

Sleeping On Duty Is Just Cause to Fire Nuclear Plant Safety Operator



A nuclear plant supervisor caught a decontamination operator tucked behind a drying machine sleeping on duty. Coupled with his record of serious safety violations, the plant fired him for just cause. The union grieved, claiming the operator was actually ill and that termination was too harsh, even if he was sleeping. The Ontario arbitrator sided with the plant. The supervisor's contention that the operator was sleeping was more credible than the operator's denial. And given the operator's safety record and the serious ramifications of sleeping when he was needed to protect workers from contamination, reinstating him would send the completely wrong safety message [*Bwxt Nuclear Energy Canada Inc. v Unifor, Local 252*, 2021 CanLII 53316 (ON LA), June 18, 2021].