

Company Penalized \$50,000 for Death of Flagger



While working along a public highway, a flagger got too close to an excavator operated by a co-worker. He was run over by it and crushed to death. His employer was convicted of several OHS violations, including failing to provide proper information, instruction, training and supervision to workers at the site. In sentencing the company, the court noted that this conviction was the its second offence. But the company, which was small and family-run, didn't totally disregard its safety duties. So the court fined the company \$35,000 and ordered it to pay \$15,000 to the Ministry for educating employers and workers on the safe conduct of a flagger's duties [*R. v. Concord Paving Ltd.*, [2012] CanLII 49525 (NL PC), Aug. 28, 2012].