

# Shift Cut Is Retaliation for COVID-19 Work Refusal



A security guard refused to work dayshifts at a downtown office building during the December COVID outbreak. He preferred to work at night when there'd be fewer people and he'd be less apt to contract the virus and spread it to his elderly father with whom he lived. In reprisal for refusing, the agency reduced his assigned shifts. At least that's what the guard contended. The OHS investigator reached the same conclusion and so did the Nova Scotia labour board, noting that the employer didn't even convene its workplace joint health and safety committee to investigate the refusal as the OHS laws require [*Northeastern Protection Service Inc. v Wheatley*, 2021 NSLB 57 (CanLII), July 9, 2021].