

# Mother calls \$50k fine over her son's death 'a slap on the wrist'

The mother of 20-year-old Nick Chenier, who was killed in a hedge trimming accident in Manotick last summer, was confused and insulted over the outcome of a non-criminal trial Thursday.

Shawn Best Green of Best Green Hedges was charged by the Minister of Labour, Immigration, Training and Skills Development after an investigation with failing to ensure the company took all reasonable steps to comply with the province's Occupational Health and Safety Act while at the site of the hedge trimming.

Best Green pleaded guilty to that charge on Thursday afternoon at the Constellation Drive courthouse in Centrepointe.

Nick Chenier worked for Best Green as a hedge trimmer. During a project in Manotick a year ago, he hit a power line that was buried within the hedge and was killed.

Jennifer Chenier, who moved to Richmond with her youngest son Michael after

the tragedy, was upset over the outcome of the trial despite Best Green's guilty plea. She called it a "slap on the wrist."

"It's not fair," Chenier said. "The penalty should have been far worse."

In November, the Ontario Ministry of Labour, Immigration, Training and Skills Development brought charges against Best Green Hedges, company director Sheldon Best Green and supervisor Steven Deans.

Shawn Best Green pled guilty. Justice of the Peace Jennifer Robinson was presented with a joint proposal from the Crown and the defence to fine Best Green \$45,000 plus a victim impact surcharge that brought the total fine to about \$50,000.

Best Green apologized in the court room, saying that Nick Chenier's death was the most difficult thing he has ever had to deal with.

"I am truly sorry for what happened and for the devastation you've been living with," Best Green said. "It is not lost

on me that I lost someone I was responsible for."

The company was also charged with failing to warn a worker about hazards and failing to give information to a worker to protect their health and safety. The charges were both dropped, as Best Green took personal responsibility for the incident.

Deans was charged with failing to take reasonable precautions for the safety of a worker. On Wednesday, Ottawa Police Service charged Deans, 38, with one count of criminal negligence causing death. Because of the criminal charge, Deans' lawyer, Fabienne Lajoie, asked for an adjournment for one month so Deans could consider his options.

Jennifer Chenier was pleased with the charge laid against Deans, who was the supervisor when her son died.

Ottawa and District Labour Council President Sean McKenny told CTV News that he hoped the charges to Dean will send a mes-

sage to other employers about workplace safety.

"This is the first time in the city of Ottawa, the area close to the city of Ottawa, that a criminal negligence causing death charge has been laid against an employer or a supervisor of the company," McKenny said. "And our hope for sure is that it sends a message to other employers that health and safety is important, that the workers at a workplace deserve to be treated with respect and health and safety and the legislation that exists to protect those workers is applied all of the time. All of the time that they're at the workplace, no matter what they're engaged in doing at the workplace."

### Emotional statement

In court, Jennifer Chenier read an emotional victim impact statement. She said that when she heard them say, "He's gone," those were the worst two words should have ever heard in her life.

"My son, Nick Chenier



Jennifer Chenier poses for a photo with her oldest son, Nick, who died in a workplace incident May 5, 2023.

was taken from me on May 5, 2023 in a workplace fatal incident," she said. "I can't bring myself to call this an accident. Nick was just about to turn 21. He had his whole life – it was and was going to be a wonderful and fulfilling life – ahead of him."

Jennifer Chenier spoke about the last time she saw her son. The job he was working on was only two streets over from their house in Man-

otick. Jennifer brought him sandwiches for lunch. He complained to her about the job, and she told him to be safe.

Jennifer went to Barhaven for an appointment and saw on social media that there was a power outage due to a hedge trimming accident. A hedge trimming worker had been seriously injured.

### DEATH

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“The nauseating, painful deep pain I felt in my chest was like a nightmare that I prayed wasn’t happening,” she said. “ ‘Maybe it wasn’t him,’ I thought to myself. Please God, don’t let it be Nick. The next few minutes trying to reach someone by phone seemed like an eternity. When I finally I did, and I was told it was Nick. He was being taken to the hospital and I was told to stay where I was.

“They would not tell me what hospital he was being taken to. I remember standing on a curb where I was waiting when the police cruiser arrived. Then... my life changed forever. I remember falling to the ground, screaming “NO! NO! How do you know for sure? They can bring him back! The officer simply and calmly said, “No. He’s gone”. Everything after that – I don’t remember details – but when arriving at the hospital, being brought into

‘the room’, I knew it was real. There were so many people. And then came the time to see him. Only I couldn’t, because my child was so badly burned that I had to say goodbye to my first born son while he was covered in a white sheet. That is a vision that haunts me forever. I have PTSD that was diagnosed by my physician and therapist. I have reoccurring nightmares of him stuck in a hedge burning.”

Jennifer Chenier said that she is carrying a deep anger over losing her son in an avoidable incident. She said she is not the same person.

“Since losing my son, my life has changed,” she said. “I have changed. I’m no longer myself. I never will be again. I carry so much intense anger inside me. Knowing my son reached out that morning with concerns, and was ‘brushed off’, haunts me to this day. This will never go away. Knowing this could

have been prevented if the people who were responsible for keeping him safe listened and did their jobs lives with me every day.

