

06-107

For Immediate Release
October 24, 2006

HAGERSVILLE PAVING COMPANY AND SUPERVISOR FINED FOR HEALTH AND SAFETY VIOLATIONS

CAYUGA, Ont. – 663587 Ontario Inc., operating as Hard Top Paving, a Hagersville, Ont.-based paving company, was fined \$60,000 and a company supervisor was fined \$15,000, both on October 20, 2006, for one violation each of the Occupational Health and Safety Act that resulted in the death of an employee.

On September 14, 2004, a supervisor was moving a paver into position for refuelling when the paver ran over a worker who was greasing front-end equipment underneath the paver. The worker was taken to hospital with massive injuries and died three days later. The incident occurred at a private residence on King Street in Hagersville where a driveway was being paved.

A Ministry of Labour investigation found the paver's controls were at the back of the machine. From that vantage point, there was a blind spot to the front of the machine and directly below so the supervisor could not see the worker who was underneath the front end.

663587 Ontario Inc. pleaded guilty, as an employer, to failing to prevent the paver from being moved in an unsafe manner. This was contrary to Section 37(1) of the Regulations for Construction Projects and Section 25(1)(c) of the act.

The supervisor pleaded guilty to failing to ensure the paver was moved in a manner that did not endanger the worker. This was contrary to Section 37(1) of the Regulations for Construction Projects and Section 27(2)(c) of the act.

The fines were imposed by Justice of the Peace Kerry Boon of the Ontario Court of Justice in Cayuga. 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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Contacts:
Belinda Sutton
Ministry of Labour
416-326-7405

David McCaskill
Crown Counsel
Legal Services Branch
Ministry of Labour
416-326-1367

Court Information at a Glance

Location: Ontario Court of Justice
55 Munsee Street
Cayuga, Ontario

Judge: Justice of the Peace Kerry Boon

Date / Time: October 20, 2006, 1 p.m.

Defendant: 663587 Ontario Inc.
carrying on business as
Hard Top Paving; and a
Supervisor

Matter: Occupational Health & Safety

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