

Reinstatement Inappropriate for Mentally Disabled Worker Who Was Violent



A worker had a mental disability that triggered violent and erratic behaviour. After trying to accommodate the worker, the employer finally fired him. The union filed a grievance. The arbitrator refused to reinstate the worker. The worker had a history of physical violence and 'brief psychotic outbursts,' including showing up to work with his pit bull. The employer has an obligation to take all reasonable steps to protect workers from violence and threats of violence. Although the worker had made some progress, he still posed a threat to his co-workers and thus reinstatement wasn't appropriate, concluded the arbitrator [*Agropur Division Natrel v. Teamsters Local 647*, [2012] CanLII 69477 (ON LA), Nov. 15, 2012].