Fatal Bear Attack Brings Charges Against Employer



If your company sends its workers into areas where they may encounter potentially dangerous wildlife, here's a heads up: occupational health and safety charges could be laid if one of your employees is killed by a wild animal.

A Yellowknife, NT – based company is facing five OHS charges laid by the Yukon Workers' Compensation Health and Safety Board after a grizzly bear killed a worker.

Quebec resident Jean-François Pagé, 28, was fatally mauled by a mother grizzly bear while staking mining claims about 200 kilometers north of Whitehorse in April 2006. He was within five meters of a bear den occupied by two bear cubs when the attack occurred.

Pagé had contacted two co-workers by radio, saying he had seen a bear, but contact was soon lost. His coworkers then called for help.

Mark Hill, director of social marketing and communications for the board, noted that none of the charges are related to the animal's behavior. Asked if the incident should be a wakeup call for companies employing workers in wilderness areas, Hill said, "Anytime a worker gets injured or killed, those are wake-up calls to ensure that everybody is doing everything they can to avoid those kinds of tragedies in the future."

Aurora Geosciences of Yellowknife is facing charges of:

- Failing to ensure that equipment and processes under the employer's control were safe and without risks to health,
- Failing to ensure that work procedures were adopted and used that will prevent or reduce the risk of occupational illness and injury,
- Failing to ensure that workers were given necessary instruction and training and were adequately supervised, taking into account the nature of the work,
- Failing to ensure that workers were made aware of hazards in the work, and
- Failing, as a supervisor, to ensure that the worker uses or wears the equipment and protective devices required under the Workers' Compensation Act or by the nature of the work.

The Board is not commenting on specifics of the case before the court trial, except to say that the charges stemmed from a detailed investigation. The charges have drawn some criticism, such as this comment by John Witham, President of the Yukon Chamber of Mines: "You cannot regulate the behavior of wild animals."

In response, Hill reiterated that none of the charges relates to the bear's behavior.