

# Workers' Comp Charges Crane Operator's Death to Both Employer & Client



A crane operator was killed trying to lift a communication tower. *The question:* Against which company's experience account should workers' comp charge the loss—Procrane, the victim's employer, or Westower, the company that hired Procrane? *Both* sides were negligent and equally responsible for the accident, said the Appeals Board. The CSA standard on mobile cranes set the standard of care the companies owed. Neither met that standard. Westower gave Procrane an inaccurate estimate of the weight to be lifted; Procrane didn't do enough to protect a worker. And a court found the Board's ruling reasonable and upheld allocating the loss to both companies equally [[\*Procrane Inc. \(Sterling Crane\) v. Alberta \(Appeals Commission for Alberta Workers' Compensation\)\*](#), [2012] ABQB 37 (CanLII), Jan. 16, 2012].