Should Employee Lose Job for Refusing to Take Safety Training?



After 4 months of trying to change his mind, management of a nuclear power company fired a support employee for refusing to take refresher training on radiation safety. When told he was being fired, the employee backed down and said he'd do the training, but by then management was fed up and didn't want him back. The employee claimed wrongful dismissal and the federal arbitrator agreed and reinstated him. As even the employee admitted, the refusal to take a one-hour computer training course was insubordinate and worthy of discipline. But immediate termination without progressive discipline was too harsh. The transgression wasn't severe enough to permanently destroy the employer's trust, especially in a company that encouraged its employees to adopt a 'questioning attitude.' So, the arbitrator knocked the penalty down to a 2-month unpaid suspension [*Petrunik v Candu Energy Inc.,* 2019 CanLII 71793 (CA LA), July 22, 2019].