

# OHS Fines Scorecard for 2024 (March 16 to April 10)



More than a quarter into the year, Canadian provinces and territories have reported 32 OHS fines of \$20,000 or over so far in 2024. The period between March 16 and April 10 was the slowest period in terms of both fine volume and total fine amounts.

## OHS Fines of \$100,000 or More

There were only 2 reported OHS fines in the 6 figures during the most recent reporting period, as opposed to 6 during the first 6 weeks of the year, and 4 in the period between mid-February and mid-March. However, this period accounted for the 2 biggest fines of the year so far—\$710,488 against a BC shipyard for a confined space carbon monoxide poisoning inside a ship and \$390,000 against an Alberta oil sands company for an excavation fatality.

## Top 5 OHS Fines of 2024 (through April 10)

1. \$710,488 (British Columbia) (confined spaces)
2. \$390,000 (Alberta) (excavations)
3. \$350,000 (Alberta) (pressurized materials)
4. \$295,000 (Alberta) (conveyor asphyxiation)
5. \$260,000 (Ontario) (concrete structure collapse)

Alberta and Ontario lead the country in reported 6-figure OHS fines with 5 apiece with 3 of the year's biggest fines coming from Alberta. BC and New Brunswick are the only other provinces that have reported 6-figure OHS fines in 2024 with 1 apiece. All of the top 5 fines have involved critical injury, including 2 cases in which the victim was asphyxiated.

## **Overall OHS Fines**

Of the 10 significant OHS fines reported from mid-March to April 10, 5 came from Ontario, including a case in which 2 different companies were fined as "employers" for the same incident involving a machine injury to a temporary foreign worker—the employment agency that placed the temp for failure to ensure the worker was properly trained and informed of the plant's safety hazards and the plant itself for failing to guard the machine on which the worker got injured. There was one other incident in Ontario involving a temp who got caught in the pinch point of a running conveyor at a bread factory. However, only the host employer was fined for that incident; the employment agency apparently avoided charges.

BC and Saskatchewan each reported 2 major OHS fines during the period and Alberta reported one.

## **OHS Fines Reported from March 16 to April 10, 2024\* (over \$20,000)**

JURISDICTION	FINE	COMPANY	WHAT HAPPENED	VIOLATION(S)
BC	\$710,488	Victoria Shipyards Co. Ltd./Seaspan	Worker suffers carbon monoxide poisoning inside a confined space on a ship	Failure to ensure that: i. a proper hazard assessment was done inside the space; ii. a standby worker was stationed outside the space while a worker was inside; and iii. a qualified person carried out air testing and kept adequate test records
AB	\$390,000	Synchrude Canada Ltd.	Worker operating an excavator is killed when the wall of a berm collapses and the machine is submerged in water	Failure to prevent the worker from operating the excavator on a ramp with an over-steepened slope
SK	\$85,000	Porcupine Corral Cleaning Ltd.	Worker suffers serious injuries while repairing a truck	Failure to ensure the machine was properly guarded

JURISDICTION	FINE	COMPANY	WHAT HAPPENED	VIOLATION(S)
ON	\$80,000	Stackpole International Powder Metal, Ltd.	Worker suffers injury on a grinding machine after somebody removed the fixed barrier guard at the front of the machine	Failure to properly notify the worker of the hazards posed by a calendar roll
ON	\$75,000	Richard D. Steele Construction (1979) Ltd.	Worker using a nail gun falls from an extension ladder and suffers serious injury	Failure to ensure worker was provided a proper scaffold, suspended work platform, boatswain's chair or multipoint suspended work platform
ON	\$75,000	Liiman Employment Inc.	Temporary foreign worker assigned to work in a powder-coating facility suffers serious injuries after getting caught in the moving auger located in the plant's paint shop	Failure of employment agency, as employer, to provide the worker necessary safety information, instruction and supervision

JURISDICTION	FINE	COMPANY	WHAT HAPPENED	VIOLATION(S)
SK	\$70,000	Sunterra Horticulture (Canada) Inc.	Agricultural worker gets seriously injured while attempting to dislodge a pallet and bale of peat moss	Failure to provide and maintain plant, systems of work and working environments that ensure workers' health, safety and welfare, resulting in the serious injury of a worker
ON	\$57,000	Breadsource Corporation	Temp assigned to work at a bread factory gets caught in the pinch point of an unguarded conveyor resulting in serious injury	Failure to ensure that the conveyor was properly guarded
ON	\$55,000	Ucluelet Harbour Seafoods Ltd.	Temporary foreign worker assigned to work in a powder-coating facility suffers serious injuries after getting caught in the moving auger located in the plant's paint shop	Failure of host employer to ensure that auger was properly guarded (same incident as in Liiman Employment above where employment agency was fined \$75,000)

JURISDICTION	FINE	COMPANY	WHAT HAPPENED	VIOLATION(S)
BC	\$40,692	Harrison Hot Springs Resort & Spa Corp.	WorkSafeBC inspectors issue orders after observing violations at a spa; upon returning, inspectors find that spa didn't correct the violations	Failure to: i. measure potentially harmful noise levels; ii. implement a heat stress exposure plan; iii. establish an effective preventive maintenance program for the ventilation system; iv. ensure workers exposed to hazardous products were informed of products' hazard information; v. obtain up-to-date SDS; vi. ensure its inventory of all asbestos-containing materials met requirements; and vii. comply with WorkSafeBC orders

\* BC OHS fines get reported a month late but are included in the most recent period to ensure continuity and consistency for comparison purposes across all provinces

**Source:** Bongarde