Case In Point

Appeal Heard in Blue Mountain OHSA Critical Injury Reporting Case

Date: September 28, 2012

The Ontario Court of Appeal heard oral arguments in the Blue Mountain Resorts Ltd v. Ontario appeal on September 27, 2012. The issue in that case centres on the determination by the Ontario Labour Relations Board that a hotel guest's drowning in the hotel swimming pool was reportable under the *Occupational Health and Safety Act*, as that area was a "workplace" for the purposes of the Act, despite the fact that the injury was not to a worker. The ruling was upheld by the Divisional Court. A detailed discussion of that case can be found in our *FTR Now* of May 30, 2011 "Blue Mountain Required to Report Non-Worker Injury."