

Houston Manufacturer Cited for Failure to Abate Safety Violations Issued \$108,000 in Additional Proposed Fines

OSHA opened an inspection on Jan. 29, 2008 after a worker was electrocuted. A re-inspection of the plant nearly nine months later revealed that four serious and two other-than-serious violations had not been corrected by the company. Serious failure-to-abate violations cited include failure to have a written program for the control of hazardous energy, not installing the required wiring in accordance with OSHA regulations and failing to adequately mark branch circuits to indicate their purpose. The other-than-serious violations that allegedly remain uncorrected include not having a hazard communications program in place and not maintaining required recordkeeping. The initial inspection carried proposed penalties of \$25,500.

[JD Manufacturing Inc., doing business as Arrow Waste, Houston, TX. Release number OSHA-09-322-DAL, April 6, 2009]

How to Avoid Being Prosecuted for OHS Violations

A revealing glimpse into what OHS prosecutors look for when considering charges for workplace injuries and fatalities was offered at the recent Alberta Health & Safety Conference and Trade Fair in Edmonton.

Brian Caruk, acting Chief Crown for Regulatory Prosecutions for Alberta Justice, says OHS prosecutors only need to prove that a

company violated the Occupational Health and Safety Act, regardless of whether the breach was unintentional or not.

“It’s not enough to set out rules for your workers, because you have to enforce them too,” he told his audience. “You are not showing due diligence if you are just going through the motions. You need to explain to your workers why rules exist and what the risks are of not following the rules. Make sure they understand. It’s in everyone’s best interests,” says Caruk.

One risky road for supervisors to follow involves sending safety training materials home for workers to read and sign off on. That’s because some workers aren’t strong readers and may not comprehend the material. A worker’s signature may mean nothing.

Caruk says the courts are increasingly looking at the issue of foreseeability—which means going beyond whether a negative event was not only imaginable, but that there was some reasonable prospect that it could occur. Companies that ignore worker warnings about unsafe conditions or fail to act on near misses won’t have anywhere to hide if serious injuries or fatalities occur.

Following a serious workplace incident, OHS prosecutors will delve deeply into a company’s policies and procedures and training records to ensure that the employer has taken all reasonable and practicable steps to ensure its workers’ health and safety.

Caruk says supervisors need to keep careful records of who has received training, what that training entailed and the dates on which it took place.

It’s vital to ensure that hazards and means of avoiding or minimizing those hazards are clearly spelled out to workers. Caruk spoke about a case where, clearly, that didn’t happen.

An explosion occurred when flammable vapors were sucked into a running engine. The employer claimed it had a rule stating that vehicles had to be kept at least seven meters away from flammable vapors and it produced a diagram from its safety manual which it said explained the rule.

The problem, says Caruk, was that the diagram was vague on the point, referring to several different distances.

He stressed the importance of ensuring that workers follow OHS rules and that those who do not are disciplined. Again, it's vital to document what disciplinary actions were taken on specific dates.

Caruk also recommends that supervisors check references for new hires to ensure that they actually possess the qualifications they claim to have.

How to Avoid Repeat Violations at Multiple Facilities

Find out why companies that have multiple sites are at greater risk of "repeat" OSHA violations, even if those companies generally have exemplary safety records.

How To Avoid Repeat Violations At Multiple Facilities

An OSHA citation is never a good thing. But being cited for a repeat violation is especially serious. In addition to penalties of up to \$70,000 per offense, repeat violations can land you on OSHA's Enhanced Enforcement Program (EEP) hit list and embarrass your company.

Repeat violations don't happen just at companies that don't care about safety. Even companies with exemplary safety records can get hit with repeat violations, especially if they have more than one facility. The reason for this is that OSHA treats all facilities of the same company as a single entity for enforcement purposes. So if one facility gets cited and another facility owned by the company gets cited for the same or similar violation, it's considered a repeat violation-even if the two facilities are in

different states thousands of miles apart!

If your company has multiple sites, you need to keep it from getting hammered for repeat OSHA violations. We'll show you how to do that. There's also a Model Brief in Tools that you can use to educate your facility administrators and mobilize and coordinate their compliance efforts.

What the Law Says

To assess the risk of repeat violations, you first need to understand how OSHA enforces its standards against employers with multiple facilities. The OSHA *Field Inspection Reference Manual*, that is, the guidelines OSHA gives to its inspectors and enforcement agents, sets out different kinds of violations. A repeat violation basically occurs when OSHA cites an employer for the same or "substantially similar" hazardous condition within three years.

