

Shoes that Are Safe Aren't the Same as Safety Footwear, - Says Arbitrator



A union representing certain hospital workers claimed that because the Footwear Policy requires all employees to wear certain types of footwear for safety reasons (the type of shoe depending on where the employee works in the hospital), *all* footwear is thus safety footwear and so every employee is entitled to the safety footwear allowance. The hospital argued that the policy and undisputed practice for many years has been that the term 'safety footwear' means shoes or boots with steel toes, typically worn on construction sites. An arbitrator ruled in favour of the hospital. It 'strains the common understanding of the term 'safety footwear' to say that it includes' footwear such as loafers, pumps, running shoes, sneakers, virtually any type of boot, flats, and lace up shoes'all of which could be worn by the workers in question in compliance with the Policy as long as they had a non-slip sole. *Bottom line*: 'Shoes that are safe do not mean the same thing as 'safety footwear',' concluded the arbitrator [*Michael Garron Hospital v. Service Employees International Union, Local 1 Canada (Grievance 100-221-086, Safety Footwear)*, [2017] O.L.A.A. No. 62, Feb. 24, 2017].