

Using Cell Phone While Operating Machine Is Last Straw for Troublesome Worker



Video surveillance catches a sawmill worker not wearing her safety gloves, protective eyewear or earplugs and using her cell phone while operating a 'stacker' machine. Despite the worker's 'no big deal' and contention that 'everybody does it,' these are serious safety violations; and for a worker with a long record of safety violations, not to mention attendance and attitude issues, they prove the last straw. The union fights valiantly but the worker's track record, coupled with her lack of remorse and failure to respond to previous progressive discipline proves more than enough for the arbitrator to uphold the decision to fire her with cause [*Unifor, Local 104 v Grand Lake Timber Ltd.*, 2018 CanLII 67293 (NB LA), July 18, 2018].