OK to Fire Worker for Stripping at Company Event & Sexually Harassing Co-Workers



A plant held an all-day information and social event for employees that ended in a dinner at a club at which alcohol was served. Video surveillance from the club showed a worker strip in the parking lot, climb onto a car and strike various naked poses while a co-worker took pictures of him stroking his body. The video footage also showed this worker slapping a female co-worker on the buttocks and repeatedly kissing another female co-worker's hand while she tried to get away from him. When confronted with the footage, the worker admitted his actions, claiming to have been drunk, but denying harassing anyone. He was fired and the union filed a grievance. The arbitrator upheld his termination. The worker told others about his striptease in the parking lot, calling it 'the funniest thing ever.' He'd also engaged in 'touchy-feely' conduct with male and female co-workers at the event. But he didn't seem to appreciate the effect of his conduct on others or express true remorse for his behaviour. So despite his clean record, termination was warranted [*Innophos Canada Inc. v. United Steelworkers, Local Union 6304*, [2016] CanLII 30878 (ON LA), , May 12, 2016].