

Resort Banned Skechers Shape-Up Sneakers Without Full Risk Assessment



The JHSC at a resort recommended a ban on the wearing of Skechers Shape-Up sneakers and similar shoes with curved soles, claiming they were unsafe. The recommendation came after a worker wearing Skechers tripped and was hurt. The resort issued the ban. Several workers who wore such shoes objected. So the union filed a grievance. Although the arbitrator acknowledged that the resort had a duty to ban such shoes if they posed a safety risk, neither the employer or JHSC did a thorough risk assessment of this type of shoes. Thus, the resort didn't have a reasonable basis to conclude that they were inappropriate for use at work by all workers in all departments. But the arbitrator allowed the policy to stay in effect until Sept. 30, 2012 to give the JHSC and resort time to do a thorough risk assessment [*Unite Here Local 40 v. Harrison Hot Springs Resort & Spa (Footwear Grievance)*, [2012] B.C.C.A.A.A. No. 68, May 16, 2012].