

Vaping Cannabis while Driving Company Vehicle = Just Cause to Fire, Even for First Offence



An arbitrator ruled that bypassing progressive discipline and firing a worker for vaping medical cannabis while driving a company vehicle on company time was justifiable, even though he had a clean disciplinary record. Vaping cannabis and driving is a serious safety offence and the fact that it was medicinal in purpose didn't make the transgression any less dangerous. The employer knew about and had taken steps to accommodate the worker's use of medical cannabis for his disability. And its insistence that he not operate heavy equipment while using or being impaired was a reasonable condition [Kindersley (Town) v Canadian Union of Public Employees, Local 2740, 2018 CanLII 35597 (SK LA), April 18, 2018].