

# Conviction for OHS Violation Overturned on Appeal



A foundry hired a company to remove equipment. While doing so, one of the company's workers was seriously injured when a large section of ductwork fell on him. The company was convicted of a general duty violation for failing to ensure the ductwork was adequately supported while being dismantled. But on appeal, the court acquitted the company. It found that the trial court's findings were unreasonable and not supported by the evidence [*R. v. Rassaum Steel & MFG. Co. Ltd.*, [2012] ONCJ 705 (CanLII), Nov. 14, 2012].