

PPE Violation by Electrical Supervisor Didn't Warrant Termination



The electrical supervisor at a nuclear facility went to a switchyard to remove locks placed as part of a LOTO procedure. He wasn't wearing PPE and when asked about his PPE, he refused to get any. During the investigation into the incident, he didn't accept responsibility and blamed others. So the facility fired him, which he challenged. An arbitrator noted that safety was a core value at the facility. And the supervisor had violated a safety rule. But the violation wasn't considered serious at the time. Also, there were no signs on PPE posted at the site. So although the facility was entitled to expect more from a supervisor, termination was a disproportionate response. Given the supervisor's prior record, the arbitrator concluded that a two-week suspension without pay was more appropriate [*Joncas v. Atomic Energy of Canada Ltd.*, [2014] C.L.A.D. No. 293, Nov. 6, 2014].