

Union Shop Steward's Confrontational Protest of COVID Rules Is Insubordination



A union shop steward grew testy as the HR director went over the new infection control safety procedures and schedule changes the organization was planning to implement during the height of the pandemic. 'This is bulls***!', he snapped and stormed out of the meeting. The 3-day suspension for insubordination that followed as a result of this and a pair of other clashes over COVID rules led to a union grievance. But the New Brunswick arbitrator upheld the penalty, finding that while he had a responsibility to advocate for the workers, the steward was unnecessarily confrontational and acted in a way to demean the HR director's authority in front of co-workers. This plus the threat he uttered inviting a company official to meet him for a 'man-to-man conversation outside the workplace crossed the line into insubordination, the arbitrator concluded [*CUPE, Local 3226 and Kevin Cook v Town of Quispamsis*, 2021 CanLII 43139 (NB LA), May 14, 2021].