

Threat to Stab Co-Worker in the Back Warranted Discipline but Not Firing



A company laid off three workers. While a worker was drawing sad faces on a board in empathy with those workers, a co-worker came up behind me and said, 'If it was me losing my job, I would stick a knife in you and slit you to the top.' The worker, who'd been stabbed in the back before, complained to management, who fired the co-worker. The arbitrator ruled that the co-worker's comment was vicious and qualified as a threat. The co-worker showed no remorse, denying the statement. But given that the 24-year employee had only one prior written warning and was unlikely to make similar threats again, the arbitrator ruled that he should be reinstated without back pay [*Communications, Energy and Paperworkers Union of Canada, Local 1178 v. Hood Packaging Corp.*, [2013] CanLII 35534 (ON LA), June 17, 2013].