

UNDER THE OCCUPATIONAL HEALTH AND SAFETY ACT AND REGULATIONS

April 1, 2013 to June 30, 2017

REPORT DATE: July 1, 2017

Year Decided	Accused	Summary	Conviction(s)	Penalty/Sentence
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	Employee struck in face while loading fibreglass oil tanks onto a trailer forklift.	Occupational Safety General Regulations 81 (a)	\$100 fine (plus 15% victim fine surcharge), donation of \$7,885 and 2 presentations
	Kynock Resources Limited	Steel plate broke and struck employee in the head; fatal injury.	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	Leg run over by an excavator, sustained major injuries.	Occupational Health and Safety Act 17(1)(b)	\$7,000 plus \$1,050 victim fine surcharge
	Peach, Sandy	Leg run over by excavator, sustained major injuries.	Occupational Health and Safety Act 17(1)(a)	\$8,700 plus \$1,305 victim fine surcharge
	Ramar Properties Limited	Thumb severed, working with unguarded table saw.	Occupational Safety General Regulations 87 (2)	\$5,000 donation to NSCSA, \$5,000 plus \$750 victim fine surcharge and one sponsored OHS event
2014/2015	CONVICTION BY TRIAL OR GUILTY PLEA			
	Catherine A Young, carrying on business as LaFitte's Roofing	Fall from roof due to lack of fall protection.	Workplace Health and Safety Regulations 21.2(1) & Occupational Health and Safety Act 74(1)(a)	\$5,000 fine
	LaFitte, Francis	Fall from roof due to lack of fall protection.	Workplace Health and Safety Regulations 21.2(1) & Occupational Health and Safety Act 74(1)(a)	\$5,000 fine
	River's Bend Wood Products Incorporated	Hand 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

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	RJ Maclsaac 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)
	Maclsaac, 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	Tractor trailer tire blew from its rim resulting in injuries.	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 amount not allocated for presentation to be donated
	Oickle, Frank Joseph	Failure to ensure an adequate communication system during a sea harvest dive.	Occupational Diving Regulations 32(3) & Occupational Health and Safety Act 74(1)	Fine of \$25,000, plus VFS (\$3,725); \$5,000 donation to the OHS Public Education Trust Fund; Creative Sentencing: 10 safety presentations (\$2,500 value) and \$2,500 re advertising
	Oickle, Frank Joseph	Failure to comply with a stop work order regarding diving operations and failed to provide information, instruction, training, supervision and facilities as an Employer.	Occupational Health and Safety Act 55(4) & Occupational Health and Safety Act 74(1) Occupational Health and Safety Act 13(1)(c) & Occupational Health and Safety Act 74(1)	Fine of \$8,000, plus VFS (\$1,200); \$2,500 Donation to the OHS Public Education Trust Fund Fine of \$8,000, plus VFS (\$1,200); \$2,500 Donation

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				to the OHS Public Education Trust Fund
	Murphy, James	Truck struck utility lines and overturned; fatal injury.	Occupational Health and Safety Act 17(1)(a)	\$1,500 fine plus \$225 victim fine surcharge; \$4,500 contribution to the OHS Public Education Trust Fund; 50 hours of community service in the form of seven 1-hour safety presentations, with venue and content to be approved by LAE
	Lowe, Michael	Interference with an Occupational Health and Safety officer completing duties under the Act and its regulations.	Occupational Health and Safety Act 57(4)	\$1,250 fine plus victim fine surcharge of \$187.50
2014/2015	CONVICTION BY SUMMARY OFFENCE TICKET			
	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)
	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	Failed to comply with order or direction to submit written compliance.	Occupational Health and Safety Act 74(1)(b)(i)	\$818.95
	Flemming, Stephen	Failure to submit written Compliance Notice within time specified in an officer's order.	Occupational Health and Safety Act 56 (1)	\$468.95
	Iceton, Matthew	Failure to comply with order or direction.	Occupational Health and Safety Act 74(1)(b)(i)	\$818.95
	Iceton, Matthew	Failure to comply with order or direction.	Occupational Health and Safety Act 74(1)(b)(i)	\$818.95
	Barr, Greg	Failure to comply with order or direction (x2).	Occupational Health and Safety Act 74(1)(b)(i)	\$818.95 (x2)

