

Worker's Comments about Shooting Managers Justified His Firing



A transit worker complained to a co-worker about sensitivity training he was forced to attend. He then said, 'If anything ever happened, like losing my job, I'd have no problem coming in here and shooting them' (referring to three managers). When the co-worker said that if he started shooting, he could hit her, the worker responded that he would kill only managers, not union employees. The co-worker reported the conversation and the worker was fired for making violent threats. An arbitrator believed the co-worker's testimony, concluding that the worker *had* made serious threats that constituted workplace violence. Although the worker had been an employee for more than 25 years, the arbitrator ruled his termination was justified: he never admitted making the threats or apologized; had a prior incident involving his temper; and this incident occurred only a day after taking sensitivity training. Even if the worker is unlikely to ever engage in physical violence, the three managers who were the targets of his threats and his co-workers deserve 'and have a legal right to' a workplace where they don't have to worry about these kind of threats, concluded the arbitrator [*Toronto Transit Commission v. Amalgamated Transit Union, Local 113*, [2017] CanLII 11071 (ON LA), March 3, 2017].