

06-110

For Immediate Release
October 25, 2006

BARBER HYMAC HYDRO INC. FINED \$100,000 FOR HEALTH AND SAFETY VIOLATION

ST. CATHARINES, Ont. – Barber Hymac Hydro Inc., a Port Colborne, Ont.-based company that fabricates and assembles steel components for industrial machinery, was fined \$100,000 on October 20, 2006 for a violation of the Occupational Health and Safety Act that resulted in the death of an employee.

On November 10, 2004, a worker was using a 35-ton crane to lift part of an assembly of steel plates for transport to another location when a chain and hook connected to the crane snapped forward at a high speed and struck the worker in the face and head. The worker was knocked about 1.2 metres (four feet) into the air and died as a result of head injuries. The incident occurred at the company's plant at 239 Barrick Road in Port Colborne.

A Ministry of Labour investigation found the rigging and lifting method used by the worker was unsafe. The worker had not connected the crane hook to the load, but had inadvertently hooked it to the edge of a steel table upon which the load was sitting. As a result, the table, instead of the load, was bent and lifted upwards under tremendous force. The crane continued to lift the table until the hook snapped free with high velocity and force, striking the worker who was situated too close to the load.

Barber Hymac Hydro Inc. pleaded guilty, as an employer, to using improper lifting and rigging practices contrary to accepted safe practice, as required by Section 45(a) of the Regulations for Industrial Establishments and Section 25(2)(a) of the act.

The fine was imposed by Justice of the Peace Donna Cowan of the Ontario Court of Justice in St. Catharines. 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
71 King Street
St. Catharines, Ontario

Judge: Justice of the Peace Donna Cowan

Date / Time: October 20, 2006, 9 a.m.

Defendant: Barber Hymac Hydro Inc.

Matter: Occupational Health & Safety

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