

Hospital Fined \$10,000 After Workers Became Ill, December 8, 2009

Burlington, ON - Joseph Brant Memorial Hospital Corporation, Burlington, was fined \$10,000 on December 8, 2009, for a violation under the Occupational Health and Safety Act (OHSA) after workers became ill.

On April 30, 2008, Joseph Brant Memorial was informed that a patient who had just been admitted to the hospital had been in contact with scabies, a highly contagious skin rash caused by microscopic mites. The next day, the hospital's infection control manager implemented a scabies surveillance protocol at the hospital. Hospital workers reported skin rashes from late May to late July 2008. During July, two workers were diagnosed with scabies and lost time from work.

On July 22, 2008, the Ministry of Labour learned about the scabies outbreak from local media and investigated.

Joseph Brant Memorial Hospital Corporation pleaded guilty under the OHSA of failing, as an employer, to notify the Ministry of Labour within four days of being advised by, or on behalf of, a worker that the worker had an occupational illness.

The fine was imposed by Justice of the Peace Lina Mills. In addition to the fine, the court also imposed a 25-per-cent victim fine surcharge, as required by the Provincial Offences Act. The surcharge is credited to a special provincial government fund to assist victims of crime.

Court Information at a Glance

Location:

Ontario Court of Justice

2051 Plains Road East, Court Room 1

Burlington, Ont.

Judge: Justice of the Peace Lina Mills

Date of Conviction: December 8, 2009

Defendants: Joseph Brant Memorial Hospital Corporation

Matter: Occupational Health and Safety

Conviction: OHSA, Section 52(2)

Crown Counsel: Alexandra Bednar