“My son died working hard, making a living doing what he loved. And unsafe working conditions ended his life that day. Carrying this anger with me every day is emotionally and physically exhausting. No parent should have to bury their child. I wake up every morning hoping it was a bad dream. Then reality sets in and I have to find a way to maneuver through every single day in a world I no longer know.

“I don’t know how I will ever feel joy or happiness again. Every day has been a horrible struggle to get through the day. Knowing I will never see him get married, or have his own children, or be a best man in his brother’s wedding. Both of them will never be uncles.”



Carolyn Sandor-Weston, who was one of the artists at the Manotick Art Association’s Inspirations Art Show, loves rocks. You will find them in most of her landscape paintings and they are her favorite medium for her to dig her carving tools into. If you ask her which is her favorite art format, painting or carving, she will tell you that they cannot exist without the other. “When I’m working with a stone, I am carried away by it’s unlocked story. When I paint, it is the challenge of creating a feeling or a moment in time- I can’t. imagine having to choose just one way of working”. You can find Carolyn’s work, along with 14 other Sculptors, at the National Capital Network of Sculptors’ “West End Sculpture Show” May 30-May 12th at the Kanata Civic Art Gallery. All are welcome to the May 5th Vernissage.



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FRIDAY MAY 17, 2024

## Nick Chenier remembered at Canada's National Day of Mourning Ceremony

*Jennifer Chenier delivered a tribute filled with raw emotions for her son Nick, who died in a hedge trimming fatality last year*

Local mom Jennifer Chenier was among the speakers at Canada's National Day of Mourning Ceremony, which was held Sun., May 5 at Vincent Massey Park.

Chenier, who now lives in Richmond, was there to speak about the tragedy that claimed the life of her 20-year-old son Nick, who died on the job working for Best Green in Manotick last year. He was electrocuted while trimming a hedge in Manotick, two streets over from where he, his mother and his younger brother were living at the time.

This year marked the 40th year since the first observance. It is also the 32nd anniversary of the Westray Mine disaster that saw the lives of 26 miners taken on March 9, 1992, as a direct result of the

workplace. The disaster also brought forward changes to Canada's Criminal Code in 2004 making it possible to prosecute employers for negligence leading to workplace death and/or injury.

Joining Chenier as speakers at the event were Federal Labour Minister Seamus O'Regan, Canadian Labour Congress Vice-President Siobhán Vipond, and Ottawa and District Labour Council President Sean McKenny.

The day was especially difficult for Jennifer Chenier, as the ceremony fell on the anniversary of her son's death. She referred to it as a workplace incident, saying she could not call it an accident. Her son, she said, was about to turn 21.

"Nick had been concerned about dangerous working

conditions with his employer on a number of occasions, especially that morning before this tragedy occurred – concerns that his supervisor and employer ignored" she said as she addressed the crowd.

Chenier said she wondered why her son was even there that morning. She said the work order had a warning on it to be cautious of hidden hydro lines. She said when her son reached out to his supervisor at 7 a.m. about his safety concerns, he was brushed off.

**CHENIER**  
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**Jennifer Chenier delivered a powerful speech about the impact that her family has felt since the death of her son, Nick Chenier, died in a workplace fatality May 5, 2023.**



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“He was told to go ahead, and check back later,” she said. “But there was no checking back. Sadly, he was killed by contact with a 16,000-volt hydro line. And to find out later he was given an aluminum pole trimmer, an aluminum ladder to work amongst hidden lines in a hedge, capable of 16,000 volts, makes me angry.”

In court last month, the company’s owner, Sheldon Best Green, faced charges from the Ministry of Labour. He was fined just over \$50,000. Chenier said it was a slap in the face, and left her feeling defeated.

“There were no words to describe how we felt,” Chenier said. “Only buckets of tears to fill a courtroom filled with disgusted onlookers, and friends and family.”

Chenier said that losing her son has left a void in the lives of her and her other son that will never be replaced.

“My life has changed,” she said. “I have changed. I’m no longer myself. I never will be again. I carry so much intense anger inside me. Knowing my son reached out that morning with concerns, and was “brushed off”, haunts me to this day. This will never go away. Knowing this could have been prevented if the people who were responsible for keeping him



Nick Chenier, pictured with his mom, died just shy of his 21st birthday.

safe listened and did their jobs lives with me every day.

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“I don’t know how I will ever feel joy or happiness again. Every day has been a horrible struggle to get through the day. Knowing I will never see

him get married, or have his own children, or be a best man in his brother’s wedding.”

Chenier said she was honoured to stand with so many who have also lost someone in a workplace fatality.

“Please know that we know your pain and stand with you and your families and lost ones,” she said.

Across Canada close to one thousand workers die each year and many more are injured as a direct result of the workplace.

“There is a pronounced sadness and at the same time there is frustration - frustration that these needless injuries and deaths continue to occur day after day, month after month, year after year,” said Sean

McKenny, president of the Ottawa and District Labour Council. “Sadness because over three people are dying each day in this country as a result of the workplace and that means somewhere there are children who will lose a parent, a husband who will lose a wife, and a sister who will lose a brother. It just doesn’t make any sense.”

The Ottawa and District Labour Council (ODLC) has been the voice of working people in the Ottawa area since 1872. The ODLIC currently represents 90 local unions with a combined membership of 50,000 workers and is the largest democratic and popular organization in the Ottawa area.



Nick Chenier was remembered at Canada’s National Day of Mourning Ceremony.

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