivers



A mining supervisor told the worker in charge of the dump deck that because the material was muddy, all loads should be dumped short of the edge, where he should then shovel it over. But the worker let several trucks go all the way to the edge to dump their loads. He was fired for this safety infraction and sued, claiming he'd just made a misjudgment. The arbitrator upheld his firing. The mine was a highly safety-sensitive workplace. The worker was responsible for the safety of the truck drivers in the dump deck. And by letting them go to the edge to dump their loads when specifically instructed not to do so, he exposed them to a serious safety risk just to make his job easier. And he minimized what happened, added the arbitrator [*Teck Coal Ltd. v. International Union of Operating Engineers, Local No. 115*, [2014] CanLII 2131 (BC LA), Jan. 20, 2014].