Many repeat violations involve citations against the "bad eggs"-the employers who don't care about safety and fail to abate hazards. *Example:* OSHA cites a factory owner for inadequately training workers who handle hazardous materials. The owner brushes it off and makes no changes. A year later, OSHA does a follow-up inspection and discovers the problem still persists. The owner could be cited for a repeat violation.

But it's not always the bad eggs that get hit. Sometimes well-intentioned employers are cited for repeat violations. Things can get especially tricky when a company has more than one facility. That's because substantially similar violations at separate facilities count as repeat violations against the company as long as the two facilities are under the jurisdiction (i.e., legal authority) of the same OSHA Area Office (or in the same state if the facilities are in one of the 21 states that have their own state OSHA plan).

SSOL Says: As a practical matter, OSHA doesn't always follow territorial limits when issuing repeat violations. OSHA checks its national database to see if a company has other facilities outside

the area and whether they've been previously cited for the same or similar violation, attorneys say. If so, OSHA might cite the employer for a repeat violation. If you're not sure which OSHA Regional and Area office your facilities are in, go to: <http://www.osha.gov/html/Ramap.html>.

EEP Raises the Stakes

Avoiding repeat violations has become especially important because of OSHA's EEP. Described by former OSHA Administrator John Henshaw as an effort to "put more tenacity and teeth in" OSHA enforcement, the EEP targets companies with dubious safety records for extra scrutiny and tougher penalties. Being cited for repeat violations is one of the ways a company can get on the EEP hit list.

More precisely, OSHA puts companies with "high gravity" violations on a "targeted employer" list. Repeat violations are considered high gravity. Moreover, if any one facility has a repeat violation, all the other facilities owned by the company end up on the list. This is true even if those other facilities have perfect safety records.

Three Steps to Avoid Repeat Violations

EEP makes it more important than ever for companies with multiple facilities to avoid repeat violations. To do this you must establish and implement a process for communicating and coordinating OSHA compliance efforts. There needs to be a system so that when one facility gets cited for a hazardous condition the administrators of all the other facilities know about it. Administrators can then assess if the same hazards exist at their own facility and, if so, take steps to address them.

Experts suggest using a combination of three methods to coordinate compliance efforts across facilities:

1. Sharing of OSHA Inspection Data. Have each facility administrator forward a copy of any OSHA inspection files and correspondence to corporate headquarters or another central location for distribution to all other facilities. The files should contain inspection notes, photos,

corrective actions and other materials.

2. Creating a Coordinating Committee. Designate a representative from each facility to serve on a joint compliance committee. The committee should meet regularly to report on their respective compliance initiatives and inspection results so administrators know what's going on at all the other facilities.
3. Distributing Reports. Corporate headquarters should create and distribute a monthly report highlighting and summarizing compliance activities at each facility. The report would also summarize the results of any recent inspections or enforcement actions by OSHA.

Brief Facility Administrators

To coordinate OSHA compliance among multiple facilities you must educate facility administrators. You need to explain what you want and expect them to do and why. You can use or adapt the Model Briefing in Tools. Like our model, your Briefing should:

- Explain what repeat violations are and why they're so important to avoid;
- Explain how a violation at one facility counts against other facilities; and
- Describe the measures the company is taking to coordinate compliance efforts and avoid repeat violations.

How to Contest an OSHA Violation

What to do if you think OSHA has unfairly cited you, fined you too much or asked you to take abatement measures that are completely unrealistic.

OSHA issues about 90,000 citations per year. Believe it or not,

some of these citations aren't fair. If you get hit with what you consider to be an unfair citation, you must act fast. You have only 15 working days to file the necessary paperwork. If you make a mistake or miss the deadline, the citation becomes a final order and you lose your chance to contest it. Here's a look at what you need to do to preserve your rights. There's also a Model Notice in the Tools section that you can use if you want to challenge a citation.

The Notice of Contest

The document you must file to challenge an OSHA citation is called a "notice of contest." It lets OSHA know you disagree with the citation and reserve the right to fight it at a later agency hearing. Once you file the notice, the citation is put on hold. That means you don't have to abate, i.e., fix, the alleged violation or pay a fine unless and until a judge orders you to.

