

Italian Court Sentences CEOs to Jail for Workers' Deaths from Asbestos



Cases against CEOs over workplace safety, whether under OHS or criminal law, are rare. And when these executives are actually convicted, jail sentences are even rarer'but they do happen.

For example, on July 18, 2016, an Italian court sentenced Carlo De Benedetti, who served as chief executive and chairman of electronic group Olivetti for almost 20 years, to jail in a long-running case over the asbestos-related deaths of former workers.

The judge sentenced De Benedetti to five years and two months in prison and Corrado Passera, who was co-CEO of Olivetti between Sept. 1992 and July 1996, to a year and 11 months in jail on charges of complicity in manslaughter. Eleven other former managers were also found guilty of either manslaughter or injuries.

The case related to the illness and death of 14 workers at the Olivetti plant in the northern Italian town of Ivrea, who'd worked in areas allegedly contaminated by asbestos fibres. They were employed between the 1960s and 1990s and, after leaving the company, fell sick from mesothelioma, a type of cancer associated with exposure to asbestos.

De Benedetti, 81, said he was astonished and disheartened by the sentence and would appeal, claiming he'd been found guilty of crimes he didn't commit. 'Olivetti always placed a high priority on health and safety in the workplace,' he said.

In a similar case from Italy, a court in 2015 convicted 11 former managers of the tire company Pirelli of manslaughter for the deaths of some 20 workers, who were exposed to asbestos. It sentenced the managers'including two ex-CEOs'to jail terms of up to seven years and eight months.

Asbestos is an extremely hazardous substance. And although it's no longer used in manufacturing for the most part, asbestos may still be present in materials in older buildings. So if your workers are at risk of exposure to materials containing asbestos, such as when renovating or repairing such buildings, take steps to protect them from this hazardous substance. Failing to do so can be

costly.

Example: The Ontario MOL inspected a building renovation and found that asbestos was present. But the company hadn't warned workers about the asbestos, told them where materials containing asbestos were located or whether the asbestos was friable (that is, possible to inhale). The company pleaded guilty to asbestos violations and was fined \$37,500 [*Richmond North Property Corp.*, Govt. News Release, Dec. 18, 2009].