

09-88

For Immediate Release  
September 10, 2009

## **Tire Company and Supervisor Fined \$77,500 Total After Worker Critically Injured**

Burlington, Ont. – Lavigne Tire Sales Limited, a retailer and installer of tires in Burlington, was fined \$70,000 on September 9, 2009, for a violation of the Occupational Health and Safety Act (OHSA) after a worker was critically injured. Supervisor Dave Montour was fined \$7,500 in relation to the same incident.

On April 20, 2007, a mechanic was using a tire changing machine to install a tire on a rim. This involved expanding the tire with air until it popped into a groove on the rim. Partway through the installation, the tire exploded. It struck the worker on the head and upper body, causing serious injuries to the head, upper body, jaw and wrist.

A Ministry of Labour investigation found that the air pressure pumped through the tire changing machine during the installation far exceeded the air pressure recommended by both the machine's and the tire's manufacturers.

Lavigne Tire Sales pleaded guilty under the OHSA to failing, as an employer, to ensure the manufacturer's instructions were followed when installing and inflating a tire on a rim. Dave Montour pleaded guilty to failing, as a supervisor, to ensure the same.

The fines were imposed by Justice of the Peace Jerry Woloschuk. In addition to the fines, 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:**

#### **Media contact:**

Bruce Skeaff  
Ministry of Labour  
416-326-7405

Court Information at a Glance

<b>Location:</b>	Ontario Court of Justice 2051 Plains Rd. E., Courtroom 102 Burlington, Ont.
<b>Judge:</b>	Justice of the Peace Jerry Woloschuk
<b>Date of Conviction:</b>	September 8, 2009
<b>Defendants:</b>	Lavigne Tire Sales Limited, Dave Montour
<b>Matter:</b>	Occupational Health and Safety
<b>Convictions:</b>	<a href="#">OHS Section 25(2)(h)</a> , <a href="#">OHS Section 27(2)(c)</a>
<b>Crown Counsel:</b>	Line Forestier



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