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	Eastern College Incorporated	Failure to comply with order or direction.	Occupational Health and Safety Act 74(1)(b)(i)	\$818.95
	Pearce, Arthur	Failure to submit written Compliance Notice within time specified in an officer's order (x 2).	Occupational Health and Safety Act 56 (1)	\$460.12 (x2)
	Dexel Development Limited	Failure to comply with order or direction.	Occupational Health and Safety Act 74(1)(b)(i)	\$818.95
	Barry, Lewis	Failure to submit written Compliance Notice within time specified in an officer's order (x 2).	Occupational Health and Safety Act 56 (1)	\$460.12 (x2)
2015/2016	CONVICTION BY TRIAL OR GUILTY PLEA			
	Northfield Glass Group Limited operating as Economy Glass	Employee on a lift inadvertently contacted power line; injury.	Occupational Safety General Regulations 126 (2) Occupational Safety General Regulations 57 (1)	\$15,000 plus victim fine surcharge; \$25,000 contribution to the OHS Public Education Trust Fund; creative sentence re advertisement, 6 (1 hour) presentations to NSCC and 2 (1 hour) presentation to industry
	RD Longard Services Limited	Employee working on electrical equipment in contact with energized electrical equipment; fatal injury.	Occupational Health and Safety Act 13 (1)(c) Occupational Safety General Regulations 120 (1)	\$35,000 fine plus victim fine surcharge of \$5,250; creative sentence of 150 hours regarding a series of presentations
	Safway Services Canada, ULC	Motor section of elevator fell onto an employee during installation.	Occupational Health and Safety Act 13 (1)(c)	\$10,000 fine plus victim fine surcharge of \$1,500; donation in the amount of \$20,000 to the OHS Public Education Trust fund; 4 one hour presentations to college/industry
	Arthur Pearce carrying on business as Pearce Roofing	Employees on two story roof without any form of fall protection.	Workplace Health and Safety Regulations 21.2	\$2,000 fine plus victim fine surcharge of \$300

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	McFadgen's Bakery Limited	Employee's hand caught while greasing a dough dividing machine; injury.	Occupational Health and Safety Act 13 (1)(a)	Creative sentence (a total cost of \$40,000): Hire a Bakery to help create a bakery-specific safety program; Hire a Safety Officer to help implement safety program; Safety radio and/or print advertisements; and complete 5 one hour safety presentations regarding injury/precautions/due diligence
	Regis Holdings (Canada) Ltd	During inventory, powdered bleach fell into employee's eye; injury.	Occupational Health and Safety Act 13 (1)(a) Occupational Safety General Regulations 23 (1)	\$12,500 fine plus victim fine surcharge of \$1,875; Creative Sentence: \$20,000 donation to Minister's Public Education Trust Fund and 2 one hour presentations
	Irving Shipbuilding Incorporated	Employee's head struck by material; injury.	Occupational Health and Safety Act 13 (1)	\$10,000 fine plus \$1,500 victim fine surcharge; \$40,000 donation to the Minister's Public Education Trust Fund
2015/2016	CONVICTION BY SUMMARY OFFENCE TICKET			
	Broderick, Matthew	Failure to submit written Compliance Notice within time specified in an officer's order.	Occupational Health and Safety Act 56 (1)	\$468.95
	Roberts, Alexander	Failure to submit written Compliance Notice within time specified in an officer's order.	Occupational Health and Safety Act 56 (1)	\$468.95
	Landworks Property Services Limited	Failure to submit written Compliance Notice within time specified in an officer's order (x2).	Occupational Health and Safety Act 56 (1)	\$468.95 (x2)