In the meantime, you have a breathing space to talk to your lawyers and business partners and plot strategy. If you miss the deadline for filing the notice, you must abate the violation by the date listed on the citation and/or pay the fine if and when OSHA demands payment.

Consider Informal Conference First

When you get the citation you don't have to file the notice of contest immediately. You have the right to meet informally with the OSHA area director and seek to work out a settlement (the director's address and phone number will be listed on the citation). Such conferences often lead to settlements without the need to file the notice and go to a formal hearing.

At the informal conference, you can point out errors in the citation, state your objections, request more time to make corrections or negotiate for a lower penalty. But while the area director has the authority to cut penalties, 20 percent is about the maximum break you can expect. But sometimes the area director will let you pay the proceeds of the penalty directly into your company's health and safety program rather than into the coffers

of OSHA. So this is worth asking about.

Two Caveats

There are a couple of things you need to be aware of regarding the conference. First, the time spent preparing for and attending the informal conference counts toward your 15-day deadline for filing a notice of contest. In other words, you don't get an extension on the deadline for conference-related activities. That means you need to ensure that the conference is scheduled to take place within 15 working days of the citation date. This way, if you can't negotiate a settlement during the conference, you can still file the notice.

The second caveat: Once you file a notice of contest, you can't request an informal conference. So don't file the notice unless you resolve not to pursue negotiation first.

Counting the 15-Day Deadline

The 15-day deadline for filing a notice of contest is strictly enforced. If you miss it, don't expect OSHA to cut you any slack.

According to the OSHA *citation regulations*, you begin counting on the first working day after you get the citation from OSHA. Working days include every day but Saturday, Sunday and federal holidays.

How to Prepare the Notice

First of all, the notice of contest must be in writing. Telling an OSHA employee over the phone or in person that you intend to challenge the citation isn't good enough.

The regulations don't prescribe an exact format; nor are there any specific forms you must fill out. It's okay to write the notice in the form of a letter addressed to the director of your OSHA area office (whose name and address will be listed on the citation). Like the Model Notice in Tools, your notice should:

- Be dated
- List your company name, address and phone number (or that of

the attorney filing the notice on your behalf)

- List the citation number (printed on the top right corner of the citation notice) and date

The body of the letter should spell out exactly what you're contesting. You may contest one or more of the following:

- One or more specific violations
- One or more deadlines for correcting a violation (the abatement dates)
- One or more proposed penalties

You don't have to list your reasons for contesting the violation, deadline or penalty. You'll get the chance to do that later at a hearing.

You should also list the date you got the citation, assuming you received it after the date it was issued. This will clarify when the 15-working days deadline for filing the notice of contest begins running. Sign the letter and list your job title. Attach a copy of the citation to the letter. This will ensure that OSHA suspends the violations, abatement deadlines and/or penalties contested until after a hearing takes place.

How to File the Notice

You can file the notice by mail, fax or personal delivery within the 15-working day deadline. It's a good idea to call the OSHA office after you send the notice and before the deadline expires to confirm that it was received.

The notice only freezes the violations you contest. So if you're cited for three violations and contest only two, the third one remains in effect. Moreover, if you contest only the penalty amount not the abatement date, you still must abate the violation by the deadline listed on the citation.

There's one more rule: You must contest the violation in good faith. Filing a notice just to play for time to avoid fixing a violation or paying a penalty isn't valid.

What Happens Next

Once the OSHA area director gets the notice of contest, assuming it's timely, he or she forwards the case to a review commissioner. The case then goes to a hearing before an Administrative Law Judge.

If you disagree with the Judge's ruling, you can ask for a further review by the Occupational Safety Health and Review Commission (OSHRC). OSHA can do the same if the ruling goes against the agency. OSHRC rulings may be appealed to the U.S. Court of Appeals.

Last but not least, if you're cited by a state agency for a safety violation, you must follow the state procedures for contesting violations. While most states follow procedures similar to OSHA's, you need to check with your attorney or state agency regarding its specific requirements.

Florida Manufacturer Cited for Alleged Willful, Serious Violations

OSHA issued one willful citation for failure to leave an exit door unlocked, despite an earlier warning from local fire officials. Also cited were seven alleged serious safety violations, including storing liquid propane tanks near an exit route and storing too many tanks of the explosive gas inside the building. Other serious violations include alleged electrical hazards, slip and fall hazards, lack of eye protection, lack of a hearing conservation program, amputation hazards and no lockout/tagout program to prevent the unintended startup of machinery. Total penalties of \$64,250 have been proposed.

