

2014-CB-49

For Immediate Release
November 18, 2014

Samuel, Son & Co., Ltd. Fined \$70,000 After Worker Injured

BURLINGTON, ON – Samuel, Son & Co., Ltd., also known as GO Packaging, has pleaded guilty and has been fined \$70,000 after a worker suffered fractures and other injuries after being caught in machinery.

On June 7, 2013, a worker was learning how to thread multiple strands of plastic strapping material at the company's workplace at 735 Oval Court in Burlington. The worker was participating in peer-to-peer job advancement training with a senior, experienced operator who was also a lead hand. The task involved running four strands of plastic strapping repeatedly back and forth the full distance of the production line to allow the hot, freshly extruded plastic strapping to cool by air.

The trainee worker was instructed to shut down the machine and, while reaching for a side stop control panel near exposed rollers, one hand and forearm became entangled in plastic strapping. As the worker tried to use the other hand, it also became caught.

The lead hand witnessed the event and stopped the machine. Co-workers used a hack saw to cut through the accumulation of strapping material and extricated the worker. The worker suffered bruising, sprains and bone fractures as well as amputation of the tip of one finger. A Ministry of Labour investigation followed.

Samuel, Son & Co., Ltd. pleaded guilty in court to failing to appoint a competent person as supervisor when it appointed the lead hand as the supervisor.

A 'competent person' is defined as a person who is qualified because of knowledge, training and experience to organize the work and its performance; is familiar with the Occupational Health and Safety Act and the regulations that apply to the work; and has knowledge of any potential or actual danger to health or safety in the workplace.

The employer had not made the lead hand familiar with the Occupational Health and Safety Act or the Industrial Establishments Regulation, which applied at the workplace; the lead hand was thus not a competent person as defined by law.

Samuel, Son & Co., Ltd. was fined \$70,000 by Justice of the Peace Eileen Walker in Provincial Offences Court in Burlington. 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.

For further information:

Media contact:

Bruce Skeaff
Ministry of Labour
416-326-7405

Court Information at a Glance

Location:	Ontario Court of Justice 2021 Plains Road East Courtroom #3 Burlington, Ontario
Judge:	Justice of the Peace Eileen Walker
Date of Sentencing:	November 18, 2014
Defendant:	Samuel, Son & Co., Ltd., also known as GO Packaging 2360 Dixon Road, Mississauga (registered office address) Mississauga, Ontario
Matter:	Occupational health and safety
Conviction:	Occupational Health and Safety Act Section 25(2)(c)
Crown Counsel:	Catherine Glaister



[Follow us on Twitter](#)

Disponible en français

www.labour.gov.on.ca