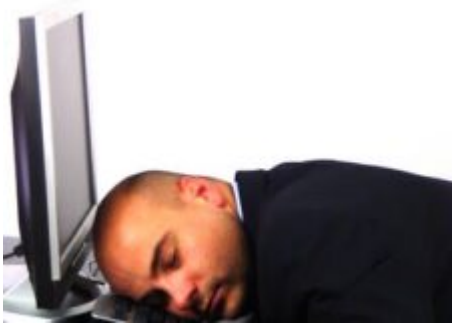


# Termination for Shelter Receptionist's Sleeping on the Job Was Excessive



A receptionist for a homeless shelter was fired for sleeping on the job. She'd previously been given a written warning and a suspension for other infractions. The union challenged her termination as excessive. The arbitrator noted that sleeping on the job was specifically banned and workers were required to be alert for safety reasons. Thus, some form of discipline was warranted. But given that the employer hadn't disciplined the receptionist for prior complaints of her falling asleep at her desk, her offence was inadvertent and she was unlikely to repeat it, the arbitrator concluded that a suspension was more appropriate than termination [*United Food and Commercial Workers Union, Local 206 v. St. Simon's Shelter*, [2014] CanLII 7715 (ON LA), Feb. 26, 2014].