

Two Companies & Supervisor Convicted in Tire Shop Fatality



An oil company took its truck to a tire shop for work, where it was parked and its engine turned off, with the keys left in the ignition. A worker jacked up the truck but took no precautions to prevent it from moving. A supervisor started the truck's engine while the worker was still working. An oil company worker came to pick up the truck, got in it and drove away, running over the worker who'd gone underneath it to retrieve a jack and killing him. The tire shop and a supervisor and the oil company plus one of its supervisors were charged with OHS violations. Although the tire shop fostered safe work, its OHS program as to lockout wasn't sufficient. Likewise, the oil company had an extensive safety manual, which required 'walk-arounds' before vehicle use. But the driver failed to do a walk-around, causing the tragedy. And the company's training of the driver wasn't complete. So the court convicted the tire shop, oil company and the oil company's supervisor but acquitted the tire shop's supervisor [*Yukon (Director of Occupational Health and Safety) v. Yukon Tire Centre Inc.*, [2014] YKTC 4 (CanLII), Jan. 29, 2014].