

**Section 1**

**Reporting Month Statistics – Quick Overview**

Reporting Month	Fatalities	Critical Injuries	Total
April 2016	1	7	8

**Provincial Coordinator’s Comments**

**May 2016 PLMHSC Meeting**

As we move away from the frigid temperatures in winter, it is easy to feel good about life. It is almost instinctual to be happier with the warmer temperature and the increased light of spring.

Although this is a more relaxing time for outside workers it can also be a time of greater risk of injury. Increased water content of soils can make them far more unstable, and this, coupled with standing water on the ground increase the chances of slips and falls, as well as uncontrolled skids with vehicles driving through construction areas.

We had our first fatality this year with respect to workers working on an active roadway; and, a serious collapse of a structure within the city of Toronto. These incidents are neither isolated nor are they individually connected to each other. But they are symptomatic of our need to always be vigilant with respect to the hazards and the risks that workers face every day on the job.

Beginning on May 16 the ministry of labour across all regions will be undertaking its first 2-month blitz of the year. This blitz will be targeting “ falls from heights” on construction projects and our inspectors will be looking for: appropriate work planning; training in both working at heights and the site-specific training required in using the fall protection system at a project; the proper use, configuration and inspection of fall protection systems; the use of guardrails, where appropriate; the correct configuration of travel restraint systems; and, the use of adequate attachment or anchor points.

This is a no tolerance blitz, and we will be tracking the number of tickets, prosecutions and orders that are issued. MOL inspectors have been instructed to hold accountable the workplace party that is directly and most responsible. For example, if an employer is failing in their duty, our enforcement efforts will be directed primarily at the employer. If a worker is non-compliant, despite receiving training, supervision and being provided the necessary equipment, then that worker should expect to receive a ticket personally.

Inspectors will continue to make appropriate enforcement decisions, however despite our combined efforts over the past 30 years, falls from height remains the single most likely hazard that causes critical injuries, and is a substantial risk for fatalities in construction.

I am hopeful, given the nature of the hazard and the fact that we have appropriate training, safety equipment and supervision in the industry, that this will be a time to change a long-term trend and to make a substantial impact in workplace health and safety.

Let’s all work together to make this the safest year on record.

*Mike Chappell*

Provincial Coordinator  
Construction Health and Safety Program

## **Section 2**

### **MOL Current Events**

- 2016-2017 Inspection Blitzes and Initiatives  
<http://www.labour.gov.on.ca/english/resources/blitzschedule.php>
- Safe At Work Ontario Annual Report - Results for April 2014 - March 2015 (20 April 2016)  
<http://www.labour.gov.on.ca/english/hs/sawo/report/index.php>
- Small Business Health and Safety Checklist  
<http://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/FormDetail?OpenForm&ACT=RDR&TAB=PROFILE&SRCH=&ENV=WWE&TIT=1960&NO=1960E>
- Working at Heights Training (content reviewed March 2016)  
[http://www.labour.gov.on.ca/english/hs/topics/heights.php?utm\\_source=molwebsite&utm\\_medium=banner&utm\\_content=spotlights\\_EN&utm\\_campaign=WorkingAtHeights](http://www.labour.gov.on.ca/english/hs/topics/heights.php?utm_source=molwebsite&utm_medium=banner&utm_content=spotlights_EN&utm_campaign=WorkingAtHeights)
- Replacing Your Roof (content reviewed March 2016)  
[http://www.labour.gov.on.ca/english/resources/roofing.php?utm\\_source=molwebsite&utm\\_medium=banner&utm\\_content=spotlights\\_EN&utm\\_campaign=RoofingPilot](http://www.labour.gov.on.ca/english/resources/roofing.php?utm_source=molwebsite&utm_medium=banner&utm_content=spotlights_EN&utm_campaign=RoofingPilot)
- **Steps for Life**: April 30, May 1 and May 7
- **North American Occupational Safety & Health (NAOSH) Week**: May 1-7, 2016
- **Emergency Preparedness Week**: May 1-7, 2016
- Alert: Elevating Work Platform Crushing Hazard (April 2016)  
<http://www.labour.gov.on.ca/english/hs/pubs/alerts/a36.php>
- Proposed Changes Affecting the Control of Hazardous Substances under the Occupational Health and Safety Act (April 2016)  
<http://www.labour.gov.on.ca/english/about/consultations/oels/index.php>
- Alert: Tire Explosion – Pyrolysis (March 2016)  
<http://www.labour.gov.on.ca/english/hs/pubs/alerts/a34.php>

