

# The Biggest OHS Fines of 2021 (So Far)



OHS fines keep getting higher. There have already been over a dozen 6-figure reported penalties in the first 6 months of 2021. That's more than we'd usually see for an entire year about a decade ago. Keep in mind that this Top 12 list includes only the **reported** fines and that there are probably many more that haven't been and probably won't be reported, especially when you consider how companies often negotiate for keeping fines unreported in exchange for pleading guilty.

## 1. \$575,000: Machine Guarding (Saskatchewan)

One reason the fine in this case was so high is that it was the second penalty against the same steel and mining firm for OHS violations in separate incidents that occurred within a few weeks. The more expensive fine, \$410,714 + \$164,285 surcharge = \$575,000, was the result of an incident in which a worker suffered a serious machine injury while trying to extinguish a grease fire leading because the machine wasn't properly guarded [EVRAZ Inc. NA, [Govt. Press Release](#), February 18, 2021].

## **2. \$375,000: Machine Guarding (Ontario)**

As in the *EVRAZ* case, the company on the receiving end of the second biggest reported OHS fine entered into a combined settlement covering 2 incidents, both fatalities occurring in the space of 11 months. Again, it was the second incident that came with the higher price tag, \$375,000, involving the death of a temporary sanitation worker who got pinned between an autoloader and infeed conveyor that should have been guarded to bar access to potential pinch points [*2168587 Ontario Ltd., operating as Upper Crust*, [MOL Press Release](#), June 4, 2021].

## **3. \$360,000: Machine Guarding (Saskatchewan)**

The first incident that ended up costing EVRAZ \$935,000 in combined fines involved a worker who got pinned against the steel plate of a conveyor after slipping on ice and snow while rolling a heavy pipe. **Fine amount:** \$257,142 + \$102,858 surcharge = \$360,000 [*EVRAZ Inc. NA*, [Govt. Press Release](#), February 18, 2021].

## **4. \$375,000: Powered Mobile Equipment (Ontario)**

The first fatality to a worker employed by the Ontario bakery company that ended up shelling out \$700,000 in combined fines took place when a tractor-trailer backed into a temp who had left his post on the bread assembly line to smoke a cigarette in the loading area. Although marked by DANGER signs, there

were no warnings about the danger of vehicles operating in reverse. **Fine amount:** \$325,000 [2168587 *Ontario Ltd.*, operating as *Upper Crust*, [MOL Press Release](#), June 4, 2021].

## **5. \$250,000: Powered Mobile Equipment (Ontario)**

Somebody removed the tip over protection system (TOPS) from a mini-excavator so that the machine could squeeze into an underground pipe. Sure enough, the machine tipped over and crushed the supervisor who was operating it to death. The victim's employer, which had been convicted and fined \$170,000 for another fatality in 2013, pleaded guilty to 2 OHS violations and was hit with total penalties of \$250,000 [McNally Construction Inc., [Govt. Press Release](#), February 12, 2021].

## **6. \$210,000: Materials Handling (Ontario)**

A wooden telephone pole being loaded onto a trailer rolled off the forklift and onto a worker ending his life. MOL inspectors determined that the forks weren't spread apart as far as possible and that the pole wasn't secured in any way to the forks. The employer took its chances on a trial but was convicted of 2 OHS violations and fined \$210,000 [R.M. Blanger Limited, [Govt. Press Release](#), February 26, 2021].

## **7. \$175,000: Confined Spaces (Ontario)**

Two cleaning workers entered a tank trailer used to transport fresh produce but only one came out alive. The other died from asphyxiation caused by the residual nitrogen the tank contained to keep the produce fresh. The employer was fined \$175,000 after pleading guilty to failing to ensure that workers followed safe entry procedures for confined space work [*1040135 Ontario Inc., dba Toronto Tank Lines*, [Govt. Announcement](#), April 13, 2021].

## **8. \$170,000: Mining (Nunavut)**

A Nunavut mine was fined \$170,000 for failing to provide required safety training to a worker who was killed while operating heavy equipment in a mine. The victim should have been instructed on safe operation of the loaded equipment on a downhill gradient. After being shut down, the mine re-opened subject to interim safety restrictions [*Baffinland Iron Mines Corp.*, [Govt. Press Release](#), February 18, 2021].

## **9. \$138,638: Lockout, Machine Guarding (BC)**

After sliding open a food slicing machine access door and reach inside to clear a jam, a worker cut his hand on the cutting blade. The employer was fined for: i. Not ensuring the machine was de-energized and locked out; and ii. Allowing the door interlock safeguard to be bypassed [*Neptune Fresh Produce*

*Inc.].*

## **10. \$137,217: Lockout (BC)**

The fracking firm's written lockout procedure weren't specific to the equipment as the regulations require. They also didn't require 2 workers to lock out the energy-isolating devices independently. The firm was also cited for a repeat violation of failing to provide adequate training, supervision and instruction [*Step Energy Services Ltd.*].

## **11. \$120,000: Materials Handling (Federal)**

A worker unloading masonry slabs of countertop material weighing several hundred pounds each from a flatbed truck lost his balance and fell to the ground. The slabs fell on top of him; he was pronounced dead at the scene. The trucking firm pled guilty to not having a proper safety plan for handling the slabs and not providing adequate training [*Road Runner Prime Logistics*, [Govt. Press Release](#), April 15, 2021].

## **12. \$105,252: Fall Protection (BC)**

WorkSafeBC inspectors noticed 2 workers performing waterproofing work while standing on a narrow temporary work platform at an elevation of about 4 m (13 ft.) without using personal fall protection. As a result, they hit the employer with a fine for a repeat and high-risk violation [*Villa*

*Roofing & Sheet Metal Ltd.].*