[*Konie Cups International, Medley, FL*. Release number 08-865-ATL (150), July 1, 2008].

Food Wholesaler Fined \$55,000 for Violations

Food Wholesaler Fined \$55,000 for violations resulting in serious foot injuries to a warehouse worker. The worker, who had just started the job that morning, was learning how to use a power jack when he got his foot pinned between the machine and a steel support beam. The company was fined for not ensuring that the worker practiced on the machine in an open area rather than in an aisle.

[*Lumsden Bros. Ltd.*, MOL Press Release]

Georgia Contactor Cited for Alleged Willful, Serious Violations

OSHA has proposed \$108,000 in penalties against a contractor for two alleged willful instances of failing to protect employees from cave-in hazards in trenches. Five serious violations were also cited. They allege the use of damaged ladders; placement of material too close to an excavation; use of a ladder having insufficient height and failure to properly train workers on the safe use of ladders.

[*Tippins Contracting Co., Marietta, GA*. Release number 09-70-ATL (035), Feb. 3, 2009]

Georgia Peanut Producer Cited for Numerous Alleged Safety and Health Violations

Birdsong Corp. has been cited for 21 alleged serious safety violations, including a lack of machine guards, fall hazards, electrical hazards, a lack of emergency lighting and unmarked exit doors at a plant in Sylvester, GA. Noise hazards were also cited. Proposed penalties total \$88,200. The company was also cited for 14 alleged serious violations at another facility in Blakely, GA after a worker became caught in a conveyor belt and died. The violations at the Blakely plant include a lack of machine guarding, a lack of guardrails and combustible dust hazards. Total proposed penalties of \$49,050 have been issued to Birdsong's Blakely plant.

[Birdsong Corporation's Sylvester and Blakely, GA facilities, Jan. 5, 2010]

Georgia Poultry Processing Plant Cited For Repeat, Serious Violations under Site-Specific Targeting Program

OSHA is proposing total penalties of \$155,000 against a company after conducting an inspection. Four repeat safety violations being alleged include letting employees perform work for which

they were not properly trained, failure to guard machinery, failure to properly label machine disconnects and failure to allow sanitation employees to access lockouts for equipment they were servicing. Serious health and safety violations for which the company was cited include alleged fall hazards, use of damaged electrical cords, no emergency eyewash and shower stations for employees handling corrosive materials, incorrect respirator use, allowing employees to be exposed to particulates above allowable levels, and failure to conduct annual audiograms.

[Kings Delight, Braselton, GA. Release Number 07-863-ATL (174), July 18, 2007]

Grain Grower Facing Willful Violations in Connection with Double Fatality

A farm supply cooperative has been cited for four alleged willful violations in federal health and safety laws after two employees died as a result of becoming engulfed in grain. The violations allege willful failure to train employees to manage hazards associated with special tasks they are assigned and failure to provide a lifeline or alternate means for employees walking or standing on or in stored grain. The other willful charges allege failure to isolate all equipment presenting a danger to employees walking or standing on or in stored grain and allowing an employee to be present in moving grain. Proposed penalties total \$189,000.

[Ray-Carroll County Grain Growers, Carrollton, MO. Release Number 07-1258-KAN, Aug. 15, 2007]

Having Multiple Facilities Can Lead to Repeat Violations

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Hearing Required on Worker's Firing for Use of Medical Marijuana at Work Site

A worker employed by a construction company was working on a project at an aluminum smelter. He had chronic back pain, for which he was legally allowed to use medical marijuana to manage. The worker smoked in designated smoking areas before going to bed, didn't hide his medical marijuana use and regularly discussed his prescription with co-workers. But after a crew supervisor saw him smoking marijuana at the site, he was fired and so filed a disability discrimination complaint. The Human Rights Tribunal refused to dismiss the complaint. The worker's firing was related to his use of medical marijuana at a work site. And he'd told his supervisor that he had a permit to use medical marijuana. So the worker had a reasonable prospect of proving that his firing was discriminatory and thus a hearing was required, concluded the Tribunal.

[[Brown v. Bechtel Canada](#), [2016] BCHRT 170 (CanLII), Nov. 1, 2016]

Heavy Equipment Operator Investigated for OHS Violations

Heavy Equipment Operator Investigated for OHS Violations after an excavation worker was killed during a machinery accident. The roller the worker was driving flipped over and pinned him to the ground.

