

06-07

For Immediate Release  
January 16, 2006

## **TWO TORONTO-AREA CONSTRUCTION COMPANIES FINED \$115,000 EACH FOR HEALTH AND SAFETY VIOLATIONS**

BRAMPTON, Ont. – Paramount Structures Ltd., of Brampton, and Toddglen Management Limited, of Toronto, two companies involved in construction of highrise residential and office buildings, were each fined \$115,000 on January 13, 2006 for one violation each of the Occupational Health and Safety Act that resulted in the death of a worker at a construction site in Brampton.

On July 17, 2003, a labourer was spraying oil onto concrete “forms” (structures into which concrete is poured) for a wall in a building when the labourer fell about 15.2 metres (50 feet) from the 10<sup>th</sup> floor to the roof of the fourth floor. The labourer had been walking backwards towards the edge of the building when the fall occurred through a 0.9-metre (three-foot) gap in a metal guardrail. The labourer died as a result of injuries. The incident occurred at Holland Christian Homes Apartment Building and Nursing Home, a 17-storey seniors’ complex which was under construction at 35 Kingknoll Drive in Brampton. The worker had been employed by Paramount Structures Ltd., which had been contracted by Toddglen Management Limited to provide concrete forming services for the seniors’ complex.

A Ministry of Labour investigation found the guardrail did not reach the formwork for the wall. Other locations in the building were also not protected with adequate guardrails. The ministry also found the worker was not wearing a fall arrest harness. The ministry had issued numerous orders against Toddglen Management Limited, including a stop work order, until the guardrails were installed and approved by a professional engineer. A July 23, 2003 follow-up inspection by the Ministry of Labour found installation inadequacies still existed in the guardrails and the stop work order remained in effect until July 25, 2003 when it was lifted.

Paramount Structures Ltd. pleaded guilty, as an employer, of failing to take the reasonable precaution of ensuring the guardrail system met the specifications of Section 26.3(4) of the Regulations for Construction Projects and was installed within 300 millimetres from the edge of a surface to which the worker had access and was exposed to a fall of more than 2.4 metres. This was contrary to Section 25(2)(h) of the act.

Toddglen Management Limited pleaded guilty, as a constructor, to failing to ensure the worker was adequately protected by a guardrail system that met the requirements of Section 26.3(2) to Section 26.3(8) of the Regulations for Construction Projects. This was contrary to Section 23(1)(a) of the act.

The fines were imposed by Justice Vibert Rosemay of the Ontario Court of Justice in Brampton. In addition to the fines, 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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Court Information at a Glance

<b>Location:</b>	Ontario Court of Justice 7750 Hurontario Street, Courtroom 105 Brampton, Ontario
<b>Judge:</b>	Justice Vibert Rosemay
<b>Date / Time:</b>	January 13, 2006, 10 a.m.
<b>Defendants:</b>	Paramount Structures Ltd.; and Toddglen Management Limited
<b>Matter:</b>	Occupational Health & Safety

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