

Worker Did Commit Sexual Harassment but Doesn't Deserve to Get Fired



A government worker was fired after a co-worker accused him of sexual harassment. The union contended that the charges were false, even though the worker admitted to calling the alleged victim at home and physically accosting her in the parking lot. After hearing all of the evidence, the New Brunswick arbitrator found that the charges were true. But while the offence was serious and worthy of discipline, immediate termination without progressive discipline was too harsh and knocked the penalty down to an unpaid suspension and a written letter of apology. It was the worker's first disciplinary transgression in over 20 years and he could still be rehabilitated, the arbitrator reasoned [*CUPE, Local 1418 and Christian Langlois v New Brunswick (Post-Secondary Education, Training and Work)*, 2021 CanLII 25291 (NB LA), March 23, 2021].