

CANADIAN EXECUTIVES TO BE HELD CRIMINALLY RESPONSIBLE FOR EMPLOYEE SAFETY

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For The Benefit Of Our Clients, Associates and Friends

Canada's Parliament has enacted a new Bill, C-45, that now holds employers criminally responsible for protecting their employees' safety.

The new Bill will allow the government to take criminal actions, not only against the organization, but also directors, officers and Corporate decision makers. The penalties range from fines to the maximum penalty for an individual convicted of criminal negligence which is life imprisonment.

The broadening of the terms of who has a legal duty may extend the law to new levels including foremen and lead persons.

The new Bill, passed in November, is similar to rules enacted in Britain and Australia. The Department of Justice states that it will bring "criminal negligence charges against employers and those who undertake or have the authority to direct how others work or perform tasks, who failed to take reasonable measures to protect employees and public safety".

The new rule also covers fraud and crimes against the environment.

A plain language guide to the law can be reviewed on the internet at <http://canada.justice.gc.ca/en/dept/pub/c45/index.html>