

Conviction of Hatchery for Worker's Fall from Trailer Upheld



At worker at a hatchery fell and broke her leg while climbing out of a storage trailer. The trailer had portable steps, the top of which was two feet lower than the trailer's floor. The hatchery was convicted of violating the general duty clause of the *OHS Act* by failing to provide adequate egress from the trailer. On appeal, the court ruled that the steps used were too low and inadequate for this purpose and that a two foot gap between the top step and trailer was 'self-evidently unsafe.' By supplying workers with a too short set of steps to use to access the storage trailer, the hatchery failed to take every precaution reasonable in those circumstances for the protection of its workers. So the court dismissed the appeal [*MOL v. Stratford Check Hatchery Ltd.*, [2013] ONCJ 47 (CanLII), Jan. 30, 2013].