



Cleaning Crew Affected by Carbon Monoxide, Employer Fined \$75,000 July 13, 2016 2:30 P.M.

TORONTO, ON - Ground Maintenance Cleaning Contractors Inc. (GMCC Inc.), a property maintenance business, pleaded guilty and was fined \$75,000 for failing to protect the health and safety of a crew of workers from exposure to carbon monoxide gas in a parking garage. One of the workers collapsed on site and later died.

The incident occurred on May 28, 2014 at a condominium building located at 15 Torrance Road in Scarborough. GMCC was hired by the condominium corporation to power wash the underground parking garage. The six workers were using four gasoline-powered washers to perform the work; the power washers emit carbon monoxide (CO) gas.

While the workers were power washing, the internal exhaust fans in the garage stopped working. The building superintendent told the GMCC Inc. supervisor that an electrician should be on site to repair the fans. Meanwhile, the workers continued to work with portable fans in use.

One worker later exited the garage and collapsed on the sidewalk. The worker was transported to hospital by ambulance and was later pronounced dead from carbon monoxide toxicity. The remaining workers were taken to hospital where they were treated for carbon monoxide exposure and released. These workers did not suffer any lasting health issues as a result of the incident.

The investigation by the Ministry of Labour revealed that the GMCC Inc. work crew and supervisor had not received any formal training on the hazards of carbon monoxide or measures that can be taken for protection from carbon monoxide poisoning. They had not received any formal health and safety training other than Workplace Hazardous Materials Information System (WHMIS), and not all of them had received that training.

Ontario Regulation 833, which covers the control of exposure to biological or chemical agents, prescribes that every employer shall take all measures reasonably necessary in the circumstances to limit the exposure of workers to hazardous biological or chemical agents in accordance with the rule that exposure to carbon monoxide shall not exceed 125 ppm at any time. The Toronto

fire services' carbon monoxide measurements in the garage found that levels had reached 425 ppm.

The company pleaded guilty to failing to limit the exposure of workers to carbon monoxide as prescribed, and was fined \$75,000 by Justice of the Peace Rhonda Roffey on June 20, 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

60 Queen Street West (Old City Hall)

Toronto, Ontario

Judge:

Justice of the Peace Rhonda Roffey

Date of Sentencing:

July 12, 2016

Defendant:

Ground Maintenance Cleaning Contractors Inc. operating as

GMCC Inc.

424 Gilbert Avenue

Toronto, Ontario

Matter:

Occupational health and safety

Conviction:

Occupational Health and Safety Act

Section 25(1)(c)

Regulation 833 (the Control of Exposure to Biological or Chemical Agents Regulation)

Section 4

Crown Counsel:

Jai Dhar

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