

# Reasonable for Union Not to Challenge Worker's Firing for Safety Violation



A crew was called in for a meeting about the way it had unloaded a basket. The crew members wrote statements about the job and *all* of the statements indicated that a specific worker was the individual unloading the basket. The next day, that worker was fired for violating the employer's safety rules by working inside a basket suspended about 60 feet in the air and moving between the basket and a permanent work platform to unload materials. The worker filed a complaint against his union for failing to challenge his termination. The Labour Relations Board said the worker had admitted engaging in the conduct for which he was fired. And one can't fault the union for relying on his statement as a basis for refusing to proceed with a grievance. Thus, the union didn't breach its duty to the worker [*Smith (Re)*, [2015] A.L.R.B.D. No. 60, Oct. 29, 2015].