CONVICTIONS UNDER THE *OCCUPATIONAL HEALTH AND SAFETY ACT* AND REGULATIONS

APRIL 1, 2009 TO DECEMBER 31, 2014

REPORT DATE: JANUARY 1, 2015

Year Decided	Accused	Summary	Conviction(s)	Penalty/Sentence
2009/2010	Sutherland, Mark	An employer failed to install a safeguard around a manure pit a 19 year old employee is fatally injured after falling in the pit.	*Occupational Health and Safety Act* 13(1)(a)	$25,000
	Eagles, Eric	An employee is fatally injured after falling 13 feet from a false ceiling to the ground.	*Fall Protection and Scaffolding Regulations* 7(1) & 9(1)(b) and *Occupational Health and Safety Act* 17(1) & 74(1)(a) *Fall Protection and Scaffolding Regulations* 9(2)(d) and *Occupational Health and Safety Act* 17(1) & 74(1)(a)	$2,000 & 18 x 1 hour presentations
	Mersey Seafoods Limited	Various OHS deficiencies identified during accident investigations on board fishing vessel Mersey Venture.	*Occupational Health and Safety Act* 13(1)(e) & 27(1) & 74(1)(a) *Occupational Health and Safety Act* 13(1)(e) & 28(1) & 74(1)(a) & 29(1) & 74(1)(a)	$3,000
	Stewiacke Hardware and Building Supplies Limited operating as National Truss Span	An employee was injured when a boom hoist came into contact with an overhead 14,400 volt electrical line.	*Occupational Health and Safety Act* 13(1)(c)	$4,607
	The Waterton Condominium Inc.	An employee was struck in the head with debris which had fallen from the twelfth floor of the condominium unit.	*Fall Protection and Scaffolding Regulations* 7(10 & 9(1) (b) & *Occupational Health and Safety Act* 63(1)(a)	$11,714
2010/2011	Cole, Aaron (A.J. Cole)	Removal of an energized tri-plex power line from a residence which was being prepared for relocation.	*Occupational Health and Safety Act* 57 (2) & 57 (3) *Occupational Safety General Regulations* 126 (5)	$1,945
	Atlantic Concrete Sawing Ltd. and Island View Contracting Limited	An employee was struck in the eye with a piece of steel cable.	*Occupational Health and Safety Act* 13(1)(c)	$10,000
	Avon Valley Greenhouses Limited	An employee severed the end of their middle finger on their right hand.	*Occupational Health and Safety Act* 13(1)(c) *Occupational Safety General Regulations* 87(2)	$16,800
	Divco Canada Limited/Divco Canada Limitee	An employee of another company fell 5 meters through an opening in the roof	*Occupational Health and Safety Act* 13(1)(d)	$18,750

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		onto a concrete floor		
	G & Y Carpentry Incorporated	An owner fell 11 feet suffering minor injuries.	*Fall Protection and Scaffolding Regulations* 7(1) & *Occupational Health and Safety Act* 13(2)(d) & 74(1)(a)	$30,000 + 200 hours presentation
	Lewis Mouldings and Wood Specialties Limited	An employee, operating a newly installed wood moulding machine had a finger amputated and two other fingers injured due to a missing guard.	*Occupational Health and Safety Act* 63 (1)(a) *Occupational Safety General Regulations* 84(1)	$8,500
	O'Regan Chevrolet Cadillac Limited	An employer failed to take proper precautions when an employee was moving chemicals through the work place resulting in an explosion, with significant burns and other injuries to the employee.	*Occupational Health and Safety Act* 13(1)(a)	$35,000
	Richard Ellis operating as Ellis Chevrolet Limited	Employer failed to comply with five (5) issued Compliance Orders.	*Occupational Health and Safety Act* 74 (1)(b) - five counts	$5,000
	Southeast Drywall Ltd.	An employee fell 5 meters through an opening in the roof onto a concrete floor.	*Occupational Health and Safety Act* 13(1)(d)	$12,600
	Town of Canso	An employee fell 12-15 feet from a utility pole resulting in a chipped pelvis and L-3 vertebrae.	*Fall Protection and Scaffolding Regulations* 7(1)	$8,250
2011/2012	Della Valle, James Edward	Failure to report presence of loose vermiculite insulation containing asbestos in CBIHA housing units.	*Occupational Health and Safety Act* 17(1)(a)	$1,000.00
	Fleet, Clement Edmond	Failure to comply with a stop work order.	*Occupational Health and Safety Act* 74(1) (2 counts)	$2,260.21
	Irving Shipbuilding Inc./Les Chantiers Maritimes Irving Inc. operating as Halifax Shipyard	An employee fell 20 feet resulting in broken ribs, a punctured lung and a broken collar bone.	*Occupational Safety General Regulations* 134 (3)	$43,000.00
	Joseph P. Isnor carrying on business as Roof Masters	Failure to comply with nine (9) issued Compliance Orders	*Occupational Health and Safety Act* 55-1 (3 counts)	180 hours of presentations (60 hours per count)
	Maritime Fence Ltd.	An employee was fatally injured when he was caught in the middle of the boom and truckbed while fixing a leaking hydraulic hose on a 1997 Ford	*Occupational Safety General Regulations* 84 (1) *Occupational Health and Safety Act* 13(1)(c)	$50,000.00

