

# Bus Driver Fired for Causing Fatal Accident to Passenger Gets Reinstated



A bus driver got fired for accidentally running over a passenger after she exited the vehicle with fatal results. The union grieved and the Ontario arbitrator reinstated the driver, who was convicted of careless driving and given one year of probation, to a non-driving position without back pay. The driver had been disciplined for distracted driving, the arbitrator acknowledged. And the offence was extremely serious. Even so, termination was an excessive penalty for what was essentially a "momentary lapse." The employer appealed but to no avail. The arbitrator's ruling was well reasoned, the court concluded [[Toronto Transit Commission v. Amalgamated Transit Union, Local 113](#), 2022 ONSC 2766 (CanLII), May 11, 2022].