

Termination of Worker for Smoking Pot at Work Ruled Excessive



A worker at a shipping/receiving terminal was caught smoking marijuana in a locker room during his shift. He was immediately suspended and later fired. The union filed a grievance on his behalf. The Labour Relations Board noted that smoking marijuana on the job violated workplace safety rules. But the worker was considered a good employee and had no prior disciplinary record over 32 years of employment. In addition, he was smoking near his deceased brother's locker and clearly was still grieving. The worker admitted his guilt, was contrite and there was no evidence he'd be a repeat offender. Thus, the Board concluded that a lengthy suspension was more appropriate than termination [*Georgia-Pacific Canada LLP v. International Brotherhood of Boilermakers*, [2014] CanLII 75160 (AB LRB), Dec. 8, 2014].