[Beal and Inch Construction Ltd., Govt. News Release]

Hose Plant Cited for 44 Alleged Safety and Health Violations Issued Nearly \$59,000 in Proposed Fines

Responding to a complaint, OSHA inspected a metal hose manufacturing company and cited 29 serious safety violations, 10 serious health violations and several other-than-serious violations. Serious safety violations alleged by OSHA include fall hazards, tripping hazards, electrical hazards, missing machine guards, operation of forklifts by untrained workers, problems with an overhead crane, no flashback protection for welding equipment and unsafe storage of oxygen and acetylene cylinders. Health violations cited by OSHA allege noise hazards, failure to develop an adequate hazard communication program, a lack of eyewash/shower facilities, no respiratory protection program, inadequate respirator training and incorrect use of respirators. Other-than-serious safety and health violations include alleged failure to maintain required OSHA logs, failure to conduct daily inspections of powered industrial trucks, failure to attach a load rating capacity to storage racks and failure to make first aid treatment

readily available to workers when needed.

[Precision Hose, Stone Mountain, GA, Sept. 18, 2009]

Energy Service Company Charged with OHS Violations

A worker who was loading an all-terrain vehicle (ATV) onto a flat-bed truck was fatally injured when the ATV flipped backwards and pinned him. The company and its officials faces fines of up to \$500,000 plus jail time for OHS charges, which include failing to properly restrain equipment to eliminate dislodgement and failing to ensure that workers wore proper protective headgear.

[Octane Energy Services Corp., Govt. News Release]

Failing to Give Asbestos Training to 11 Workers is One Violation, Not 11?

A Texas owner planned to develop the site of a defunct hospital into residential housing. He knew the buildings contained asbestos. But rather than trained licensed personnel, he used 11 illegal immigrants from Mexico to do the work. He also kept up the work in secret after the city ordered him to stop. When OSHA discovered what was happening, it cited the owner for 29 willful violations, including 11 separate citations for not training the workers and 11 more for not supplying them respirators. The owner

said that he should have been cited for two willful violations, at most. Applying a violation on a per-worker basis was wrong, he argued. OSHRC agreed and counted failing to train and provide respirators as one offense each. OSHA appealed. But the U.S. federal court for the Fifth Circuit threw out the appeal. Not giving workers a respirator is a single offense; theoretically, not providing asbestos training can be a per-employee offense, the court continued, if each worker has different individual needs. But in this case, all 11 workers were basically in the same boat and needed the same kind of training, the court found. So failure to train was a single offense.

[*Chao v. OSHRC*, U.S. App. LEXIS 2979 (5th Cir.)].

Fall Protection Issues Head Up OSHA's Top 10 Violations

Issues involving a lack of fall protection measures were number one on OSHA's Top 10 Violations of 2011 list announced at the recent National Safety Council Congress & Expo.

The Top 10 most frequently cited standards and the number of violations cited were as follows:

Fall Protection (1926.501) – 7,139 Scaffolding (1926.451) – 7,069
Hazard Communication (1910.1200) – 6,538 Respiratory Protection
(1910.134) – 3,944 Lockout/Tagout (1910.147) – 3,639 Electrical –
Wiring Methods (1910.305) – 3,584 Powered Industrial Trucks
(1910.178) – 3,432 Ladders (1926.1053) – 3,244 Electrical –
General Requirements (1910.303) – 2,863 Machine Guarding
(1910.212) – 2,728

Fall Protection Number One on OSHA's Top 10 Violations List

Fall protection issues have topped the list of OSHA's most-cited violations of its standards for 2013, with 8,241 violations cited during the fiscal year running between October 2012 and September 2013.

The number two most-cited violation involved hazard communication, with 6,156 violations recorded, followed by scaffolding violations, numbering 5,423.

The other violations making the top 10 most-cited OSHA standards list were:

1. Respiratory protection: 3,879 violations.
2. Electrical, wiring methods: 3,452 violations.
3. Powered industrial trucks: 3,340 violations.
4. Ladders: 3,311 violations.
5. Lockout/tagout: 3,254 violations.
6. Electrical, general requirements: 2,745 violations.
7. Machine guarding: 2,701 violations.

