

Mere Occurrence of Accident Doesn't Prove Employer Committed OHS Violation



An important new ruling from the Alberta Court of Appeal in a case involving the tragic death of a drilling rig floorhand clarifies that an employer isn't presumed to have committed an OHS violation just because an accident occurs. While that may sound like a technicality, its significance becomes clear when you consider what the consequences had the case gone the other way. Being able to point to the accident as proof of violation would have given the Crown a major advantage in OHS prosecutions and put the burden on employers to show they were not guilty of the offence [[*R v Precision Diversified Oilfield Services Corp*](#), 2018 ABCA 273 (CanLII), Aug. 22, 2018].