

Bulletin Put Elevator Company on Notice of Possible Safety Issue



The hydraulic cylinder of an elevator failed, injuring five people. The elevator maintenance company was convicted of five violations of the *Technical Standards and Safety Act* and fined \$400,000. On appeal, the court upheld the convictions and fine. An industry safety bulletin had put the company on notice of the hazard of unexpected oil loss in hydraulic cylinders. A worker had added 100 litres of oil to the elevator's cylinder without being able to account for the oil loss. This unexplained loss of a large amount of oil should have indicated to the company that the safety of the elevator had been compromised. Thus, the cylinder's failure was foreseeable [[The Technical Standards and Safety Authority v. Fujitec](#), [2013] ONSC 497 (CanLII), Jan. 22, 2013].