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	Shane Ross for Astor Construction Group Ltd	Failure to submit written Compliance Notice within time specified in an officer's order (x2).	Occupational Health and Safety Act 56 (1)	\$468.95 (x2)
	Durling, Michael	Failure to submit written Compliance Notice within time specified in an officer's order.	Occupational Health and Safety Act 56 (1)	\$468.95
	Schwartz & Company (2006) Limited	Failure to comply with order or direction.	Occupational Health and Safety Act 74(1)(b)(i)	\$818.95
	Retteff, Todd	Failure to submit written Compliance Notice within time specified in an officer's order.	Occupational Health and Safety Act 56 (1)	\$468.95
	Retteff, Todd, acting as Crown Roofing Specialist	Failure to comply with order or direction.	Occupational Health and Safety Act 74(1)(b)(i)	\$818.95
	Retteff, Todd, acting as Crown Roofing Specialist	Failure to submit written Compliance Notice within time specified in an officer's order (x4).	Occupational Health and Safety Act 56 (1)	\$468.95 (x 4)
	Retteff, Todd, acting as Crown Roofing Specialist	Failure to submit written Compliance Notice within time specified in an officer's order (x6).	Occupational Health and Safety Act 56 (1)	\$468.95 (x 6)
	Nelson, Norman	Failure to submit written Compliance Notice within time specified in an officer's order.	Occupational Health and Safety Act 56 (1)	\$468.95
	Trenholm, Alan	Failure to submit written Compliance Notice within time specified in an officer's order.	Occupational Health and Safety Act 56 (1)	\$463.95
	Russell, Terry	Failure to comply with order or direction.	Occupational Health and Safety Act 74(1)(b)(i)	\$822.50
	Julia A. Carr acting as Magoo's Siding	Failure to submit written Compliance Notice within time specified in an officer's order (x 2).	Occupational Health and Safety Act 56 (1)	\$468.95 (x 2)
	Denim Homes Inc	Failure to submit written Compliance Notice within time specified in an officer's order.	Occupational Health and Safety Act 56 (1)	\$472.50
	Keeping, Blair Mathew	Failure to submit written Compliance Notice within time specified in an officer's order.	Occupational Health and Safety Act 56 (1)	\$472.50

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	Russell, Terry	Failure to comply with order or direction.	Occupational Health and Safety Act 74(1)(b)(i)	\$822.50
	Harnish, Calvin	Failure to submit written Compliance Notice within time specified in an officer's order.	Occupational Health and Safety Act 56 (1)	\$472.50
	Gordon Food Service	Failure to submit written Compliance Notice within time specified in an officer's order.	Occupational Health and Safety Act 56 (1)	\$472.50
	Redmond, Peter	Failure to comply with order or direction.	Occupational Health and Safety Act 74(1)(b)(i)	\$822.50
	Somers, James	Failure to submit written Compliance Notice within time specified in an officer's order. (x 9)	Occupational Health and Safety Act 56 (1)	\$472.50 (x 9)
	High Quality Renovations	Failure to submit written Compliance Notice within time specified in an officer's order.	Occupational Health and Safety Act 56 (1)	\$472.50
	Linear Roofing Solutions Incorporated	Failure to submit written Compliance Notice within time specified in an officer's order. (x 3)	Occupational Health and Safety Act 56 (1)	\$472.50 (x 3)
2016/2017	CONVICTION BY TRIAL OR GUILTY PLEA			
	Parkland Construction Limited	Fall from 6 th floor, not wearing fall protection; fatal injury.	Workplace Health and Safety Regulations 21.2 (1) & Occupational Health and Safety Act 74(1)(a)	\$20,000 fine plus \$3,000 victim fine surcharge; Creative Sentence: \$10,000 Donation to Threads Of Life; and \$37,000 bursary / scholarship (NSCC Foundation for students entering OHS certification program)
	Jardine, Carmen	Employee injured when Excavator contacted high voltage overhead wires.	Occupational Health and Safety Act 17 (1) (a) Occupational Safety General Regulations 126 (2)	\$2,000 fine (no victim fine surcharge); Creative sentence: \$2,000 donation to Ministers Public Education Trust Fund;

