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For Immediate Release
February 2, 2009

PASSAW LIMITED FINED \$60,000 AND SUPERVISOR FINED \$10,000 AFTER WORKERS INJURED

TIMMINS, Ont. – Passaw Limited, a local haulage, fencing and mine rehabilitation company, was fined \$60,000 on January 29, 2009, for a health and safety violation, after two workers were injured. Supervisor Jason Passaw was also fined \$10,000 in relation to the same incident.

On February 14, 2007, the company was contracted to work at a mine in South Porcupine. A mechanic's helper and a general labourer were replacing a broken wheel stud on an off-road vehicle. They were removing the wheel when the rim split and the tire exploded. Both workers were injured.

Passaw Limited was found guilty under the Occupational Health and Safety Act (OHSA) and fined \$30,000 for failing, as an employer, to inform, instruct and supervise the workers in the safe removal of an energized rubber tire with a multi-piece wheel. The company was also convicted and fined \$30,000 under the OHSA for failing, as an employer, to ensure a device was used to prevent injury to a worker whenever work is being performed on an energized tire with a multi-piece wheel.

Jason Passaw was found guilty and fined \$5,000 for failing, as a supervisor, to take the reasonable precaution of providing a safe procedure to a worker for removing an energized rubber tire with a multi-piece wheel. He was also convicted and fined \$5,000 under the Act for failing, as a supervisor, to ensure that a worker used a device to prevent injury when working on an energized rubber tire with a multi-piece wheel.

The fines were imposed by Justice of the Peace Alex Spence in the Ontario Court of Justice, Timmins. In addition to the fine, the court also 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:

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Court Information at a Glance

Location:	Ontario Court of Justice 38 Pine St., N. Timmins, Ontario
Judge:	Justice of the Peace Alex Spence
Date:	January 30, 2009
Defendants:	Passaw Limited and Jason Passaw
Matter:	Occupational Health and Safety Act
Crown Counsel:	Catherine Glaister

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