

Who Should Workers' Comp Charge for Crane Operator's Death?



A crane operator was killed trying to lift a communication tower. The question: Against which company's experience account should workers' comp charge the loss—Procrane, the victim's employer or Westtower, the company that hired Procrane? *Both* sides were negligent and equally responsible for the accident, said the Appeals Board. Neither company met CSA crane standards. Westtower gave Procrane an inaccurate estimate of the weight to be lifted; and Procrane didn't do enough to protect an employee operator. The court found the Board's ruling reasonable and upheld allocating the loss to both companies equally [*Procrane Inc. (c.o.b. Sterling Crane) v. Alberta (Appeals Commission, Alberta Workers' Comp.)*, [2012] A.J. No. 55, Jan. 16, 2012].