



Teamsters Local 31 LRB victory in Purolator case puts workers' rights against employer's rule

by Marco Procaccini

A recent labour board victory by Teamsters members working at Purolator Courier over being disciplined for refusing to get injections against the COVID virus could have major ramifications for the Canadian work force.

Teamsters Local 31, sister local to Teamsters 213, which also has members working at the firm, heralded the decision as a watershed victory for workers' personal freedom over boss dictate. The decision was handed down by Arbitrator Nicholas Glass on December 15, 2023. It found that company bosses had unjustly terminated the employment of owner-operators and placed hourly members on unpaid leave who refused to get the COVID-19 vaccine.

across Canada, says Teamsters Local 213 South-Central Business Representative Kimm Davis. "We're very excited about this decision and we are very grateful to Stan Hennessy for taking this one," she said. "This is about workers' rights and personal choice."

Davis said there are eleven Local 213 members working for Purolator as both owner-operator drivers and sorters. They were also disciplined for not taking the COVID shots. They were suspended in January of 2022, but were called back to

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"The COVID-19 policy at Purolator Inc. was called into question by the union," Local 31 President, Stan Hennessy said in a press release following the decision. "The company was found to have unjustly terminated the employment of owner-operators and placed hourly members on unpaid leave who refused to get vaccinated with a COVID-19 vaccine."

The decision is a flashpoint in the ongoing series of disputes between workers and employers over whether the latter can fire or otherwise discipline employees who refuse the COVID job.

This is why the recent decision in Local 31's case may have a fundamental impact on the situation for all workers

work May 1, 2023, when it looked like the hearing would not go in the Company's favour, but with no compensation or back-pay. "This was really a hard time for our members," she said. "Some had to sell their trucks; others had to move somewhere cheaper, or find other work."

But they are back at their union jobs now, and Davis is hopeful the Local 31 legal victory could translate into appropriate compensation for all the affected workers.

Purolator is planning to appeal the decision. 🌐

IN THE MATTER OF AN ARBITRATION
UNDER THE CANADA LABOUR CODE

BETWEEN

TEAMSTERS LOCAL UNION NO. 31
(the "Union")

-and-

PUROLATOR CANADA INC.
(the "Employer")

B.C. Vaccination Grievances

ARBITRATOR: Nicholas Glass
COUNSEL: Michael Sherrard, Arash Farzam-Kia, Luiza Vihkovic and Gurjit Brar, for the Employer
David Reynolds and Riley Kearns, for the Union
HEARING DATES: September 8, 9 & 12; October 3, 4, 6 & 7; November 29 & 30 and December 19, 2022
January 12 & 13; March 9 & 9; April 13, 14 & 15; May 1, 2, 3 & 18; July 11 and September 5 & 6, 2023
DATE OF AWARD: December 14, 2023