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For Immediate Release
April 21, 2009

**DAVID J. CUPIDO CONSTRUCTION LIMITED FINED \$52,000
FOR FAILING TO PROTECT WORKERS FROM ASBESTOS**

KINGSTON, Ont. – David J. Cupido Construction Limited, a Kingston company, was fined \$52,000 on April 16, 2009, for a violation under the Occupational Health and Safety Act (OHSA), after workers were exposed to asbestos.

On May 22, 2007, workers started construction in a building at 1211 John Counter Boulevard in Kingston when material was discovered that contained asbestos.

A Ministry of Labour investigation found that workers were exposed to asbestos and that David J. Cupido Construction Limited failed to take the reasonable precaution of checking for the presence of asbestos in the building before starting work at the site. Under the OHSA, employers must ensure no work is done that may disturb material that may contain asbestos.

David J. Cupido Construction Limited pleaded guilty under the OHSA for failing to take every precaution reasonable in the circumstances for the protection of workers, in this case, failing to check to determine the presence of asbestos before commencing work.

The fine was imposed by Justice of the Peace R. Sculthorpe. 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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Ministry of Labour
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Court Information at a Glance

Location:	Ontario Court of Justice 79 Wellington Street, Kingston, Ontario
Judge:	Justice of the Peace R. Sculthorpe
Date of Conviction:	April 16, 2009
Defendants:	David J. Cupido Construction Limited
Matter:	Occupational Health and Safety
Conviction(s):	OHS section 25(2)(H)
Crown Counsel:	Melanie Shulman



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