



Beamsville Company Fined \$275,000 After Worker Killed By Tractor-Trailer

December 7, 2016 4:30 P.M.

MISSISSAUGA, ONTARIO - A Beamsville company has been fined \$275,000 after a worker was killed by a tractor-trailer in Brampton.

On October 25, 2012, a tractor-trailer being driven by a worker for G & R Inc. was backing up to a loading dock at Parmalat Canada Inc.'s facility at 16 Shaftsbury Lane in Brampton. Parked next to it was a mobile sales truck that was at the location to sell safety equipment. A Parmalat worker emerged from the mobile safety truck and was struck by the reversing tractor trailer; the stricken worker succumbed to the injuries.

On January 14, 2015 Parmalat pleaded guilty to failing as an employer to ensure that the measures and procedures prescribed by the regulation were carried out and was fined \$290,000 in Brampton court. G & R Inc. was a sub-contractor to Parmalat Canada and used shunt drivers on the worksite.

On May 3, 2016 G & R Inc. was convicted under the Ontario Regulation 851 - the Industrial Establishments Regulation - of failing to use barriers, warning signs or other safeguards for the protection of all workers in an area where vehicle or pedestrian traffic may endanger the safety of any worker.

The company was also convicted of failing to operate a vehicle without use of a signaler who is in full view of the vehicle operator and who has a full view of the intended path of travel of the vehicle, as required by law.

The G & R sentence was handed down by Justice of the Peace Margot McLeod in Mississauga court on December 6, 2016 in an *ex parte* proceeding. This term refers to court proceedings where only one party is present.

The court also 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

950 Burnhamthorpe Road West

Mississauga, Ontario

Judge:

Justice of the Peace Margot McLeod

Date of Sentencing:

December 6, 2016

Defendant:

G & R Inc.

4945 Alexandra Avenue

Beamsville, Ontario

Matter:

Occupational health and Safety

Convictions:

Occupational Health and Safety Act

Section 25(1)(c)

Regulation 851 (Industrial Establishments Regulation)

Section 20

Section 56

Crown Counsel:

Neil Gobardhan

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