

2015-CB-29

For Immediate Release
May 12, 2015

Drewlo Construction Ltd. Fined \$60,000 In Injury to Worker

BURLINGTON, ON – Drewlo Construction Limited of Komoka has pleaded guilty and has been fined \$60,000 for an injury to a worker.

On October 22, 2013, workers were employed at an apartment building project under construction at 100 Plains Road West in Burlington. Three workers were moving 10-foot-long metal crown moulding from a swing stage attached to a 10th-floor balcony.

The workers were able to get the moulding onto the balcony but had difficulty maneuvering them into the apartment because the rooms were full of material, debris and obstruction. They decided to position the moulding through the patio door. One worker stood on the balcony and held the moulding overhead while another went into the apartment and held the other end.

The worker inside the apartment started to walk backward around a stack of drywall sheets that were lying on the floor in the middle of the room; the worker did not see a piece of scrap metal lying on the ground partly stuck under the drywall sheets. The worker's foot got stuck in the scrap metal and the worker fell sideways. The worker sustained a leg fracture.

Section 35(1) of Ontario's Construction Projects Regulation states that waste material and debris shall be removed to a disposal area and reusable material removed to a storage area at least once daily.

Drewlo Construction pleaded guilty in court to failing as a constructor to ensure that the measures and procedures prescribed by law were carried out at the project, contrary to the Occupational Health and Safety Act. The company was fined \$60,000 by Justice of Peace Kenneth W. Dechert in Burlington court.

In a prior incident, the company was convicted in 2005 for failing to ensure that a guardrail system was in place at a construction project. The defendant was fined \$20,000 at the time. There were no injuries in relation to that charge.

In addition to those fines, the court imposed 25-per-cent victim fine surcharges as required by the Provincial Offences Act. The surcharge is credited to a special provincial government fund to assist victims of crime.

For further information:

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Court Information at a Glance

Location:	Provincial Offences Court/Ontario Court of Justice 2051 Plains Road East Courtroom 1 Burlington, Ontario
Judge:	Justice of the Peace Kenneth W. Dechert
Date of Sentencing:	May 12, 2015
Defendant:	Drewlo Construction Ltd. PO Box 6000 Komoka, Ontario
Matter:	Occupational health and safety
Conviction:	Occupational Health and Safety Act Section 23(1) Ontario Regulation 213/91 (Construction Projects Regulation) Section 35(1)
Crown Counsel:	Jai Dhar



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