

# Truck Incident Is Grounds for Testing the Driver but not the Passenger



A mine worker drove a company pickup truck containing a co-worker passenger in the rear into a prohibited zone where blasting operations were carried out. The company required both workers to undergo post-incident drug and alcohol testing. Both tested non-negative. The union cried foul. The BC arbitrator split the baby, ruling that the company had grounds to test the driver but not the passenger. The driver's 35 years of service didn't excuse his failure to pay proper attention to where he was driving; while the passenger also had some degree of responsibility, he was basically just along for the ride [[Teck Highland Valley Copper Partnership v United Steelworkers, Local 7619](#), 2024 CanLII 63093 (BC LA), June 14, 2024].

**Action Point:** Find out [how to create a legally sound drug testing policy](#) at your workplace