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		Sterling tri-axle truck.		
	McNeil, Joseph Darrell	Failure to report presence of loose vermiculite insulation containing asbestos in CBIHA housing units.	*Occupational Health and Safety Act* 17(1)(a)	$1,250.21
	Rotor Mechanical Services Ltd.	Fatalities following carbon monoxide exposure.	*Occupational Safety General Regulations* 84 (1) *Occupational Health and Safety Act* 13(1)(a) (2 counts)	$95,000.00
	Routledge, Darryl Todd	Failure to report presence of loose vermiculite insulation containing asbestos in CBIHA housing units.	*Occupational Health and Safety Act* 17(1)(a)	$1,000.00
	Sepracor Canada Limited	An employee was fatally injured after exposure to TMS-Diazomethane during a lab procedure.	*Occupational Safety General Regulations* 15 (b)	$45,000.00
	David Busk Sr., carrying on business as Truss Worthy Framing and Renovations	Employee fell from a roof that was under construction suffering fatal head injuries.	*Fall Protection and Scaffolding Regulations* 7 (1) & 8 (1)	$25,000.00 plus volunteer service
2012/2013	5823 NWT Limited	A 12 year old boy was struck fatally by a boom truck operator while riding his bike on a sidewalk running through the worksite.	*Occupational Health and Safety Act* 13(1)(a)	$75,000.00 (fine/donation/training)
	Aucoin, Andre Joseph	A 12 year old boy was struck fatally by a boom truck operator while riding his bike on a sidewalk running through the worksite.	*Occupational Health and Safety Act* 17(1)(a)	$6,750.00
	Charlesville Fisheries Limited	An employee was lost at sea (fatal) while the vessel's stabilizers were being brought in. The employee was not wearing a Protective Flotation Device (PFD).	*Occupational Safety General Regulations* 9(1)	Court recognized $77,500 donation in determining $100 fine, $5,000 donation to Fisheries Safety Association of NS and 3 presentations
	Gray, James I.	An Employee was struck with a 238 lbs bucket when it became detached from the front end loader.	*Occupational Health and Safety Act* 13(1)(a)	$2,000 fine plus $300 victim surcharge

