Forklift Fatality Caused by Victim’s Lack of Training, Not His Carelessness



A forklift driver parked his fully loaded vehicle at the top of an access ramp with a false flat of 1′ without turning off the engine or engaging the parking brake. The forklift began rolling down the ramp and the driver chased after it. But he lost his footing and was run over. He died of his injuries 2 days later. The employer claimed the incident was the victim’s fault citing his signature on the safety training program. But the Qu□bec court wasn’t impressed and found the employer guilty. The employer committed the OHS violation of not implementing a safe work procedure for stopping forklifts on an incline providing for measures required by industry standards, i.e., blocking the wheels, lowering the load mechanism, turning off the engine and removing the key. Nor did the employer exercise due diligence. A 90-minute training presentation dedicating only a few minutes to forklift safety and no time to safely stopping on an incline wasn’t enough. The employer had to verify that the victim understood the training and knew how to safely stop his vehicle [*CNESST c. 9267-5446 Quebec Inc*., 2019 QCCQ 5578 (CanLII), September 13, 2019].