

Employer Must Try to Accommodate Safety-Sensitive Worker's Alcoholism

written by vickyp | May 1, 2021



After nearly 16 years of excellent performance, a millwright found himself on the wrong end of progressive disciplinary actions for lateness, harassing a colleague and other offences, culminating in his termination. Not coincidentally, the problems began when the millwright developed a drinking problem. The union contended that the dependence caused the misconduct and claimed disability discrimination. The Alberta arbitrator agreed and reinstated the millwright without loss of pay or seniority. The fact that the position was safety-sensitive didn't justify the company's decision to fire him without even trying to accommodate him. Nor could the company blame the millwright for failing to come forward and seek help since it didn't have a mandatory self-disclosure policy [[United Steel- Paper And Forestry, Rubber, Manufacturing, Energy, Allied Industrial And Service Workers International Union, Local 5220 v Altasteel](#), 2021 CanLII 7103 (AB GAA), February 3, 2021].