**Section 3**

**Case 1**

Def #1:

Christopher W. King c.o.b. as King Flooring Installations

Charges:

[1] THAT Christopher W. King, Leo Lake Rd, Seeleys Bay, Ontario, K0H 2N0, on or about the 27th day of October 2014, in the Town of Gananoque, in the East Region, in the Province of Ontario, did commit the offence of hindering obstructing, molesting or interfering with or attempting to hinder, obstruct, molest or interfere with an inspector in the exercise of a power or the performance of a duty under the Occupational Health and Safety Act, R.S.O. 1990, c.O.1, as amended, or the regulations, contrary to section 62(1) of the Occupational Health and Safety Act, R.S.O. 1990, c.O.1, as amended.

Conviction Information

Date of Trial: February 3, 2016

Facts in Support of Guilt:

On October 23, 2014, a worker, SF, was doing floor installation work for the defendant at a residential construction project located at King St. E, Gananoque, Ontario. Mr. F was using an unguarded table saw to cut pieces of laminate flooring when suddenly the saw jammed and Mr. F's left hand went forward and made contact with the saw blade. Mr. F sustained a critical injury to the left hand, namely the complete severing of the middle finger and severe cuts to the index and ring fingers.

During the course of an investigation by the Ministry of Labour, the defendant provided, on October 27, 2014, incorrect information to the inspector, including: the worker took it upon himself to do the flooring work; the worker had been on site for just 7-8 days; Mr. King had been present at the worksite earlier on the day of the incident. As such, the defendant committed the offence of hindering/interfering or attempting to hinder/interfere with an inspector in the exercise of a power or the performance of a duty under the *Occupational Health and Safety Act*, contrary to section 62(1) of the *Occupational Health and Safety Act*.

Sentencing Information

Date of Sentence: February 3<sup>rd</sup>, 2016

Sentence: \$5,000.00

Sentencing Factors:

- Size of Company/Scope of Economic Activity:

Extremely small business reporting less than \$15,000 income per year

Case 2

Def #1:

Pachecos Contractors Limited

Def #2:

1010360 Ontario Inc. c.o.b. G-Tel

Charges:

**(1) Pachecos Contractors Ltd., Perkins Road, London, Ontario, N6L 5N5, on or about July 10, 2014, in the Town of Simcoe, in the Central South Region, in the province of Ontario, did commit the offence of failing, as a constructor, to ensure that the measures and procedures prescribed by section 183 of Ontario Regulation 213/91, were carried out on a project undertaken by the constructor at Miller Crescent, Simcoe, Ontario, contrary to section 23(1)(a) of the Occupational Health and Safety Act, R.S.O. 1990, c.O.1 as amended.**

**Particulars: The defendant failed to locate by physically exposing the energized underground power line prior to commencing directional boring and excavation.**

**(2) 1010360 Ontario Inc. c.o.b. as G-Tel, Frances Street 2nd Floor, London, Ontario, N5W 5N5, on or about the 10th of July, 2014, in the Town of Simcoe, in the Central South Region, in the province of Ontario, did commit the offence of failing, as an employer, to ensure that the measures and procedures prescribed by section 228(1)(b) of Ontario Regulation 213/91 were carried out on a project located at Miller Crescent, Simcoe, Ontario, contrary to section 25(1)(c) of the Occupational Health and Safety Act, R.S.O.1990, c.O.1 as amended.**

**Particulars: The defendant failed to accurately locate and mark the energized underground power line.**

Conviction Information

Date of Trial: December 10<sup>th</sup>, 2015 - Pachecos

February 18<sup>th</sup>, 2016 – G-Tel

Pachecos Facts:

On July 10, 2014, a worker employed by the defendant was using a Vermeer Horizontal Directional Driller (the “Driller”) to bore and excavate an underground route for an upgraded hydro power line that was to be installed at a project undertaken by the defendant at Miller Crescent, Simcoe, Ontario.

Prior to commencing directional boring and excavation with the Driller, GTel, an underground utility locate service, provided the defendant with utility locate drawings and painted locate markings on the ground.

