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For Immediate Release
May 26, 2006

CAPITAL SPORTS PROPERTIES INC. FINED \$70,000 FOR HEALTH AND SAFETY VIOLATION

OTTAWA, Ont. – Capital Sports Properties Inc., a property management company that operates Scotiabank Place in Ottawa, was fined \$70,000 on May 25, 2006 for a violation of the Occupational Health and Safety Act that resulted in injuries to an employee.

On January 14, 2005, two workers were helping to remove “laminated plates” (plastic covers) from the top of ice hockey end boards as part of changes to an arena when the first worker was struck by a forklift being driven by the second worker. Just prior to the incident a third worker had called to the second worker for assistance in another part of the arena. In preparation for going there, the second worker had put the forklift into reverse and turned when the first worker was struck by the forklift’s “mast” (a long, hydraulic cylinder used in the lifting of loads) or the forks at the end of the mast. The first worker was knocked to the ground and the forklift ran over the first worker’s foot and ankle, resulting in fractures to the left foot, ankle and lower leg. The incident occurred in the arena at Scotiabank Place, formerly called Corel Centre, at 1000 Palladium Drive in Ottawa.

A Ministry of Labour investigation found the second worker could not see the first worker from the driver’s position and had failed to inform the first worker of the change in procedure when the third worker called for assistance. The workers also had no training on a procedure for changing positions. Normally a signaller or process for changing positions would be required.

Capital Sports Properties Inc. pleaded guilty, as an employer, to failing to ensure adequate information, instruction and supervision were given to workers when removing partitions at the ice hockey arena. This was contrary to Section 25(2)(a) of the act.

The fine was imposed by Justice of the Peace Bernard Swords of the Ontario Court of Justice in Ottawa. 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
100 Constellation Crescent, Courtroom 102
Ottawa, Ontario

Judge: Justice of the Peace Bernard Swords

Date / Time: May 25, 2006, 1:30 p.m.

Defendant: Capital Sports Properties Inc.

Matter: Occupational Health & Safety

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