

October 13, 2010

URGENT MESSAGE FROM SID RYAN:

### **HUGE VICTORY FOR LABOUR MOVEMENT IN PREVENTING WORKPLACE DEATHS**

We have just received word that for the very first time in Ontario, Criminal Code charges under Bill C-45 provisions, are being laid against the company responsible for the tragic Christmas Eve deaths of four migrant workers. It is historic.

The OFL's "Kill a Worker, Go to Jail" campaign which was our response to the tragedy has had real repercussions for employers in this province. Finally, they will be forced to take the issue of worker safety to heart, now that they have something very real to lose. Unlike the *Health and Safety Act*, individuals found guilty under the Criminal Code can receive life sentences of up to 20 years.

What we know so far is that the following charges will be laid: 4 counts of criminal negligence causing death; 1 count of criminal negligence causing bodily harm. Charges have been laid against Joel Swartz, owner of Metron Construction Corporation; the corporation itself; Vadim Kazenelson, Project Manager of the site, and others who we will identify as soon as we have the information.

Since the four workers died, the OFL and its affiliates have kept this issue at the forefront, making the demand for the use of Westray C-45 a top priority. Our collective hard work and dedication to securing a change in the grim yearly statistics of worker deaths and injuries have paid off.

Let's take a moment to congratulate ourselves and to remember once again the workers who died Dec. 24, 2008. We pay tribute once again to Fayzullo Fazilov, 31, of Uzbekistan; Aleksey Blumberg, 33, of Ukraine; Alexander Bondorev, 25, originally from Latvia; and Vladimir Korostin, 40, originally from Uzbekistan, all of whom were tragically killed, as well as Dilshod Marupov, 21, the lone survivor who suffered broken legs and a shattered spine.

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And finally we must remember the 26 miners who died in 1992 when the Westray Coal Mine in Plymouth, Nova Scotia exploded. It was their deaths that led to the USW's victory in securing this all-important Criminal Code provision that was signed into law March 2004. This is their legacy to us. The amendments marked a significant shift in the liabilities of companies.

We are in process of sending out a media release now which will soon be available on our web site: [www.ofl.ca](http://www.ofl.ca).

In solidarity,

**PATRICK (SID) RYAN**  
President

PR/LS/ph:cope343