

S

CANADA
PROVINCE OF ONTARIO
PROVINCE DE L'ONTARIO

West
Region / Région

Information of
Dénonciation de:

Domenico Iacobellis

Employment and Social Development Canada

Health and Safety Officer.

(occupation / profession)

The informant says
Le dénonciateur

that he/she believes on reasonable grounds that
déclare qu'il a des motifs raisonnables de croire

(1) that
que

7506406 Canada Inc.

on or about the 31 day of May in the year yr 2013, at the

of de Mississauga, ONTARIO in the said region
dans ladite région

City of

- 1) On or about May 31, 2013, 7506406 Canada Inc. failed to ensure employee safety, contrary to Section 124 of the *Canada Labour Code* Part II, by failing to train Donald Mark Filliter in accordance with COM 2.4 "Direct Entry Captain, thereby committing an offence under Subsection **148(1)** of the *Canada Labour Code*, Part II.
- 2) AND Further that On or about May 31, 2013, 7506406 Canada Inc. failed to ensure employee safety, contrary to Section 124 of the *Canada Labour Code* Part II, by failing to train Donald Mark Filliter in accordance to COM 2.4 "Direct Entry Captain, resulting in the death of Donald Mark Filliter and Jacques Dupuy, thereby committing an offence under Subsection **148(2)** of the *Canada Labour Code*, Part II.
- 3) AND Further that On or about May 31, 2013 7506406 Canada Inc. failed to ensure employee safety, contrary to Section 124 of the *Canada Labour Code* Part II, by failing to provide pilots with a means to enable them to maintain visual reference while operating at night, thereby committing an offence under Subsection **148(1)** of the *Canada Labour Code*, Part II.
- 4) AND Further that On or about May 31, 2013 7506406 Canada Inc. failed to ensure employee safety, contrary to Section 124 of the *Canada Labour Code* Part II, by failing to provide pilots with a means to enable them to maintain visual reference while operating at night under, resulting in the death of Donald Mark Filliter and Jacques Dupuy and thereby committing an offence under Subsection **148(2)** of the *Canada Labour Code*, Part II.

- 5) And further that On or about May 31, 2013 7506406 Canada Inc. failed to ensure employee safety, contrary to Section 124 of the *Canada Labour Code* Part II, by permitting Donald Mark Filliter and Jacques Dupuy to pilot an aircraft contrary to the company's "Green-on-Green" Policy, thereby committing an offence under Subsection **148(1)** of the *Canada Labour Code*, Part II.
- 6) And further that On or about May 31, 2013 7506406 Canada Inc. failed to ensure employee safety, contrary to Section 124 of the *Canada Labour Code* Part II, by permitting Donald Mark Filliter and Jacques Dupuy to pilot an aircraft contrary to the company's "Green-on-Green" Policy, resulting in the death of Donald Mark Filliter and Jacques Dupuy and thereby committing an offence under Subsection **148(2)** of the *Canada Labour Code*, Part II.
- 7) AND FURTHER that On or about May 31, 2013 7506406 Canada Inc. failed to ensure that supervisors and managers had knowledge of the *Canada Labour Code* Part II and the requirement of the Employer to protect the general health and safety of the employees, contrary to Paragraph 125.(1)(z) of Part II of the *Canada Labour Code*, thereby committing an offence under Subsection **148(1)** of the *Canada Labour Code*, Part II.
- 8) AND FURTHER that On or about May 31, 2013, 7506406 Canada Inc. failed to ensure the health and safety of its employees, contrary to Section 124 of the *Canada Labour Code* Part II, by permitting pilots to fly the S-76A helicopter without adequate training in the operation of that specific aircraft, thereby committing an offence under Subsection **148(1)** of the *Canada Labour Code*, Part II.
- 9) AND FURTHER that On or about May 31, 2013 7506406 Canada Inc. failed to ensure the health and safety of its employees, contrary to Section 124 of the *Canada Labour Code* Part II, by permitting pilots to fly the S-76A helicopter without adequate training in the operation of that specific aircraft, resulting in the death of Donald Mark Filliter and Jacques Dupuy, thereby committing an offence under Subsection **148(2)** of the *Canada Labour Code*, Part II.
- 10) AND FURTHER that On or about May 31, 2013, 7506406 Canada Inc. failed to provide adequate supervision for daily flight activities at Moosonee, in contravention of section 125.(1)(q) of the *Canada Labour Code* Part II, thereby committing an offence under Subsection **148(1)** of the *Canada Labour Code*, Part II.
- 11) AND FURTHER that On or about May 31, 2013, 7506406 Canada Inc. failed to provide adequate supervision for daily flight activities at Moosonee, in contravention of Subsection 125.(1)(q) of the *Canada Labour Code* Part II, resulting in the death of Donald Mark Filliter and Jacques Dupuy, thereby committing an offence under Subsection **148(2)** of the *Canada Labour Code*, Part II.
- 12) AND FURTHER that On or about May 31, 2013, 7506406 Canada Inc. failed to ensure this safety of its employees by failing to adequately consult with the Work Place Health and Safety Committees on policies and procedural changes that affected the employees, contrary to section 125(1)(Z.09), of the *Canada Labour Code*, Part II, thereby committing an offence under Subsection **148(1)** of the *Canada Labour Code*, Part II.