Fines Levied in Child Labor

A blueberry farm in New Jersey, its owners and a crew leader, have been ordered to pay fines in connection with child labor and migrant worker violations.

The US Department of Labor's Wage and Hour Division investigated Columbia Fruit Farms Inc.'s Hammonton blueberry farm and cited

violations of the Migrant and Seasonal Agricultural Worker Protection Act, including the farm's failure to post housing conditions and ensure housing safety and health. Other citations allege the use of an unregistered crew leader, overcrowding, failure to provide safe transport, failure to ensure drivers were licensed and failure to register employees.

The farm was also cited for employing children under age 12, failure to maintain a record of these minor employees and failure to meet field sanitation requirements under the Occupational Safety and Health Act.

Owners Anthony DiMeo and William DiMeo, along with crew leader Sorel Rinvil, have been ordered to pay \$28,449 plus interest. The owners have also agreed to ensure that any facility or property they own or control that is used for housing migrant agricultural workers complies with federal and state safety and health standards.

Fire Brings Citations for 12 Safety Violations, Along With \$71,000 in Proposed Penalties

OSHA began an investigation after four employees at a plant were hospitalized as a result of a fire that occurred when employees attempted to unclog a machine of carbon black powder and polyethylene pellets. A willful citation was issued for alleged failure to use lockout/tagout control procedures when employees attempted to clear jammed machinery. The company was also cited for 10 alleged serious and one other-than-serious violations.

[*Modern Dispersions South Inc., Fitzgerald, GA.* Release Number 07-1937-ATL (001), Dec. 28, 2007]

Firearms Manufacturers Under Gun for 50 Alleged Violations

OSHA says inspections initiated by its Hartford, CT, office in March revealed numerous hazards, including a cross-section of chemical, electrical and mechanical hazards that could lead to burns, lacerations, amputations, crushing injuries, electrocutions, explosions and lead poisonings among employees. Twenty-five serious and four repeat citations carrying total proposed penalties of more than \$150,000 were issued to Colt Defense, while Colt's Manufacturing was issued 21 serious citations carrying \$71,000 in proposed fines.

[Colt Defense LLC and Colt's Manufacturing LLC, West Hartford, CT. Release Number 07-1324-BOS/BOS 2007-253, Sept. 18, 2007]

Fireproof Door Manufacturer Faces \$382,500 in Proposed Fines For 76 Alleged Health and Safety Violations

Allegations include 14 instances of failing to correct hazards cited in previous OSHA inspections. Employees were allegedly being exposed to potential injury or death from fire, explosion, amputation, electrocution, laceration, chemical burn, noise and crushing hazards.

[Gen-Cap Industries Inc., Bronx, NY. Release Number 07-1817-

First Nation Penalized \$100,000 for Failing to Comply with Environmental Order

After an inspection by enforcement officers at Loon Lake Fine Foods to ensure compliance with the Storage Tank Systems for Petroleum Products and Allied Petroleum Products Regulations, the First Nation was directed to take measures to comply with the regulations, which it failed to do. The First Nation pleaded guilty to failing to comply with an environmental protection compliance order. The court ordered it to pay \$100,000 to the Environmental Damages Fund.

[Makwa Sahgaiehcan (Loon Lake) First Nation, Govt. News Release, Nov. 2, 2016]

Florida Contractor Cited for Alleged Repeat Violations at a St. Petersburg Construction Site

After a worker fell 100 feet from a scaffolding system, an OSHA investigation found that guardrails had not been installed on the scaffolding and that planks used on the scaffolding had not been

installed according to OSHA regulations. OSHA issued two citations with proposed penalties totaling \$56,000 for alleged repeat violations of failing to have a competent person inspect the system for visible defects and failing to install guardrails. The company had been cited for these same two violations in 2004. OSHA also issued two serious citations with proposed penalties of \$9,600 for alleged failure to install planks correctly and alleged failure to train employees to identify and minimize potential hazards.

[*Commercial Plastering, Bradenton, FL*. Release Number 07-172-ATL (028), Feb. 8, 2007]

Employer Fined \$3,000 for Failing to Report Crushing Hand Injury

A worker using a log saw machine had his hand crushed between the log and the stopper arm. His employer pleaded guilty to failing to immediately report to WorkSafeNB an injury that requires or may require hospitalization and was fined \$3,000.

[Les Cèdres Balmoral Ltée, Govt. News Release, Nov. 17, 2016]