

09-68

For Immediate Release
July 14, 2009

**Kitchen Manufacturer Fined \$75,000, Supervisors Fined \$10,000 Each
After Worker Killed**

Newmarket, Ont. – Neff Kitchen Manufacturers Limited, of Brampton, was fined \$75,000 on July 7, 2009, for a violation under the Occupational Health and Safety Act (OHSA) after a worker was killed. Two supervisors at Opportunity Labour Agency Services, a Vaughan temporary help agency, were fined \$10,000 each in relation to the incident.

On August 31, 2006, two Opportunity Labour workers stationed at Neff Kitchen were to unload a shipping container that Neff Kitchen had sent to another company. That company's own workers had not been allowed to unload the container because their supervisor deemed the load unsafe. One Opportunity Labour worker went inside the container alone and was cutting the banding around a stack of plywood when the bundle came apart and fell on the worker, pushing him into the side of the container and fatally crushing him.

Neff Kitchen Manufacturers Limited pleaded guilty under the OHSA to failing to ensure that the plywood could be removed without endangering the worker's safety. Two Opportunity Labour supervisors pleaded guilty to not advising the worker of potential or actual danger when unloading the container.

The fine was imposed by Justice of the Peace Karen Walker. 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.

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For further information:

Media contact:

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Court Information at a Glance

Location:	Ontario Court of Justice 465 Davis Drive, T2 Newmarket, ON
Judge:	Justice of the Peace Karen Walker
Date of Conviction:	July 7, 2009
Defendants:	Neff Kitchens Manufacturers Limited, Gajendran Indrakumaran and Thushanthan Ketheeswran
Matter:	Occupational Health and Safety
Conviction:	Neff Kitchens Manufacturers Limited: Ontario Regulation 851, section 45(b)(ii) Gajendran Indrakumaran and Thushanthan Ketheeswran: OHSA, Section 27(2)(a)
Crown Counsels:	Lori Hamilton



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