However, the defendant failed to physically expose the existing energized underground power line prior to commencing directional boring and excavation with the Driller. The Driller subsequently hit the energized underground power line located approximately 1.5 meters east from the painted locate markings as well as the locate drawings provided by G-Tel. The contact caused the power line to fault, which resulted in a temporary blackout in the local neighborhood until such time as the situation was rectified by the defendant. No persons were injured.

G-Tel Facts:

The defendant made utility locate drawings and painted locate markings on the ground (“locates”) with respect to an energized underground power line at a project located at Miller Crescent, Simcoe, Ontario. The defendant provided the locates to Pachecos Contractors Ltd. (“Pachecos”), a company in the business of underground directional boring and excavation. On July 10, 2014, Pachecos used the locates to conduct underground drilling work at the project. However, the locates provided by the defendant were off target by approximately 1.5 meters.

As a result, and also because Pachecos failed to physically expose the existing energized underground power line prior to commencing directional boring and excavation, the power line was struck. The contact caused the power line to fault, which resulted in a temporary blackout in the local neighbourhood. No persons were injured.

Sentencing Information

Date of Sentence:                    December 10<sup>th</sup>, 2015 - Pachecos  
   February 18<sup>th</sup>, 2016 – G-Tel

Sentence:                                #1 - \$25,000.00 - Pachecos  
   #2 - \$12,500.00 – G-Tel

Case 3

Def #1:

Legal Name Daniel Lane

Operating Name: HomeSeal Insulation

Charges

Def #1:

1) Daniel Lane c.o.b. as HomeSeal ,on or between the 1st day of August, 2014, and the 3rd day of August, 2014, at the Town of Gananoque, in the East Region, in the Province of Ontario, did commit the offence of failing, as an employer, to ensure the measures and procedures prescribed by section 11 of Ontario Regulation 278/05 were carried out at a workplace located at Steel Street, Gananoque, Ontario, contrary to section 25(1)(c) of the Occupational Health and Safety Act, R.S.O. 1990, c.O.1 as amended.

2) AND FURTHER THAT, Daniel Lane c.o.b. as HomeSeal, on or between the 1st day of August, 2014, and the 3rd day of August, 2014, at the Town of Gananoque, in the East Region, in the Province of Ontario, did commit the offence of failing, as an employer, to ensure the measures and procedures prescribed by section 13 of Ontario Regulation 278/05 were carried out at a workplace located at Steel Street, Gananoque, Ontario, contrary to section 25(1)(c) of the Occupational Health and Safety Act, R.S.O. 1990, c.O.1 as amended.

3) AND FURTHER THAT, Daniel Lane c.o.b. as HomeSeal, on or between the 1st day of August, 2014, and the 3rd day of August, 2014, at the Town of Gananoque, in the East Region, in the Province of Ontario, did commit the offence of failing, as an employer, to ensure the measures and procedures prescribed by section 15 of Ontario Regulation 278/05 were carried out at a workplace located at Steel Street, Gananoque, Ontario, contrary to section 25(1)(c) of the Occupational Health and Safety Act, R.S.O. 1990, c.O.1 as amended.

4) AND FURTHER THAT, Daniel Lane c.o.b. as HomeSeal, on or between the 1st day of August, 2014, and the 3rd day of August, 2014, at the Town of Gananoque, in the East Region, in the Province of Ontario, did commit the offence of failing, as an employer, to ensure the measures and procedures prescribed by section 18 of Ontario Regulation 278/05 were carried out at a workplace located at Steel Street, Gananoque, Ontario, contrary to section 25(1)(c) of the Occupational Health and Safety Act, R.S.O. 1990, c.O.1 as amended.

5) AND FURTHER THAT, Daniel Lane c.o.b. as HomeSeal, on or between the 1st day of August, 2014, and the 3rd day of August, 2014, at the Town of Gananoque, in the East Region, in the Province of Ontario, did commit the offence of failing, as an employer, to ensure the measures and procedures prescribed by section 20 of Ontario Regulation 278/05 were carried out at a workplace located at Steel Street, Gananoque, Ontario, contrary to section 25(1)(c) of the Occupational Health and Safety Act, R.S.O. 1990, c.O.1 as amended.

