

When time doesn't heal

by Todd Smith

Anger over brother's death fades, but pain endures after 15 years



Sean Smith

My story starts on

September 14, 2000. My brother Sean was 26 years old, the youngest of three siblings. Just after lunch on that day, I was at work and was called by our receptionist and she indicated that my mother was on the line. Well, I was very curious as to why my mother was calling because she never calls me at work. She was always afraid she would be bugging me or would get me into trouble. This day however, was different for it was my birthday. So I figured she decided to take the risk and had called just to say Happy Birthday. However, when I answered she had a very monotone voice and simply said, "Your brother has been in an accident at work and could you please come to meet your father and I at the hospital?" So, obviously I left immediately and headed off to the hospital but since I had about an hour's drive ahead of me I began to contemplate what could have happened.

At the time, my brother was working as a mechanic at a local car dealership which he enjoyed very much. So I tried to think about what could have happened in that situation. Could he have severely burned himself with a torch while performing a

job? Could he have somehow cut or pinched a finger? Perhaps he actually managed to break a bone. I really had no idea what had happened and was driving to the hospital in a bit of a daze.

Well, I did find out later what had happened and it started when the owner of the car dealership got a call from a friend of his who owned a limousine service company. The air suspension system on one of the limos had a hole in the air bag and it needed replacing. He was in a hurry to get it fixed so he could meet his booking schedule. The air suspension system in a limo is made up of an air bag underneath the car so when people climb into the car, an air compressor comes on and fills the air bag to keep the car from

sinking like most vehicles do when weighted down. The owner of the call dealership where Sean worked wanted to help out his friend so he suggested he bring in the limo right away and his team would look at it.

end of the vehicle. However, as anyone who has worked on their own car at home will know, there is a safety device to prevent the car from coming down should something happen and the jack let go. This device is called a jack stand, which fits under the axle of the car and prevents the car from falling down.

Typically at the dealership, jack stands are not needed because any work underneath a car would be done using the car hoist and the manual jack would only be used for removing tires or jobs not requiring anyone to be directly beneath the vehicle. But on this day they had a dilemma because the limo could not go on the hoist and they did not have any jack stands in the shop because again they had never needed them before. In any case, my brother was assigned to fix the problem with the limo.

My hypothesis is that one of two things happened that day. Either my brother took it upon himself to jack up the limo and roll himself under the rear of the car to access the air suspension system, knowing full well there were no safety devices for protection; or he was told by his employer what was required of him. In either case, it doesn't really matter and unfortunately our family will really never know which one

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When you take your car in for service, if they need to work underneath the vehicle they will put the car up on a hoist which has several mechanisms to ensure the safety of the worker and so that the car doesn't accidentally come down. In this case, it was a problem because the limo was obviously oversized and it would not be safe on the hoist due to the potential for tipping. So they devised another plan which was to keep the limo on flat ground and use a manual jack to hoist up the rear

it was because my brother did roll himself under the vehicle without any jack stands as a safety precaution; the manual jack failed; and the car came down directly on my brother crushing his ribs and collapsing his lungs to the point where he was actually asphyxiated. The good news, according to the coroner, was that the force was so great that he would have died almost instantaneously and therefore would not have suffered any pain.

I think it was also a real blessing because

unfortunately the area where he was working was more to the back of the shop so no one actually found him for about 30 to 45 minutes.

When I reached the hospital on that fateful day, I knew instantly that something very serious had happened because I was intercepted by a police officer as soon as I gave my name at the emergency desk. The officer escorted me to a private room where my parents and sister were along with the hospital clergyman. It was there that I received word of my brother's death. We sat all huddled together, arms around one another in silence for what seemed like an eternity.

Now here we are almost 16 years later. I can honestly tell you that I can remember every single thing that happened that day like it has been burned into my brain. My family and I were dumbfounded. We were in shock and disbelief. We were crying and mourning our lost brother and son. At one point I went outside just to get some air and the owner of the dealership was waiting for me and came up to me to shake my hand and offer his sincere condolences for what had happened. And I remember to this day, that even after all the emotion I had personally just gone through in the previous few hours, I actually felt bad for this man. I felt sorry that he had to come to me to apologize for such a devastating event – devastating for everyone including him and the employees at the dealership.

When I tell this story to my own team at work, I also tell them to think about safety all the time – whether at work or a home, for both themselves and others around them – because no one wants to be the person to have to make that apology.

My brother was a very giving person who would help anyone. He had difficulty in school and was labeled a problem student for most of his classes except when he got to shop and his mechanics class, as he loved working with his hands. The issues at school were not that he was a bad student; he was seen as a problem because he couldn't learn like most students through auditory or visual learning. He was a kinesthetic learner which means he learns by touch which is why he loved being a mechanic. I remember many times my father would be looking for something – an alarm clock or radio or whatever – and he often found it in my brother's room in pieces which made him very angry. However, the next day Sean would give it back to my father all in one piece with the same apology,

“sorry Dad; I just wanted to see how it worked.” He always wanted to be part of things especially with family. The very first time I brought my future wife home for a visit, Sean told my mother “to tell me to keep this one, that she was a good one.” It must have been good advice as we have been happily married for 25 years.

It's a devastating experience when anyone loses a loved one but it's especially traumatic when it happens so suddenly and at such a young age. I'm sure everyone has heard the phrase, “time heals all wounds.” From my perspective, it's certainly not the case when you have a family tragedy

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such as this. I feel very much today as I did 15-plus years ago. The only thing time does, is allow you to think about the tragedy less and less and give you the opportunity to move forward. Even after 15 years my parents do not know the details I have shared because they do not want to hear it and cannot, to this day, talk about the event itself. My sister is very quiet and does not speak of it either and still goes to counselling to deal with her emotions. For me, it certainly was a life-altering experience. I was so angry for the first couple of years, there would be absolutely no way I could have shared this story. And it has definitely altered my outlook on life.

The car dealership was charged and convicted for several offences under the

Occupational Health & Safety Act which, at the time through all the emotions, did bring a sense of justice and some closure to this event. But after more time you realize that this is really irrelevant in the grand scheme of things. What would have been important is that it never happened in the first place. Both employers and employees must always be on alert and be prepared to work safely, whether that means having the right tool to safely perform the work or properly identifying the hazards for the job or speaking up and refusing to do the work if it can't be done safely, regardless of the perceived consequences.



Sean, left, and Todd with Todd's girlfriend Nancy – now his wife of 25 years