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TTC fined in worker's death

Published on Wednesday May 07, 2008

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The Toronto Transit Commission has been fined \$200,000 for breaking provincial workplace safety laws in the death of a subway worker.

Antonio (Tony) Almeida, 38, was killed in April 2007 while working with a crew removing asbestos from a tunnel on the Yonge subway line near Eglinton station.

He's survived by his wife, Sonya, and two children: Ryan, 9, and Hailey, 6.

Almeida was driving a flatbed work car at the time. A movable work platform was not retracted when the car started to move.

The projecting platform struck a bundle of cables on the wall, and then hit the wall of an electrical room in the tunnel.

The impact lifted the platform from its moorings until it struck the tunnel, forcing the unit backwards to where Almeida was stationed. He was struck and killed. Several other members of the 11-man crew were seriously injured.

The TTC pleaded guilty yesterday before Mr. Justice Robert Bigelow to a charge of failing to take every reasonable precaution for the protection of the worker.

In addition to the \$200,000 fine, the TTC must pay \$50,000 into a fund to assist victims of crime.

Sonya Almeida was still dazed after attending the sentencing.

"Nothing's going to bring him back – \$200,000, it's nothing, but even if they had to pay \$2 million it makes no difference," she said. "He's not coming back."

She has struggled to cope with both the emotional upheaval of her husband's death, and with the hard practicalities of life.

"My son went into his (own) room three days ago; he hasn't been in his room for the last year," she said.

"He wouldn't sleep in his room. He's afraid of everything. Now he's starting to do a couple of things, but for the past year, just dealing with those kind of issues has been crazy."

Almeida, who had been at home with the children for seven years, had to go back to work, selling make-up and skin care products.

She's also learning to drive. "I've been relying on friends and neighbours for the past year."

Almeida's death came when the TTC was coming to terms with a 2006 accident in which eight members of a tunnel maintenance crew were overcome by carbon monoxide. The accidents have set in motion a complete overhaul of TTC safety practices, chairman Adam Giambrone said yesterday.

In December, the TTC hired a U.S. consulting firm, Behavioral Science Technology, to reduce injuries and reshape the safety culture at the commission. The firm was also retained by NASA after the space shuttle Challenger blew up in 1986.

The TTC lost nearly 21,000 workdays due to injury in 2007 – up from just over 15,000 in 2002.

Chief general manager Gary Webster said in an interview that the accident has had a deep impact on other members of Almeida's crew. They organized a memorial service in the tunnel on the anniversary of Almeida's death.

"Fifteen members of Tony's crew showed up at 5 a.m. at the Lytton Blvd. exit" where the accident occurred, Webster said.

"We lit candles and had a quiet time, and some guys shared their thoughts about Tony," he said. "It was amazing to see these guys one year after the incident, and how affected they are still."

Giambrone said the TTC's safety culture is in the process of changing and the change will take time. Behavioral Science Technology's contract is for three years. Its goal is to reduce accidents by 40 to 60 per cent; results will determine its fee.