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				perform four 1 hour safety presentations
	Isnor, Joseph	Failed to complete sentence regarding previous Sentence Order.	Occupational Health and Safety Act 74 (1) (b)(i)	5 days incarceration and creative sentence: 4 one hour presentations re OHS; notification provision re future jobs re height of 3 m or more where fall protection is required
	Isnor, Joseph	Two persons on 2 story roof without any form of fall protection or a written fall protection safe work procedure.	Workplace Health and Safety Regulations 21.2 Workplace Health and Safety Regulations 21.3	5 days incarceration per each count (concurrent) and notification provision re future jobs re height of 3 m or more where fall protection is required
	Isnor, Joseph	At two worksites, multiple workers on roof without any form of fall protection.	Workplace Health and Safety Regulations 21.2	5 days incarceration and notification provision re future jobs re height of 3 m or more where fall protection is required
	Envirosystems Incorporated carrying on business as Atlantic Industrial Services	Employee fell off elevated platform 19 feet onto concrete pavement; fatal injury.	Fall Protection and Scaffolding Regulations 7 (1) (a)	\$10,000 fine plus \$1,500 victim fine surcharge; Donation of \$58,500 to the Public Education Ministers Trust Fund
	Busk, David	Fall from 4 th floor roof, not wearing fall protection; fatal injury.	Occupational Health and Safety Act 13 (1) (a) Fall Protection and Scaffolding Regulations 7 (1)	60 days incarceration (served intermittently) on each count (to run concurrent)
	Acadian Enterprises Limited	Failure to disconnect power before commencing demolition of building; No injury.	Occupational Health and Safety Act 13 (1) (a)	\$6,500 fine plus \$975 victim fine surcharge; Creative sentence: One 1 hour safety presentation
	Isnor, Joseph	At worksite, multiple workers on roof without any form of fall protection.	Workplace Health and Safety Regulations 21.2 (1)	4 months incarceration; Prohibition from working

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				or directing where there is work at height 3 m or more and report all work activity for a 4 month period
	Yarmouth Sea Products Limited	Employee's head struck by fishing gear; serious injury.	Occupational Health and Safety Act 28 (1) (a) Occupational Safety General Regulations 11 Occupational Health and Safety Act 13 (1) (c)	\$10,000 fine, \$1,500 victim fine surcharge; Creative Sentence: Donation of \$25,000 for FSANS re fishing safety work; \$5,000 towards Onboard Familiarization Checklist; 2 presentations for industry
2016/2017	CONVICTION BY SUMMARY OFFENCE TICKET			
	Brinston, Rodney	Failure to submit written Compliance Notice within time specified in an officer's order.	Occupational Health and Safety Act 56 (1)	\$472.50
	Wong, Chiu Wah	Failure to comply with order or direction.	Occupational Health and Safety Act 74(1)(b)(i)	\$822.50
	J.G. Construction Limited	Failure to comply with order or direction.	Occupational Health and Safety Act 74(1)(b)(i)	\$822.50
	Robicheau, Francois	Failure to submit written Compliance Notice within time specified in an officer's order.	Occupational Health and Safety Act 56 (1)	\$468.95
	Murphy, Eric	Failure to comply with order or direction.	Occupational Health and Safety Act 74(1)(b)(i)	\$822.50
	Parker, Joseph	Failure to comply with order or direction. (x 2)	Occupational Health and Safety Act 74(1)(b)(i)	\$822.50 (x 2)
2017/2018	CONVICTION BY TRIAL OR GUILTY PLEA			
	No convictions at this time			

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](http://NOVASCOTIA.CA/LAE/HEALTHANDSAFETY/PUBS.ASP)