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For Immediate Release  
June 7, 2013

## **Tolin Enterprises Inc. Fined \$95,000 After Worker Killed on Residential Construction Site**

TORONTO, ON – Tolin Enterprises Inc. of King City, a general construction contracting business which employs workers directly as well as subcontracts with trades, was fined \$95,000 after a worker was killed by a falling steel beam.

Workers employed by a sub-contractor, CAM Construction, were on the residential construction site at Bob Yuill Drive in Toronto on February 14, 2011 and installing a structural steel beam when workers stopped to check the beam. A worker, using a ladder, was checking to see if the beam was level; the worker lost balance, grabbed the beam and fell to the ground. The beam then fell and struck the worker, who sustained a fatal injury.

Tolin Enterprises pleaded guilty to failing, as an employer, to ensure that the structural steel beam, as a part of the project, was adequately braced to prevent any movement that could affect its stability or cause its failure or collapse. The law requires employers to take the measures needed for safety and ensure that structures, including temporary ones, are braced.

The fine was imposed by Justice of the Peace Janice Stiff. 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.

In a previous prosecution, the direct employer of the deceased worker, CAM Construction, pleaded guilty to the offence of failing, as an employer, to take all reasonable precautions in the circumstances and specifically to failing, as an employer, to provide a safe installation procedure for the installation of an overhead structural steel garage beam to protect a worker. CAM was fined \$12,500.

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### **For further information:**

#### **Media contact:**

Matt Blajer  
Ministry of Labour  
416-326-7405

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Court Information at a Glance

<b>Location:</b>	Provincial Offences Court 1530 Markham Road Courtroom E10 Toronto, ON
<b>Judge:</b>	Justice of the Peace Janice Stiff
<b>Date of Sentencing:</b>	June 3, 2013
<b>Defendant:</b>	Tolin Enterprises Inc.
<b>Matter:</b>	Occupational Health and Safety
<b>Conviction:</b>	Ontario Regulation 213/91 Construction Projects Section 31(1)(b) Occupational Health and Safety Act Section 25(1)(c)
<b>Crown Counsel:</b>	Jamie Chiang Brian Fukuzawa



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