

2015-CB-44

For Immediate Release
June 24, 2015

Ottawa Landscaping Company Fined \$100,000 in Death of Worker

OTTAWA, ON – Lafleur de la Capitale Inc., a landscaping and property services company, has pleaded guilty and has been fined \$100,000 after a worker was killed in a fall from the ledge of the parking lot ramp of the National Gallery of Canada.

On August 27, 2013, Lafleur workers were attending to the gallery property on Sussex Drive in Ottawa; the company was under contract to perform the work. . A worker was walking up the entrance ramp of the underground parking facility when a car approached the ramp. As the car approached, the worker moved to the side of the inclined entrance ramp. Stepping back, the worker fell backwards about 15 feet to the lower level of the exit ramp on the other side of the entrance ramp. The worker died at the scene as a result of the injuries sustained in the fall.

A Ministry of Labour investigation found that Lafleur de la Capitale failed to do a risk assessment at the worksite to identify hazards related to the work; a proper risk assessment would have identified the hazard of falling along the ramps and at the open side of the flowerbeds. Corrective measures such as fall arrest devices or guardrails would have prevented the fall. Workers had not been provided with fall arrest devices or a fall restraint system when they were at the open side of the flowerbeds and near the walls of the ramp; as such, the employer failed to ensure its workers were protected from the hazard of falling at the worksite.

Lafleur de la Capitale Inc. pleaded guilty to failing to take every precaution reasonable in the circumstances for the protection of a worker, contrary to the Occupational Health and Safety Act, and was fined \$100,000 by Justice of the Peace Louisette Girault in Ottawa court on June 24.

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

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For further information:

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Court Information at a Glance

Location:	Provincial Offences Court/Ontario Court of Justice 100 Constellation Crescent Courtroom 104 Ottawa, Ontario
Judge:	Justice of the Peace Louise Girault
Date of Sentencing:	June 24, 2015
Defendant:	Lafleur de la Capitale Inc. 84 Bayview Road Ottawa, Ontario
Matter:	Occupational health and safety
Conviction:	Occupational Health and Safety Act Section 25(2)(h)
Crown Counsel:	Gráinne McGrath



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