SAFETY FOCUS — APRIL 2026

Eyes on the Road. Mind on the Job.

April is Distracted Driving Awareness Month

Eyes on the Road. Mind on the Job.
Spring is here. The days are longer. The roads are busier. And across Canada, workers are back behind the wheel, on the forklift, and in the yard.

April is Distracted Driving Awareness Month, and this year, we want to talk about something that goes beyond the road. Distracted driving is not just a traffic issue. It is a workplace safety issue. And the consequences of getting it wrong follow you well past the roadside ticket.

Whether your team drives company vehicles, operates forklifts, moves equipment through a yard, or manages workers who do any of these things, this newsletter is for you. Read it. Post it. Keep it on file.

BECAUSE THE LAW IS WATCHING.
AND SO IS THE MINISTRY.

> *"We observe April 28 not to feel sad. We observe it to feel responsible."*

A Moment to Remember — April 28

Before we go further, we want to pause.
April 28 is Canada's National Day of Mourning. It is the day we remember every worker who did not come home. Every family changed forever by a workplace tragedy. Every injury that could have been prevented.

We do not observe this day to feel sad. We observe it to feel responsible. To look at our workplaces with honest eyes and ask: is everyone here safe today?

Wear your black and yellow ribbon on April 28. Observe the moment of silence at 11:00 a.m. And let the memory of those we have lost be the reason we do this work well.

Legal Update — Know the Law

What You Need to Know Right Now

New convictions. Expanded enforcement. Employer liability.

Distracted driving laws apply on public roads. But courts have now confirmed they also apply inside your facility.

THE WAREHOUSE CONVICTION

In a landmark case, two forklift operators at a warehouse were convicted under occupational health and safety legislation for using their cell phones while operating forklifts. No accident had occurred. No one was hurt.

> *"No accident had occurred. No one was hurt. They were convicted anyway."*

They were convicted anyway, because the court found that using a cell phone while operating a forklift creates inattention and distraction that may endanger themselves or others. The court applied the same legal standard used for distracted driving on public roads directly to equipment operation inside a warehouse.

The message is clear: if it is unsafe to use a phone while driving a car, it is unsafe to use a phone while operating any powered equipment. **Your policy must reflect this. Your signage must reflect this. And your supervisors must enforce it.**

ROAD ENFORCEMENT NUMBERS

In 2024, nearly 50,000 distracted driving charges were laid in one province alone — a 21 percent increase from the year before. This is not occasional enforcement. This is a sustained campaign.

Fine & Penalty Schedule

1st *Up to $1,000 fine + 3 demerit points + 3-day licence suspension*

2nd *Up to $2,000 fine + 7-day licence suspension*

3rd *Up to $3,000 fine + 30-day licence suspension*

⚠ *Careless driving: up to $2,000 + possible jail time*

⛔ *Dangerous driving causing death: criminal offence, up to 14 years imprisonment*

EMPLOYER LIABILITY

If a worker causes an accident while using a company-issued device, the employer is **directly liable.** If the worker was using a personal device for work purposes, the employer is vicariously liable.

Under legislation passed in 2025, Ministry inspectors can now issue financial penalties directly, without court prosecution. Penalties can be applied faster and more broadly than ever before.

CORPORATE & PERSONAL PENALTY CAPS (2025)

🏢 Corporations: up to $2,000,000 per offence

👤 Directors & Officers: up to $1,500,000 personally

Case Study — R. v. Urgiles, Ontario 2025

This Is What Happens When We Look Away

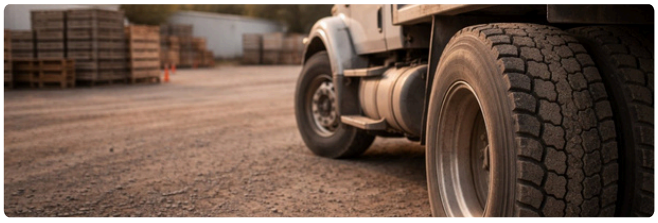
A real case. A real sentence. Every warning sign your supervisors need to recognise.

R. V. URGILES — NEAR ALLISTON, ONTARIO — SENTENCED FEBRUARY 2025

Denis Garant was 53 years old. He had been on the job for just over one week. He was a dump truck driver, and on the evening of September 21, 2020, he sent his supervisor a text message. The steering on his truck, he said, "cuts in and out."

His supervisor, Milton Urgiles, received the message. He did not call a mechanic. He did not take the truck out of service. He did not conduct an inspection. He sent Garant his assignment for the next morning and went to bed.

The following day, while driving near Alliston, the front left tire of the truck exploded. The vehicle veered across oncoming traffic and struck a tree. Denis Garant was killed instantly.



A post-accident examination found the tires were bald and in serious disrepair. Expert evidence confirmed the truck should never have been on the road.

Milton Urgiles was convicted of criminal negligence causing death. In February 2025, he was sentenced to five years in federal prison — the harshest sentence for workplace negligence in Canadian history.

> *"One text message became the centrepiece of a criminal trial."*

Documentation cuts both ways. Make sure yours works in your favour.

Supervisor Checklist — Could This Happen in Your Workplace?

Post this. Use it. File it as a due diligence record.

☐	Do your drivers complete a documented pre-trip inspection before every shift?	☐	Is there a written policy prohibiting cell phone use while operating any vehicle or powered equipment?
☐	Is there a written procedure for reporting vehicle or equipment defects?	☐	Is that policy posted, communicated, and enforced?
☐	When a worker reports a defect, is there a required documented response before the vehicle returns to ser vice?	☐	Do your supervisors understand their personal legal duty to act on safety concerns raised by workers?
☐	Are maintenance concerns escalated to a qualified mechanic before the vehicle goes back on the road?	☐	Are your maintenance records current, complete, and accessible?

Completed by: Date: Location:

ACTION PLAN — TAKE THESE STEPS THIS MONTH

What You Can Do This Month

Five actions. No cost. Real protection.

April is the right time to look at your driving and equipment operation practices with fresh eyes. Here are five things you can do before the end of the month.

1 **Review your distracted driving policy.**
If you do not have one that covers both road vehicles and powered equipment inside your facility, now is the time to create one.

2 **Post your cell phone prohibition.**
Signage in warehouses, yards, and vehicles communicates your policy and supports your due diligence defence if an incident occurs.

3 **Confirm your pre-trip inspection process.**
Every driver, every shift, every vehicle. The record must be signed and filed.

4 **Create a defect reporting and response procedure.**
When a worker reports a safety concern, the supervisor's response must be documented. Every time.

5 **Talk to your team this month.**
A five-minute toolbox talk about distracted driving and pre-trip inspection requirements costs nothing. The alternative can cost everything.

Stay Safe This April

Spring is a season of fresh starts. Let this one include a fresh look at how your team operates every vehicle, every piece of equipment, and every powered machine on your site.

The cases in this newsletter are real. The sentences are real. The fines are real. And the families left behind by workplace tragedies are real.

But so is the difference that a documented policy makes. So is the difference that a signed inspection form makes. So is the difference that a supervisor who picks up the phone and calls a mechanic makes.

The road ahead is safer when everyone on your team is eyes on the road, mind on the job.

Warm regards,
In safety and accountability,
OMHAS Solutions Inc.

If your workplace does not yet have a distracted driving policy, a pre-trip inspection procedure, or a defect reporting process, **OMHAS can help you build them.** These are not complicated documents — but they are the difference between due diligence and criminal negligence. Contact us. We are here.

April 28 — Day of Mourning

Wear your black and yellow ribbon. Observe the moment of silence at **11:00 a.m**. Remember why we do this work.

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