

CN Rail fined \$100K in DC man's death

CN Rail has been fined \$100,000 over the death of a Dawson Creek man in 2012.

Judge Brian Daley handed down the fine in Fort St. John provincial court on March 24 along with a two-year probation order, after the company was found guilty last year of failing to ensure that employee health and safety was protected.

Bryan Giesbrecht, a 30-year-old conductor, was killed while working on a railway line north of Fort St. John, when a fuel tanker derailed and rolled over him on Nov. 28, 2012.

Crown prosecutors had argued that workers had complained about the signage prior to the accident.

"We would like to again express our condolences to the family of Bryan Giesbrecht," CN spokeswoman Kate Fenske said in a statement.

a derail sign on the tracks warning Giesbrecht and others about the danger was inadequate, and that the documentation surrounding the warning signs were also not up to standards.

A CN Rail timetable given to Giesbrecht indicated only one derail location on the remote section of railway he was working on late that night, and not of the second location further up the line, prosecutors argued.

CN lawyers argued the company did everything reasonable to ensure the health and safety of Giesbrecht, and that no other

"We are reviewing our options."

The maximum penalty for an offence under the Canadian Labour Code that results in death or serious injury is a \$1 million fine.

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