



Critical Injuries to Worker in Thorold Result in \$75,000 Fine

October 11, 2016 3:00 P.M.

ST. CATHARINES, ON - TSP Canada Towers Inc., a company that manufactures wind turbines and towers, pleaded guilty and was fined \$75,000 after a worker was critically injured when a one-ton structural steel ring fell from a storage rack.

On April 29, 2014, workers were being trained in moving a structural steel ring (also known as paint ring) and placing it into a storage rack at the workplace. The ring was approximately 15 feet in circumference and weighed about one ton.

The paint rings are stored standing up vertically in the storage rack. In order to move the paint ring, the workers attached one end of a sling to the ring. The other end of the sling was attached to a reach stacker (a vehicle used for lifting and transporting large pieces of equipment). The operator of the reach stacker lifted the paint ring off the ground while other workers helped to guide the paint ring into the storage rack.

After the paint ring was inserted into the storage rack, the workers were unable to remove the sling from the ring because it was too high and out of reach as the sling was located at a 12 o'clock position at the top of the ring. The operator of the reach stacker began using the machine to pull on the sling in order to rotate the ring while it was inside the storage rack. The intent was to move the sling from the 12 o'clock position to the 3 o'clock position to allow workers to access and remove the sling from the paint ring. However, during this rotation, the ring popped out of the rack, struck a worker and pinned the worker to the ground.

Other workers used the reach stacker to lift the paint ring off the injured worker. The worker sustained critical injuries that required surgery.

An investigation by the Ministry of Labour revealed TSP did not have a written procedure or documented training for performing this task. Section 45(a) of Ontario Regulation 851 - the Industrial Establishments Regulation - provides that materials shall be lifted, carried or moved in such a way and with such precautions and safeguards as will ensure that the lifting, carrying or moving of the material does not endanger the safety of any worker. The company failed as an employer to ensure that the measures and procedures prescribed by the Industrial

Establishments Regulation were carried out at the workplace, contrary to Section 25(1)(c) of the Occupational Health and Safety Act.

The sentence was imposed by Justice of the Peace Stephen Lancaster in St. Catharines court on October 11, 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.

TSP Canada Towers was fined \$80,000 last year after a 2013 incident in which a worker was crushed by components being moved along a line.

Court Information at a Glance

Location:

Ontario Court of Justice

71 King Street

St. Catharines, Ontario

Judge:

Justice of the Peace Stephen Lancaster

Date of Sentencing:

October 11, 2016

Defendant:

TSP Canada Towers Inc.

100 Hayes Road

Thorold, Ontario

Matter:

Occupational health and safety

Convictions:

Occupational Health and Safety Act

Section 25(1)(c)

Ontario Regulation 851 (Industrial Establishments Regulation)

Section 45(a)

Crown Counsel:

Jai Dhar

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