- 13)AND FURTHER that on or about May 31, 2013, 7506406 Canada Inc. failed to ensure this safety of its employees by failing to adequately consult with the Work Place Health and Safety Committees on policies and procedural changes that affected the employees, contrary to section 125(1)(Z.09), of the *Canada Labour Code, Part II*, resulting in the death of Donald Mark Filliter and Jacques Dupuy, thereby committing an offence under Subsection **148.(2)** of the *Canada Labour Code, Part II*.
- 14)AND FURTHER that On or about May 31, 2013, 7506406 Canada Inc. failed to ensure the health and safety of its employees, contrary to Section 124 of the *Canada Labour Code Part II*, by permitting an aircraft to be flown by a pilot with insufficient experience in night operations, thereby committing an offence under Subsection **148(1)** of the *Canada Labour Code, Part II*.
- 15)AND FURTHER that On or about May 31, 2013, 7506406 Canada Inc. failed to ensure the health and safety of its employees, contrary to Section 124 of the *Canada Labour Code Part II*, by permitting an aircraft to be flown by a pilot with insufficient experience in night operations, resulting in the death of Donald Mark Filliter and Jacques Dupuy, thereby committing an offence under Subsection **148(2)** of the *Canada Labour Code, Part II*.
- 16)AND FURTHER that on or about May 31, 2013, 7506406 Canada Inc. failed to ensure the health and safety of its employees, contrary to Section 124 of the *Canada Labour Code Part II*, by permitting an aircraft to be flown by a pilot whose Pilot Proficiency Check on the S-76 helicopter was incomplete, thereby committing an offence under Subsection **148(1)** of the *Canada Labour Code, Part II*.
- 17)AND FURTHER that On or about May 31, 2013, 7506406 Canada Inc. failed to ensure the health and safety of its employees, contrary to Section 124 of the *Canada Labour Code Part II*, by permitting an aircraft to be flown by a pilot whose Pilot Proficiency Check on the S-76 helicopter was incomplete, resulting in the death of Donald Mark Filliter and Jacques Dupuy, thereby committing an offence under Subsection **148(2)** of the *Canada Labour Code, Part II*.

(Long Form - One or More Accsd.
Formule intégrale - Un ou plusieurs acc.)

No. of Information/N° de la dénonciation
Return Date of Summons/Sommission rapportée le yr./an

INFORMATION Against/DÉNONCIATION visant

ADDRESS
ADDRESS

CHARGE/ACCUSATION

<input type="checkbox"/> Summons Sommission	<input type="checkbox"/> Warrant Mandat	<input type="checkbox"/> Arrest Arrestation
<input type="checkbox"/> Reportable M.V. Offence (H.T.A. 184) Rapport V.M. (Code de la route 184)		
C.V.O.R. No. (Commercial Vehicles Only) Numéro v.u.r.o. (véhicules utilitaires seulement)		
Sex Sexe M	Birth Date/Date de naissance Day/Jour 15	Month/Mois 06
		Year/Année 1965
		Was defendant owner? Le défendeur était-il propriétaire? Yes Oui
No Non		
Driver's Licence Number/Numéro du permis de conduire		
Plate No./Numéro de plaque		
<input type="checkbox"/> Involves an Accident Infraction reliée à un accident		
Informant Dénonciateur		
Date Sworn Date d'assermentation		
Officer Agent de police	No. N	
Div. Div.	Dist. Dist.	
Courtroom/Salle d'audience		
At/A		