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For Immediate Release
July 3, 2009

**Durez Canada Company Limited and Supervisor Fined \$73,000 Total
After Worker Seriously Injured**

St. Catharines, Ont. – Durez Canada Company Limited, a Toronto-based manufacturer of resins and plastics, was fined \$70,000 on June 26, 2009, for violations under the Occupational Health and Safety Act (OHSA) after a worker was seriously injured. A company supervisor, Pat Driver, was also fined \$3,000 in relation to the case on May 1, 2009.

On October 18, 2006, a worker was on the roof of the company's plant in Fort Erie, performing maintenance on lines and equipment used to move steam in the plant. One part of the equipment lay outside the guardrails around the roof. The worker stepped outside the guardrail to perform maintenance tasks and fell 15.85 metres, landing on metal barrels. The worker sustained serious head, arm, leg and hand injuries.

A Ministry of Labour investigation found that proper fall protection measures and procedures were not carried out at the workplace. Also, the worker had not been provided with training and supervision to work safely on a demister pot, and the company had not provided the worker with a safe work procedure to use when working with the demister pot. The investigation also found that a supervisor, Pat Driver, had failed to ensure the worker used the protective devices, measures and procedures prescribed by law.

After trial, Durez Canada Company Limited was found guilty under the OHSA of:

- failing to ensure the worker was provided with adequate fall protection in the circumstances, and
- failing to provide instruction, information and supervision to the worker to protect the health and safety of that worker.

Pat Driver was found guilty under the OHSA of failing, as a supervisor, to ensure the worker used the appropriate fall protection devices, measures, and procedures for the circumstances.

The fines were imposed by Justice of the Peace Mary Shelley. In addition to the fines, 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.

For further information:**Media contact:**

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Court Information at a Glance

Location:	Ontario Court of Justice 71 King St. St. Catharines, ON
Judge:	Justice of the Peace Mary Shelley
Dates of Sentencing:	May 1, 2009 June 26, 2009
Defendants:	Durez Canada Company Limited Pat Driver
Matter:	Occupational Health and Safety
Conviction(s):	Durez Canada Company Limited: Ontario Regulation 851 section 85 OHSa section 25(1)(c) OHSa section 25(2)(a) Pat Driver Ontario Regulation 851 section 85 OHSa section 27(1)(a)
Crown Counsel:	Wes Wilson



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