

Reduced Suspensions Warranted for Being Caught Sleeping on the Job



A nursing home suspended a maintenance worker for one day for sleeping on the job. When he was caught sleeping at work again about a week later, he was suspended for five days. A few months later, the worker was given a 15 day suspension for insubordination and property damage. He challenged all three suspensions. The arbitrator ruled that under the circumstances, the worker should've gotten a written warning for the first infraction. Although he deserved a suspension when he was caught sleeping again, a two day suspension was more appropriate. However, as there was clear evidence of the worker's insubordination, the arbitrator refused to reduce his 15 day suspension [*Canadian Union of Public Employees, Local 1763 v. Passamaquoddy Lodge Inc.*, [2015] CanLII 34947 (NB LA), May 26, 2015].