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## **ArcelorMittal Dofasco Fined \$60,000 After Worker Loses Consciousness**

September 23, 2016 5:10 P.M.

HAMILTON, ONTARIO - Steel producer ArcelorMittal Dofasco Inc. was fined \$60,000 after a worker was overcome by gas fumes and lost consciousness at the company's Burlington Street East plant.

On February 20, 2014, at the company's Blast Furnace #3, a crew of workers was cleaning Dustcatcher #3 using water blasted at high pressure through rods in order to break up material. The material did not break up and fall down into the bin as desired, and instead, caused a blockage. One worker opened the side door (the onion), and poked at the blockage with a shovel. The action broke through the blockage and gas was released. The worker was overcome by the gas and lost consciousness temporarily. Loss of consciousness is defined as a 'critical injury' under Ontario Regulation 834.

Section 3(1) of Ontario Regulation 833, Control to Exposure of Biological Agents, states that "every employer shall take all measures reasonably necessary in the circumstances to protect workers from exposure to a hazardous biological or chemical agent because of the storage, handling, processing or use of such agent in the workplace." In addition, Section 25(1)(c) of the Occupational Health and Safety Act states that "an employer shall ensure that the measures and procedures prescribed are carried out in the workplace."

ArcelorMittal Dofasco failed to take all measures reasonably necessary in the circumstances to protect the stricken worker from exposure to the gas. The company pleaded guilty and was fined \$60,000 by Justice of the Peace Jerry Woloschuk in Hamilton court on September 21, 2016.

In addition to the fine, the court imposed a 25-per-cent victim fine surcharge as required by the Provincial Offences Act. The surcharge is credited to a special provincial government fund to assist victims of crime.

**Court Information at a Glance**

**Location:**

Provincial Offences Court/Ontario Court of Justice

45 Main Street East

Hamilton, Ontario

**Judge:**

Justice of the Peace Jerry Woloschuk

**Date of Sentencing:**

September 21, 2016

**Defendant:**

ArcelorMittal Dofasco Inc.

1330 Burlington Street East

Hamilton, Ontario

**Matter:**

Occupational health and safety

**Conviction:**

Occupational Health and Safety Act

Section 25 (1)(c)

Regulation 833 (Control to Exposure of Biological Agents)

Section 3(1)

**Crown Counsel:**

Judy L. Chan

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