6) AND FURTHER THAT, Daniel Lane c.o.b. as HomeSeal, on or between the 1st day of August, 2014, and the 3rd day of August, 2014, at the Town of Gananoque, in the East Region, in the Province of Ontario, did commit the offence of failing, as an employer, to post, in the workplace, a copy of the Occupational Health and Safety Act, R.S.O. 1990, c.O.1 as amended, and any explanatory material prepared by the Ministry of Labour, both in English and the majority language of the workplace, outlining the rights, responsibilities and duties of workers, at a workplace located at Steel Street, Gananoque, Ontario, contrary to section 25(2)(i) of the said Act.

7) AND FURTHER THAT, Daniel Lane c.o.b. as HomeSeal, on or between the 1st day of August, 2014, and the 3rd day of August, 2014, at the Town of Gananoque, in the East Region, in the Province of Ontario, did commit the offence of failing, as an employer, to prepare and review at least annually a written occupational health and safety policy and develop and maintain a program to implement that policy, contrary to section 25(2)(j) of the Occupational Health and Safety Act, R.S.O. 1990, c.O.1 as amended.

8) AND FURTHER THAT, Daniel Lane, on or between the 1st day of August, 2014, and the 3rd day of August, 2014, at the Town of Gananoque, in the East Region, in the Province of Ontario, did commit the offence of failing, as a supervisor, to ensure that a worker works in the manner and with the protective devices, measures and procedures required by section 15 of Ontario Regulation 278/05 at a workplace located at Steel Street, Gananoque, Ontario, contrary to section 27(1)(a) of the Occupational Health and Safety Act, R.S.O. 1990, c.O.1 as amended.

9) AND FURTHER THAT, Daniel Lane, on or between the 1st day of August, 2014, and the 3rd day of August, 2014, at the Town of Gananoque, in the East Region, in the Province of Ontario, did commit the offence of failing, as a supervisor, to ensure that a worker works in the manner and with the protective devices, measures and procedures required by section 18 of Ontario Regulation 278/05 at a workplace located at Steel Street, Gananoque, Ontario, contrary to section 27(1)(a) of the Occupational Health and Safety Act, R.S.O. 1990, c.O.1 as amended.

Conviction Information

Date(s) of Trial: January 14, 2016

Disposition:

Conviction on Count(s): #1,#2, #3, #4, #5, #6, #7, #8, #9

Facts in Support of Conviction:

On two separate dates in August 2014, Daniel Lane, along with at least one worker he hired, attended a residential home in Gananoque to remove asbestos-containing insulation from the 1500 square foot attic. While the removal was being done with a large vacuum system, the work area was not separated and sealed off from the rest of the home, and no decontamination facilities were in place to prevent the spread of dust. The work area was not identified with any signs warning of an asbestos dust hazard, no protective clothing was worn by the workers, who were in jeans and t-shirts, and containers for the dust and waste were not dust tight or identified as asbestos waste. Respirators worn by the workers were not fit-tested and workers were not trained on the use of these respirators. The Ministry of Labour had not been notified about the asbestos removal work, which is required under the regulations. Lane also did not have a copy of the Occupational Health and Safety Act posted, nor was there a written Health and Safety policy for the workplace.

The homeowner had been told by Lane that the asbestos removal work was being done in accordance with the Ministry of Labour regulations, and that Lane was certified to perform this work, neither of which was true; Lane had not completed the required training for asbestos work. The homeowner was present in the home along with two friends during part of the removal.

A Ministry of Labour investigation, carried out jointly with the Ministry of the Environment and the Kingston Police Force, was started when two separate incidents of illegal dumping were reported to the Kingston Police. The interagency framework was in already in place due to the prevalence of illegal asbestos removal and dumping in the Kingston area. At the two locations, investigators found thirteen large vacuum bags, each measuring five to six feet in length and weighing several hundred pounds, that had been dumped on private property. These bags were full of asbestos-containing insulation, were not properly sealed, and had no markings to warn the public about the contents. Through the cooperation of many local businesses and individuals, enough information was received by the investigators to connect these bags of asbestos-containing insulation back to Daniel Lane.

