

Company Fined \$70,000 after Incident Involving Student/Part-time Employee



A co-op student and part-time employee was operating a crane moving steel beams. But he hadn't been trained in the safe use and operation of that crane. A beam fell from the crane onto a worker, crushing his leg. The company pleaded guilty to violating the *Canada Labour Code*. The Federal Crown and the company jointly recommended a \$70,000 fine. The court agreed that that fine was appropriate for the following reasons:

- The early guilty plea is an acknowledgement of responsibility and remorse
- The company cooperated with the investigation
- It has taken several steps to remedy the deficiencies, including bringing in an outside consultant to review all safety issues and acting upon those recommendations
- It has a good history of workplace safety over 60 years
- The fine proposed is a significant penalty for a mid-sized company of 100 employees in these circumstances and is a fit sentence that addresses the purpose and principles of sentence in this context [[R. v. Don Anderson Haulage Ltd.](#), [2017] ONCJ 91 (CanLII), Jan. 31, 2017].