

Not Enough Evidence to Fire Worker for Sexual Harassment



Based on the allegations of 3 employees, a rehab facility for the visually impaired fired a skilled support worker for sexually harassing young men in her department. The worker vehemently denied the charge and claimed she was the victim of a witch hunt. How come none of the accusers ever actually complained to management? And was it just a coincidence that all 3 of them were angry at her for recently exercising her bumping rights at their expense? And wasn't this just a perfect excuse for management to finally get rid of a worker it long resented for her union activism? We may never learn the answers. But to win the case, the employer had to come up with evidence to refute these arguments and prove it had just cause to terminate. Since it failed to meet that burden, the Alberta arbitrator reinstated the worker with no loss in pay [[Vision Loss Rehabilitation Alberta v United Food And Commercial Workers, Local 401](#), 2021 CanLII 5490 (AB GAA), January 25, 2021].