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	Leonard George Stuart operating as Lenny's Auto Centre carrying on business as Leonard G Stuart Construction	An employee was struck in the head with a utility pole while it was being installed into the ground.	*Occupational Health and Safety Act* 13(1)(a)	$11,000 fine plus $1,650 victim surcharge
	Les Moineaux Fisheries Incorporated	A crew member was fatally injured when a fishing boat overturned after taking on water.	*Occupational Safety General Regulations* 9(1)	$50,000 fine
	Ligni Bel Ltd.	An employee was welding and fell 5.18 m through a movable ceiling panel to a concrete floor.	*Fall Protection and Scaffolding Regulations* 7 (1)	$5,000 fine plus $750 victim surcharge
	MacPhee, Darren	A 12 year old boy was struck fatally by a boom truck operator while riding his bike on a sidewalk running through the worksite.	*Occupational Health and Safety Act* 15 (a)	$6,750.00
	Ramar Construction Ltd.	As constructor, failed to comply with compliance order issued by an OHS officer.	*Occupational Health and Safety Act* 55 (4)	$1,500 fine (including costs)
2013/2014	Butcher, John Ivan	Obstructed an OHS officer from performing a workplace inspection.	*Occupational Health and Safety Act* 57 (1)	$500.00
	Vilco Limited	An employee was struck in the face while loading fibreglass oil tanks onto a trailer forklift.	*Occupational Safety General Regulations* 81 (a)	$100 fine (plus 15% victim surcharge), donation of $7,885 and 2 presentations
	Kynock Resources Limited	A plate of steel hoisted by an excavator and leaned upright on a metal post broke and fatally struck an employee in the head.	*Occupational Health and Safety Act* 13(1)(c)	Total $75,000 ($25,000 fine, $25,000 donation to Minister's Public Education Trust Fund, $25,000 to NSCSA), plus $3,750 victim fine surcharge
	MacLean, Barry	An employee was run over by an excavator and sustained major injuries to his leg.	*Occupational Health and Safety Act* 17(1)(b)	$7,000 plus $1,050 victim fine surcharge
	Peach, Sandy	An employee was run over by an excavator and sustained major injuries to his leg.	*Occupational Health and Safety Act* 17(1)(a)	$8,700 plus $1,305 victim fine surcharge
	Ramar Properties Limited	An employee's left thumb was severed	*Occupational Safety General Regulations*	$5,000 donation to

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		due to an unguarded table saw.	87 (2)	NSCSA, $5,000 plus $750 victim fine surcharge and one sponsored OHS event
2014/2015	Catherine A Young, carrying on business as LaFitte's Roofing	An employee, not wearing fall protection, fell from the roof to the ground and sustained serious injuries.	*Workplace Health and Safety Regulations* 21.2(1) & *Occupational health and Safety Act* 74(1)(a)	$5,000 fine
	LaFitte, Francis	An employee, not wearing fall protection, fell from the roof to the ground and sustained serious injuries.	*Workplace Health and Safety Regulations* 21.2(1) & *Occupational health and Safety Act* 74(1)(a)	$5,000 fine
	LaFitte, Francis	Failure to provide written notification of compliance with an officer's order (x9)	*Occupational Health and Safety Act* 56(1) (9 Summary Offence Tickets)	$462.41 (x 9)
	River's Bend Wood Products Incorporated	Employee's hand became caught in a roller resulting in injuries.	*Occupational Safety General Regulations* 52(1)(b)(c) & *Occupational Health and Safety Act* 74(1)(a)	$9,300 in creative sentencing costs
	RJ MacIsaac Construction Ltd	Crane on barge disintegrated and fell.	*Occupational Health and Safety Act* 13(1)(a) & *Occupational Health and Safety Act* 74(1)(a)	$15,000 fine plus 15% surcharge $2,250), $30,000 donation for education fund and one presentation to be carried out before Oct 29 2015 (with a $5,000 cost)
	Comeau, Lloyd	Crane on barge disintegrated and fell.	*Occupational Health and Safety Act* 17(1)(a) & *Occupational Health and Safety Act* 74(1)(a)	$2,000 fine (surcharge waived)
	MacIsaac, Donald	Crane on barge disintegrated and fell.	*Occupational Health and Safety Act* 17(1)(a) & *Occupational Health and Safety Act* 74(1)(a)	$2,000 fine plus $300 surcharge
	CRG Mechanical Services Limited	Employee sustained injuries after a tractor trailer tire blew from its rim.	*Occupational Health and Safety Act* 13(1)(a)	Fine of $100, plus VFS ($30); Creative sentence: video presentation by principal. Cost of presentation not to exceed $40,000 and any

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				amount not allocated for presentation to be donated
	Rhyno Environmental Services Ltd	Failure to submit written Compliance Notice within time specified in an officer's order	*Occupational Health and Safety Act* 56 (1)	$468.95
	Dartmouth Auto Auctions Ltd. C.O.B. 1 Stop Auto Shop	Failing to comply with order or direction (submit written compliance)	*Occupational Health and Safety Act* 74(1)(b)(i)	$818.95

FINE NOTES:

1. This report will be updated quarterly.
2. Sentencing information not available at quarter end will be updated when available.
3. This information is also provided in the published OH&S Annual reports located at: HTTP://NOVASCOTIA.CA/LAE/HEALTHANDSAFETY/PUBS.ASP (note 2013/2014 Annual Report not published yet)