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For Immediate Release
April 18, 2006

GWL REALTY ADVISORS INC. FINED \$300,000 FOR HEALTH AND SAFETY VIOLATION

TORONTO – GWL Realty Advisors Inc., a property management company based in Toronto, was fined \$300,000 today for a violation of the Occupational Health and Safety Act that resulted in the death of a worker.

On December 18, 2003, a painter was seen painting an entrance door to a loading dock area shortly before a loud noise was heard from a nearby elevator shaft. The elevator shaft's doors were located just past the entrance door to the loading dock. Immediately following the noise, the painter was found on a metal floor in the basement at the bottom of the shaft, one storey below the loading dock area. The painter was taken to hospital with a serious head injury and died the following day. The incident occurred at 200 University Avenue in Toronto. GWL Realty Advisors Inc. managed the property on behalf of the building's owners, Great West Life and London Life. GWL Realty Advisors Inc. had hired a company, Trade Services Inc., to paint doors and trim in the building. Trade Services Inc., in turn, had hired three independent contractors, one of whom was the deceased painter.

A Ministry of Labour investigation found the elevator shaft was no longer in use. A double set of doors to the shaft had a dead-bolt lock and normally the doors were kept locked. However, two days prior to the fatal incident, a maintenance contractor unlocked and opened the doors. The shaft's doors were relocked afterwards, but it is possible the doors were not properly closed. When the painter was found in the shaft, the elevator doors were discovered to be open. The deadbolt was sticking out from the edge of the elevator shaft doors as though it had been previously locked. It appeared the door had not been forced. The ministry also found there was no guardrail in the doorway of the elevator shaft and no signs on or near the elevator doors warning of the decommissioned elevator.

GWL Realty Advisors Inc. pleaded guilty, as an employer, to failing between Dec. 16 and 18, 2003 to take all precautions reasonable in the circumstances to protect a worker, including failing to:

- Provide and install guardrails on the interior side of the elevator shaft's doors;
- Provide and post warning signs on the elevator shaft's doors;
- Control access to keys to the elevator shaft's door locks;
- Ensure security measures were adequate to ensure the elevator shaft's doors could not be opened; and/or
- Provide information to all workers in the workplace on the existence of doors to the elevator shaft.

This was contrary to Section 25(2)(h) of the act.

The fine was imposed by Justice of the Peace Kenneth Dechert of the Ontario Court of Justice at Old City Hall in Toronto. 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
Old City Hall
60 Queen Street West, Courtroom H
Toronto, Ontario

Judge: Justice of the Peace Kenneth Dechert

Date / Time: April 18, 2006, 9 a.m.

Defendant: GWL Realty Advisors Inc.

Matter: Occupational Health & Safety

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