

# Positive Test Is Last Straw for Safety-Sensitive Worker with Alcohol Dependency



For years, a plant tried to assist a mill hand in his battle against alcohol addiction. But after repeated DUI convictions and unsuccessful rehab attempts, the worker tested positive for alcohol in violation of a last chance agreement. It was the last straw and the plant terminated him. Despite the union's vigorous objections, the New Brunswick arbitrator upheld the decision. The duty to accommodate the worker's alcoholism ended at the point of undue hardship. And, sadly, that point had been reached. The worker's job was safety-sensitive and after years of assisting him without success the plant was justified in concluding that further attempts at rehab would prove futile [[\*Unifor, Local 907 and J. B. v Irving Paper, Limited\*](#), 2020 CanLII 89671 (NB LA), November 6, 2020].