



Toronto Crane Company Fined \$95,000 After Worker Fatality

October 6, 2017 4:20 P.M.

Convicted: Toronto Crane Service Inc., 360A Deerhide Crescent, Toronto, Ontario

Location of workplace: 3761 Highway 89 West, Innisfil, Ontario

Date of Offence: June 22, 2016

Description of Offence: Part of a tower crane that was being taken apart tipped over and fell on a worker, who suffered fatal injuries.

Date of Conviction: September 6, 2017 in Provincial Offences Court/Ontario Court of Justice, 45 Cedar Point Drive, Courtroom 2, Barrie, by Justice of the Peace Ann C. Forfar; Crown Counsel Judy L. Chan.

Penalty Imposed

- Toronto Crane Service Inc. was fined \$95,000 after pleading guilty to the offence of failing to ensure that the measures and procedures prescribed by section 46 of *Ontario Regulation 851/the Industrial Establishments Regulation* were carried out in the workplace, contrary to section 25(1)(c) of the *Occupational Health and Safety Act (OHS)*.
- 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.

Background

- Toronto Crane Services Inc. carries on business setting up, servicing and maintaining tower cranes, mostly at construction sites, and stored a number of decommissioned cranes at the Innisfil facility.
- On June 22, 2016, a worker had been assigned the task of cutting a tower crane into smaller sections, for disposal. The crane's jib consisted of two sections - a heel section and a jib section.
- The worker made several cuts to the jib section, which disconnected the upper portion from the lower portion, then began to cut the jib section away from the heel section, making a last cut to the remaining structural member that connected the two sections. Once the jib section was no longer connected to the heel section, it lost stability, tipped over and fell on the worker, who suffered fatal injuries.
- Section 46 of the *Regulation for Industrial Establishments* prescribes that "machinery, equipment or material that may tip or fall and endanger any worker shall be secured

against tipping or falling." Toronto Crane failed to ensure that the crane was secured against tipping or falling as required. This is contrary to section 25(1)(c) of the *OHSA*.

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