



STOP THE **KILLING**  
**ENFORCE** THE LAW

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# Bill C-45 establishes new OHS Duty

## OHS Duty – s. 217.1

Every one who undertakes, or has the authority, to direct how another person does work or performs a task is under a legal duty to take reasonable steps to prevent bodily harm to that person, or any other person, arising from that work or task

# **Enforce the Westray Amendments to Canada's Criminal Code**

**WHEREAS** it has been more than two decades since the Westray mine disaster in Nova Scotia and a decade since amendments were made to the Criminal Code of Canada to hold corporations, their directors and executives criminally accountable for the health and safety of workers; and

**WHEREAS** police and prosecutors are not utilizing the Westray amendments, and not investigating workplace fatalities through the lens of criminal accountability; and

**WHEREAS** more than 1,000 workers a year are killed at work

**THEREFORE BE IT RESOLVED** that this Council support a campaign to urge our provincial/territorial government, specifically the Attorney-General and Labour Minister, to ensure that:

- Crown attorneys are educated, trained and directed to apply the Westray amendments;
- Dedicated prosecutors are given the responsibility for health and safety fatalities;
- Police are educated, trained and directed to apply the Westray amendments;
- There is greater coordination among regulators, police and Crowns so that health and safety regulators are trained to reach out to police when there is a possibility that Westray amendment charges are warranted.



A group of people are walking on a wet street during a rainstorm. In the foreground, a man in a blue hooded raincoat is holding a pole for a white banner. The banner has the text "NO MORE WESTRAID" in large, bold, red capital letters. To his left, another man in an orange hooded raincoat is walking. Behind them, several other people are visible, some wearing raincoats and others holding umbrellas. The background shows a residential street with houses, trees, and a white van parked on the side. The sky is overcast and grey.

**NO MORE WESTRAID**

UNITED STEELWORKERS  
**USW**  
DISTRICT 6

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