

Ontario worker's death leads to combined \$550,000 in penalties

By: Ontario Ministry of Labour
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TORONTO (Ontario MOL)

Lockerbie & Hole Eastern Inc., a Brantford construction firm, was fined \$250,000 on September 29 for a violation of the Occupational Health and Safety Act (OHSA) after a worker was killed.

On October 3, 2007, the company was providing general site services for the construction of an electrical plant, in Toronto, for SNC-Lavalin Power Ontario Inc. While installing temporary lighting, an apprentice electrician opened a 600-volt electrical panel and contacted the taps of the live transformer. The worker was electrocuted.

A Ministry of Labour investigation found that the company had an electrical lockout policy in place, requiring electrical installations to be done under lockout conditions. However, there was no record of the worker receiving detailed training in this policy. Also, the written procedures made reference to out-of-province legislation instead of the OHSA and the applicable Ontario Regulations.

Lockerbie & Hole Eastern Inc. pleaded guilty under the OHSA to failing as an employer to take every precaution reasonable in the circumstances for the protection of a worker. In particular, it failed to ensure its lockout procedure complied with the current legislative standards.

The fine was imposed by Justice Geraldine Sparrow.

SNC-Lavalin Power Ontario Inc. already pleaded guilty in relation to this incident and was fined \$300,000 on July 7, 2009. The fines for both companies total \$550,000.

In addition to the fine, the court imposed a 25-per-cent victim fine surcharge, as required by the Provincial Offences Act. The surcharge is credited to a special provincial government fund to assist victims of crime.

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 WETTSTEIN SAFETY STRATEGIES INC.



Phone: 780-456-3998  
Cell: 780-940-8296  
Fax: 780-457-8814  
Email: [john@safetystrategies.ca](mailto:john@safetystrategies.ca)  
Website: [www.safetystrategies.ca](http://www.safetystrategies.ca)