

SCHINDLER ELEVATOR CORPORATION FINED \$300,000 FOR HEALTH AND SAFETY VIOLATION

LONDON, Ont. – Schindler Elevator Corporation, a Scarborough, Ont.-based company that specializes in the installation and repair of commercial and residential elevating devices, was fined \$300,000 today for a violation of the Occupational Health and Safety Act that resulted in the death of an employee at an office building in London.

On March 29, 2005, two elevator workers were ascending on a platform of a stripped freight elevator car when the platform went out of control and continued to rise in the seven-storey shaft. Unable to stop its ascent with the control panel buttons, both workers jumped off the moving platform in an effort to land on a second-floor landing. One of the workers safely reached the landing. The other did not and fell 12.8 metres (42 feet) to the bottom of the elevator shaft and died. The incident occurred at Dominion Public Building at 457 Richmond Street in London. The workers were employed by Schindler Elevator Corporation, which had been hired to modernize three elevators in the building. The modernization project involved the dismantling and removal of old elevator equipment and installation of new elevators.

A Ministry of Labour investigation found Schindler Elevator Corporation did not have written instructions or procedures for dismantling elevators and did not provide the workers, including the workers' supervisor, with adequate information, instruction and supervision to ensure the dismantling work was done safely. In particular, the company failed to provide instruction to ensure the elevator, where the fatality occurred, remained in balance with proper counterweights and was prevented from an uncontrolled ascent into the shaft ceiling. An imbalance in the counterweights caused the elevator rope and sheave to break traction when activated by the mechanics causing the elevator car to run away upwards in an uncontrolled fashion until the elevator frame hit the top of the seventh floor shaft.

Schindler Elevator Corporation pleaded guilty, as an employer, to failing to provide information, instruction and supervision on how to safely dismantle the elevator, including when and how to adjust counterweights. This was contrary to Section 25(2)(a) of the act.

The fine was imposed by Justice of the Peace Stewart Taylor of the Ontario Court of Justice in London. In addition, 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

Location:	Ontario Court of Justice 824 Dundas Street, Courtroom 101 London, Ontario
Judge:	Justice of the Peace Stewart Taylor
Date / Time:	September 25, 2006, 9 a.m.
Defendant:	Schindler Elevator Corporation
Matter:	Occupational Health & Safety

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