
News Release



Workplace Health, Safety and Compensation Commission of New Brunswick

For Immediate Release

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Grocery Store Fined \$2,400 after Delivery Person's Hand caught in Conveyor

Saint John, NB: On December 18, 2003 Drosts Supermarket Ltd. of Bath, NB, was fined \$2,000 plus a \$400 Victim Surcharge for failing to provide a guard on a conveyor belt in the store, which caused an Atlantic Coca-Cola employee to sustain serious and permanent injuries.

On June 8, 2001 an Atlantic Coca-Cola Bottling employee was helping store staff move cases of stock to the basement storage area using a powered conveyor belt. There was a quarter-inch gap at the bottom of the conveyor belt where it joined a series of unpowered rollers. The Atlantic Coca-Cola Bottling employee reached over to remove a case of stock that got jammed in the gap. As he did so, his hand became caught by the conveyor and his fingers were pulled into the gap.

An investigation by officers of the Workplace Health, Safety and Compensation Commission concluded that the conveyor was not properly guarded. The Regulations under the *Occupational Health and Safety Act* require that conveyors and other equipment that can cause this type of injury be guarded to eliminate the potential of having employee's clothing or limbs drawn into the equipment. As a result of the WHSCC investigation, Drosts Supermarket was charged with failing to guard the conveyor as required. Drosts Supermarket Ltd. entered a not guilty plea and the matter was set down for trial.

Drosts Supermarket was found not guilty of the offence at a Provincial Court trial in Woodstock on November 18, 2002. The Crown filed an appeal, which was heard on October 6, 2003, where the Court of Queen's Bench overturned the finding of not guilty and imposed a finding of guilty. The matter was remitted to Provincial Court for sentencing.

WHSCC reminds workplaces that the *Occupational Health and Safety Act* (OHS Act) and its regulations, provides specific requirements for working with many types of machinery, including proper guarding. These requirements are in place to help prevent accidents.

Information on these requirements, the *OHS Act* and Regulations, as well as other information on workplace safety, can be accessed from the Commission's website at www.whscc.nb.ca

ABOUT THE WHSCC

The WHSCC administers no-fault workplace accident and disability insurance for employers and their workers, funded solely through assessments on employers. The WHSCC is committed to the prevention of workplace injuries and accidents through education and the enforcement of the *Occupational Health and Safety Act*.