

# Sharp rise in official workplace deaths in Canada as thousands go unreported

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The national day to commemorate workplace deaths in Canada was marked late last month on April 28. For those directly affected, and their families, friends and co-workers, the day can provide a meaningful opportunity to reflect on what has been lost. For government ministers and their lackeys in the leadership of the trade union bureaucracies, it is merely a day to wear coloured ribbons, fly flags at half-mast and give sombre but hollow speeches at public ceremonies.

In 1991, the federal government gave the occasion official status in legislation through the Workers Mourning Day Act, which stated that “it is desirable that Canadians should designate a day of mourning to remember workers killed, disabled or injured in the workplace,” and that “Canadians seek earnestly to set an example of their commitment to the issue of health and safety in the workplace.”

The law makes no commitments and advances no measures to address the ongoing carnage beyond remembering, once a year, the ever-increasing toll of victims of the capitalist system.

However, the act does make it quite clear that the Day of Mourning “is not a legal holiday or a non-judicial day and shall not be required to be kept or observed as such.” In other words, the Canadian government has accorded the commemoration of what is, on average, the deaths of three workers every day as much gravity and solemnity as National Fiddling Day or National Philanthropy Day.

The facade of concern from official circles for the lives and well-being of workers is betrayed by the actual numbers. According to the latest available statistics from the Association of Workers’ Compensation Boards of Canada, workplace injuries increased by 9 percent from 253,397 in 2020 to 277,225 in 2021. Officially, 1,081 workers were killed on the job in the latter year. This marked an astonishing increase of 16 percent from the total of 924 in 2020 and a significant increase on the yearly average of 945 since 2009.

As outrageous as these numbers are, they only represent approved claims compiled by Workers Compensation

Boards across the country and do not include uncompensated claims, those exempt from coverage or cases such as stress-induced suicides or commuting fatalities.

In fact, at least 2 million workers in Canada are not even covered by a public workers’ compensation system. These include farmers, the self-employed and gig workers, among others. Given that deaths occur which do not meet a compensation board’s criteria for inclusion, plus the large number of workers who are simply overlooked, studies suggest that the real number of annual direct work-related deaths across Canada is more realistically over 10,000.

It should be no surprise that the death and injury toll has increased so dramatically in the last few years in light of the huge pressures put on working people by the relentless drive by the ruling class to maximize profit and reduce costs at any expense. The working class has been driven to exhaustion and desperation through the imposition of forced overtime in many industries and the constant threats of layoffs and cutbacks in others, all while trying to survive the renewed assault of inflation on what were already decades of declining standards of living.

A major source of workplace injury and death since 2020 has been the ruling elite’s “profits before life” response to the COVID-19 pandemic. In Ontario, the burden of proof to even be considered for compensation due to a COVID-19 infection is on the employee and of a degree that makes it extremely difficult to establish.

Specifically, the Ontario Workplace Safety and Inspection Board stipulates: “For a COVID-19 claim to be allowed, evidence must show that the person’s risk of contracting the disease through their employment is greater than the risk to which the public at large is exposed and that work significantly contributed to the person’s illness.”

Except for nurses, first responders and personal support workers, under very particular circumstances, the chances of a worker proving on-the-job infection are near impossible. It is certain that thousands of COVID-19 infections and an enormous number of the more than 50,000 dead in Canada can be attributed to workplace exposure. The number of

workers forced to work throughout the initial limited lockdowns due to their categorization as “essential” was expansive.

Added to this is the fact that only 40 percent of workers, and just 10 percent among low earners, have access to paid sick leave. The simple economic pressure of having to pay the bills means people work while infected. A study conducted in 2020–2021 in Peel Region in Ontario found that one-quarter of employees went to work while experiencing symptoms, and 1 percent went to work even after testing positive for COVID-19.

As evidence of their supposed efforts to protect workers on the job, the pro-war, pro-austerity Trudeau Liberal government and its backers in the trade union bureaucracy and New Democratic Party point to Bill C-45, also known as the Westray Law. This law was added to the Criminal Code of Canada in 2004 to establish criminal liability of organizations for workplace deaths and injuries.

The law is named for the 1992 Nova Scotia coal mine disaster that killed 26 miners. It took 12 years for a law to be enacted to address a future situation like the blatant disregard for the lives of workers demonstrated by Westray’s owners and supervisors. Nobody from Westray was ultimately convicted of any crime, in spite of repeated complaints about safety issues in the lead-up to the disaster.

Between 2004 and 2022, the criminal code provisions have rarely been used. Of the 23 cases where the Westray Law was applied, charges of criminal negligence were brought against 17 individuals and 13 corporations. Only two individuals and seven corporations were convicted. In only one case was a prison sentence imposed, for three-and-a-half years. In the other eight cases, punishment ranged from about \$100,000 to approximately \$2.5 million in fines and fees. In that same time, at least 16,000 workers were officially killed on the job across the country, with the real toll undoubtedly much higher.

Just two weeks before this year’s National Day of Mourning was observed, an episode unfolded in criminal court that epitomizes the contempt the capitalist ruling class and its judicial system have for the lives of the working class.

As the *World Socialist Web Site* reported earlier this year, Patrick Poitras, 25, of Saint-André, New Brunswick, drowned in a frozen tailings pond at the Suncor base mine about 30 kilometres north of Fort McMurray, Alberta, on January 13, 2021. He had been operating a bulldozer on the frozen pond when the ice beneath gave way and the vehicle fell through.

Suncor and Christina River Construction, which were facing a combined 28 charges, pleaded guilty to a single count each under the Alberta Occupational Health and

Safety Act in the death of Poitras. Both parties submitted to an agreed statement of facts read into the record in Fort McMurray Provincial Court. Suncor admitted that the required measurements done on the ice had indicated it was too thin to bear the weight of the bulldozer Poitras was operating. Christina River pleaded guilty to a count that specifies a contractor’s duty to not create a risk to the health and safety of any person.

After all the other charges were withdrawn, a joint submission for sentencing was accepted by the court. A total judgment of \$745,000 was levied in combination against the two companies. Christina River Construction has been ordered to pay a total of \$325,000. Of that, \$200,000 will go to fund the creation of a memorial scholarship and a memorial safety award in Patrick Poitras’s name, \$75,000 will be used to subsidize safety courses and the remaining \$50,000 will serve as a fine.

Suncor has been ordered to pay a total of \$420,000. Of that total, \$50,000 will likewise serve as a fine, and the remaining \$370,000 will be used to help fund research into engineering safety and risk management. But it was the fact that the dangers of the work environment in the oil sands were already so well known that led to the laying of 28 charges in the first place.

Suncor is notorious for the lax attitude to safety that has resulted in the deaths of at least 12 workers at its oil sands facilities in northern Alberta since 2014. With more than \$27 billion in gross profits last year, the piddling fine imposed by the court will have zero deterrence value on the brutal practices of the oil sands giant.

It is the very nature of the capitalist profit system, and the state apparatus that supports it, which values the acquisition of private wealth above the health and safety of individual workers, communities, and the entire planet that leads to the daily slaughter in workplaces across the country. It is only through the fight to put an end to capitalism and establish workers’ power that this virtually uninhibited slaughter will be brought to an end.



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