

Worker Was Fired for Making Justifiable Safety Complaints about Truck



A probationary worker made numerous safety complaints about his company truck, including that it was 'kicking' and 'slipping' in third and seventh gear; the steering was loose; the mirrors were cracked and off-angle; part of the dashboard had been removed; there were exposed wires; and fuel was leaking. He told the employer that the truck was unsafe to drive and refused to do so. The company's general manager fired him. The worker filed a reprisal complaint. The Labour Relations Board ruled that the worker reasonably *believed* that the truck was unsafe and even had photographs to prove it. It also ruled that his firing was motivated, at least in part, by his work refusal, especially given that it happened almost immediately after he refused to drive the truck. So the Board ordered the employer to pay 20 weeks' back pay plus an additional four weeks' pay in damages [[Barber v. LP Services](#), [2013] CanLII 9952 (ON LRB), Feb. 26, 2013].