Sentencing Information

Date of Sentence: January 14, 2016

\$ 5, 000 per count for a total \$45,000

30 days jail concurrent on all counts



**Section 4**

**Fatality & Critical Injury Year-to-Date Overview - Construction Sector**

	<b>2016</b> 1 January – 30 April 2016	<b>2015</b> 1 January – 30 April 2015 comparison with same time period last
<b>Fatalities</b>	2	4
<b>Critical Injuries</b>	30	39

*\* NOTE: These figures represent preliminary data, and are not to be considered official statistics from the Ministry of Labour. Official statistics will be issued quarterly by the Program Analysis, Evaluation and Outcomes Unit of the Occupational Health and Safety Branch of the Ministry of Labour.*

**REPORTING MONTH: 1 – 30 April 2016 Monthly Summary Report**

**April 2016 Fatalities (1)**

*NOTE: Data are subject to change due to updates in the enforcement database. Only events reported to the ministry are included here. Except for fatalities, event categories in the ministry's data set are based on what was assigned at the time of the initial report to the ministry. The reported event category may not represent what actually occurred at the workplace.*

By Sector	<ul style="list-style-type: none"> <li>• 1: Highway &amp; Road Construction (ROAD)</li> </ul>
Brief Summary  NOTE: These entries are in ascending date order (i.e. 1st to 31st) not sector order. See Section 5 for additional entry details.	<ul style="list-style-type: none"> <li>• Struck by vehicle</li> </ul>

**April 2016 Critical Injuries (7)**

*NOTE: Data are subject to change due to updates in the enforcement database. Only events reported to the ministry are included here. Except for fatalities, event categories in the ministry's data set are based on what was assigned at the time of the initial report to the ministry. The reported event category may not represent what actually occurred at the workplace.*

By Sector	<ul style="list-style-type: none"> <li>• 2: Apartment &amp; Other Multiple Housing (RESM)</li> <li>• 1: Single Family Housing (RESS)</li> <li>• 1: Institutional Building Construction (INST)</li> <li>• 1: Excavation (EXCA)</li> <li>• 1: Industrial Building Construction (IND)</li> <li>• 1: Highway &amp; Road Construction (ROAD)</li> </ul>
Brief Summary	<ul style="list-style-type: none"> <li>• Worker fell off a scaffold (approximately 7 ft); arm injured.</li> <li>• Worker exiting truck while on jobsite was hit by passing pickup truck; multiple injuries.</li> <li>• Worker was pulling out form work and the form caught the back of the workers leg/foot; leg injury.</li> <li>• Worker tripped over exposed steel banding frozen in earth and fell; lost consciousness.</li> <li>• Worker was on a step ladder - found unconscious; multiple injuries.</li> <li>• Worker was on crane when it fell approx. 82 ft; multiple injuries.</li> <li>• Worker struck by vehicle; multiple injuries.</li> </ul>

**Section 5**

**Fatality & Critical Injury Year-to-Date Summaries\*- Construction Sector**

\*All new entries (current month and reconciled data) appear in **bold**.

NOTE: Some detail will inevitably be missing from the PLMHSC Report. The document is intended to provide an initial overview, not a comprehensive report. Annual data reporting approved by the Director should be used by stakeholders if they wish to see all data available to the Ministry related to an event.

**Fatalities Year-to-Date Summary (1 January to 30 April 2016):**

**Total Year-to-Date Fatalities: 2**

Note 1: Ages will be included when available.

Note 2: Reconciled data appears in bold

#	Date of Incident	Region	Sector	Occupation	Details (as reported to MOL)
1	23-Mar-16	Eastern	tbd	Worker	Ice from an excavation wall fell on a worker.
<b>2</b>	<b>25-Apr-2016</b>	<b>Eastern</b>	<b>ROAD</b>	<b>Worker</b>	<b>Worker struck by vehicle.</b>

**Critical Injuries Year-to-Date Summary (1 January to 30 April 2016):**

**Total Year-to-Date Critical Injuries: 30**

Note 1: Ages will be included when available.

