

OK to Fire Union Rep for Safety and Harassment Violations



Firing an OHS coordinator is tricky business, especially when the coordinator also happens to be the workplace union rep. The starting point in a legal proceeding involving discipline of a union rep is that the employer acted with 'anti-union animus.' But the employer in this case was able to rebut the presumption and defeat the grievance by showing that the coordinator was already on 'the cusp' of termination for an extensive disciplinary record, including discipline for not completing work logs, safety infractions and violations of the company's anti-bullying and harassment policy [*RMC Ready-Mix Ltd. v Teamsters Local Union No. 213*, 2021 BCLRB 99 (CanLII), June 4, 2021].