

Backhoe Operator Convicted of OHS Violations for Fatal Gas Explosion



A backhoe operator was demolishing some buildings when he snagged a natural gas riser with his equipment, causing gas to seep into a butcher shop, which exploded. Two workers were killed and several others were seriously injured. The court convicted the operator of two OHS violations, ruling that he was the person with the greatest amount of control over the operation. It also rejected his due diligence defence, noting that he knew the risk of working around live gas lines and the potentially disastrous consequences of snagging a gas line with the bucket of his backhoe. As there was no pressing urgency, the operator had plenty of time to carefully dig with a shovel to expose the riser [*R v. Riemer*, [2012] SKPC 6 (CanLII), May 16, 2012].