Laborer Falls Through Inadequate Guardrail

Two construction companies have been hit with big fines for the death of a laborer who fell through an inadequate guardrail in 2003.

WHAT HAPPENED?

A laborer was spraying oil onto concrete forms on a Brampton, ON, worksite where a seniors' complex was under construction.

The worker had been walking backwards towards the edge of the building when he fell through a three-foot gap in a metal guardrail. The 15-meter (50-foot) fall from the 10th floor to the roof of the fourth floor killed him.

THE INVESTIGATION

A Ministry of Labour investigation found the guardrail did not reach the formwork for the wall. Other locations in the building were also not protected with adequate guardrails. In addition, the ministry found the worker was not wearing a fall arrest harness.

The ministry had issued numerous orders against one company, including a stop work order until the guardrails were installed and approved by a professional engineer. A follow-up inspection found the guardrail installation inadequacies still existed. However, the stop-work order was lifted two days later.

THE PLEA

Paramount Structures Ltd. pleaded guilty of failing to take the reasonable precaution of ensuring the guardrail system met provincial regulations. The company also failed to ensure the guardrail system was installed within 300 millimeters from the edge of a surface to which the worker had access (and was exposed to a fall of more than 2.4 meters).

Toddglen Management Ltd. pleaded guilty to failing to ensure the

worker was adequately protected by a guardrail system that met provincial requirements.

THE FINES

The court fined the two companies $115,000 each and imposed a 25 percent victim fine surcharge as required under the Provincial Offences Act.