

09-78

For Immediate Release
August 11, 2009

Supermarket Fined \$90,000 After Worker Killed

Toronto, Ont. – Tuong Phat Supermarket, of Toronto, was fined \$90,000 on August 6, 2009, for a violation under the Occupational Health and Safety Act (OHSA) after a worker was killed.

On December 27, 2007, a worker at the Finch Ave. W. store was using a lifting device to move a shopping cart from the main floor to the basement storage area. The device's forks tipped backwards, causing the machine to fall, fatally crushing the worker.

A Ministry of Labour investigation found that there were no written instructions for the safe operation of the lifting device. Verbal instruction did not cover all elements of a comprehensive safety training program.

Tuong Phat Supermarket pleaded guilty, under the OHSA, to failing to ensure the worker was given information and instruction regarding the safe use of a lift truck.

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

-30-

For further information:

Media contact:

Bruce Skeaff
Ministry of Labour
416-326-7405

Court Information at a Glance

Location:	Ontario Court of Justice Old City Hall 60 Queen St. W. Toronto
Judge:	Justice of the Peace Peter M. Gettlich
Date of Conviction:	August 6, 2009
Defendants:	Tuong Phat Supermarket
Matter:	Occupational Health and Safety
Conviction(s):	OHSA, section 25(2)(a)
Crown Counsel:	Tom Schneider

Disponible en français

www.labour.gov.on.ca