

Store Manager's Failure to Stop Safety Infractions Didn't Justify His Firing



A wheelchair-bound worker wanted to attend training on the second floor of the store, which wasn't wheelchair accessible. So he had a co-worker lift him up by an order picker truck and bring him back down the same way, in violation of the store's safety rules. After an investigation, the assistant store manager was fired for failing to prevent the lifts from occurring. The manager knew what the men planned. Although he didn't give them permission, he also didn't order them not to go through with their plan. But while his misconduct was serious, it didn't warrant his termination, concluded the court. His performance reviews were good and he had no disciplinary record. So it ordered the store to pay the manager the equivalent of 10 months' salary [[Barton v. Rona Ontario Inc.](#), [2012] ONSC 3809 (CanLII), Aug. 3, 2012].