Note 2: Reconciled data appears in bold

#	Date of Incident	Region	Sector	Occupation	Details (as reported to MOL)
1	05-Jan-16	Central East	INST	Worker	Worker fell 4 metres from scaffold, sustain broken leg.
2	09-Jan-16	Central East	INDU	Worker	Worker fell while installing new commercial oven chimney. Struck head – loss of consciousness
3	14-Jan-16	Central West	RESS	Worker	Worker fell 7 metres from scaffold, loss of consciousness & broken pelvis
4	18-Jan-16	Central East	RESS	Worker	Worker struck by material that fell of a truck, sustained broken leg.
5	20-Jan-16	Central East	RESM	Worker	Worker jumped from malfunctioning swing stage, sustained broken leg.
6	20-Jan-16	Western	COMM	Worker	Worker struck by material – loss of consciousness.
7	20-Jan-16	Eastern	RESM	Worker	Worker fell > 1 meter – broken leg and loss of consciousness.

**MOL Report to PLMHSC – Construction Sector – May 2016 Meeting**

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8	21-Jan-16	Central West	RESS	Worker	Worker fell from ladder, broken leg.
9	28-Jan-16	Hamilton	BRID	Worker	Worker was wearing a full body harness, tied off with one lanyard to a fixed point at the time; worker walked further than he could with the lanyard, lost his balance and fell approx. 6 feet. Co-worker (health and safety rep) drove injured worker to Joseph Brant Hospital. IW had sustained a high ankle break.

**MOL Report to PLMHSC – Construction Sector – May 2016 Meeting**

10	04-Feb-16	Central West	ROAD	Worker	Caller alleges worker at this site (road work) was on top of a trailer pushing hot mix to the back of the trailer when he missed a step and fell to the ground; caller alleges he landed on his left arm; they drove him to Trillium Hospital where he was advised he fractured his arm.
11	10-Feb-16	Central West	ROAD	Worker	Worker was struck by a vehicle and taken to the hospital. IW sustained a punctured lung and several broken ribs.
12	22-Feb-16	Western	RESS	Worker	Caller reports that a worker slipped on piece of plywood falling approx. 7 feet sustaining a broken leg.
13	27-Feb-16	Western	COMM	Worker	Worker broke his left heel & his right leg.
14	29-Feb-16	Eastern	RESM	Worker	Worker tripped on a wire, fell, and fractured arm.
15	29-Feb-16	Northern	ROAD	Worker	Worker was cutting a tree at this site when a branch fell and hit him on the head; loss of consciousness.
16	09-Mar-16	Central East	tbd	Worker	Worker was installing second floor joists. Worker struck in the eye with the nail from a nail gun. Permanent loss of sight to right eye.
17	10-Mar-16	Central West	INST	Worker	Worker hit head on ground; loss of consciousness; fractured arm.
18	14-Mar-16	Central East	COMM	Worker	Worker fell, landed on left elbow and left knee; suffered small fractures in each limb.
19	17-Mar-16	Western	tbd	Worker	Worker performing perimeter repairs on roof and fell losing consciousness
20	21-Mar-16	Western	tbd	Worker	Worker was on top of a core borer's anchor when it came loose and the machine hit him on the head; loss of consciousness.
21	22-Mar-16	Western	tbd	Worker	<b>Drywall fell over on top of worker. Confirmed broken left tibia.</b>
22	23-Mar-16	Central West	tbd	Worker	Worker fell 14 feet; broken leg.
23	26-Mar-16	Central East	COMM	Worker	Caller reports that a worker fell 15 ft from a ladder; multiple injuries.
24	04-Apr-16	Eastern Region	RESS	Worker	<b>Worker fell off a scaffold (approximately 7 ft); arm injured.</b>
25	05-Apr-16	Western Region	EXCA	Worker	<b>Worker exiting truck while on jobsite was hit by passing pickup truck; multiple injuries.</b>
26	11-Apr-16	Central East	RESM	Worker	<b>A section of fly form slipped off the hydraulic jack while being lowered striking worker's leg; broken leg.</b>
27	11-Apr-16	Western Region	INST	Worker	<b>Worker tripped over exposed steel banding frozen in earth and fell; lost consciousness.</b>

**MOL Report to PLMHSC – Construction Sector – May 2016 Meeting**

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28	14-Apr-16	Northern	RESM	Worker	Worker was on a step ladder - found unconscious on ground; multiple injuries.
29	21-Apr-16	Central	INDU	Worker	Worker was on crane when it fell approx. 82 ft; multiple injuries.
30	25-Apr-16	Eastern	ROAD	Worker	Worker struck by vehicle; multiple injuries.