

Worker's Firing for Carelessness Justified Given Prior Record



A pit utility worker at a mine was responsible for handling cable towers that hold up power cable. The mine fired him, claiming that because of his negligence, a dozer ran over the cable, severed it and shut down production in that area. The mine argued that this carelessness plus his prior disciplinary record warranted termination. An arbitrator upheld the worker's firing. The cable was cut because the worker wasn't paying attention and failed to take reasonable care on the job. In his six years with the mine, he'd generated an extensive disciplinary record. And he'd already been given a 'last chance,' noted the arbitrator. So although the worker expressed remorse, his termination was justified [*Teck Coal Ltd. ' Elkview Operations v. United Steel Workers, Local 9346 (Everall Grievance)*, [2014] B.C.C.A.A.A. No. 5, Jan. 16, 2014].