

OK to Fire Employee for Drug Test Misconduct



An Alberta employee was asked to take a drug and alcohol test the day after destroying costly equipment in a careless forklift accident. Although he showed up at the lab, he was fired for acting in an obnoxious, obscene, belligerent and aggressive way during the testing—at one point even trying to sabotage the test. The arbitrator upheld his termination, citing the employee’s conduct as an embarrassment that no employer should have to tolerate and damaging the employment relationship beyond repair [[Finning \(Canada\) v. International Association of Machinists and Aerospace Workers, Local Lodge 99](#), [2012] CanLII 12066 (AB GAA), March 3, 2012].