

Worker Uses Cell Phone to Film Co-Worker Smoking Pot at Work



A waste management company fired a worker for smoking pot at work. Among the evidence was video from a colleague's cell phone showing the worker, who was already under suspicion due to the marijuana odor on his clothes and his history of toking on the job, smoking from a pipe on the second floor of the work facility. The worker denied the charge, insisting that the guy on the cell phone wasn't him and that he hasn't gotten high at work for a 'long time.' But the OLRB wasn't impressed. As even the worker admitted, toking in that safety-sensitive workplace was a clear violation of company policy and grounds for termination. And even without the cell phone video, there was plenty of evidence showing that he was smoking pot at work that day [*Miller Waste Systems Inc. v Christopher Charlebois*, 2019 CanLII 29752 (ON LRB), April 2, 2019]