

A sister's perspective

by Desirae Kozak

20-year-old became caught in conveyor belt



Jahryn Kozak was a big brother and protector to Desirae

On December 13, 2004

Jahryn Kozak set out to work at the gravel crushing company where he was employed. On this morning, while he was sweeping excess gravel from underneath one of the gravel crushers his sweater caught in the conveyor belt and he was pulled into the machine. He died on the scene and this accident could have been 100 per cent prevented had there been proper safety provisions in place.

I write this for my older brother in his memory as we pass the ten-year anniversary of his quick and unjust departure from our world.

My brother was only 20 years old; somewhat of an outcast and a bit of a trouble maker. He often spent time with the wrong crowd and probably came home in the back of a cop car more times than I am aware. We weren't necessarily friends, me being three years younger than him and a polar opposite character-wise, but we could have been one day. I loved him but I didn't understand why he made the decisions he did and why trouble seemed to follow him. He made silly boy mistakes

that I didn't understand and had a bit of a reputation.

But Jahryn had a big heart. He was my protector and he took this job very seriously. He walked me to and from school every day when we were in elementary school, always patient with me as I took my time. He was quick to torment me but quicker to stand up for me if he had to. We would go climb trees or he would play Barbies with me but almost always the heads were removed. He would always find my hidden Hallowe'en candy and leave me with only suckers (also responsible for that is my oldest brother Brayden, Jahryn's partner in crime). If you were a dear friend he would take the fall for you not fearing the consequences. He had a laugh that I can't clearly remember but I know I miss it greatly. He always said "I love you". We all do this and I value this in my family so much, there are no ways to put it into words. No matter who he was with or where he was, if you were leaving or getting off the phone he always said "I love you" when other kids would be too embarrassed to do so.

I remember a lot of little details about the day I came home to find out my older

brother would never be making it to another Sunday dinner. I was 17, in my graduating year of school, and it was a Monday. It was December and the last week of school before our Christmas break and I went with a friend to do some Christmas shopping after school. I remember the gift that I bought for Jahryn that day: a hand mixer because he was working in a restaurant kitchen and was really beginning to enjoy the culinary process. I was excited to give him something that would take him in that direction. It seems like a silly gift to me now. When we went to pack up Jahryn's apartment he already had presents wrapped under his tree waiting for us to open Christmas day.

I should have known something was wrong when I pulled up to the house where we grew up. At my parents' I always parked in the first spot on the street beside the driveway and I remember pulling up and being annoyed that there were a few vehicles blocking my spot and I had to park a bit down the street. The second I stepped into our home I knew something was wrong. The kitchen had a few of my family members and family friends of my parents and it was clear they were grieving. It was my dad who walked up to me to tell me something awful happened and that my brother had been killed that morning. The moments after that are a blur of tears, hugs and disbelief. I spent most of my evening hiding in my bedroom, never one to really be comfortable showing the extent of my emotions no matter the circumstances. While in my room I was hit with that feeling. My flight mode kicked in and I just had to get out of the house. I remember leaving and going to my friend's house. I cried. Her family grieved with me.

Jahryn got the job at the gravel crushing company and it seemed like a blessing, like he was heading in the right direction in life. He was working hard and keeping busy and eventually moved out and into his own apartment. All very good things! The day my brother didn't come home he was cleaning excess gravel on the ground underneath one of the rock crushers. He was wearing a hooded sweater which got caught and my brother was killed on the scene. The proper guards were not in place, a key safety component that had been overlooked. My brother lost his life to a company that didn't want to spend money on

safety. All that would have been required for this machine to have been safe would have been a simple guard. A piece of metal not even costing forty dollars is the key component in my brother's life. A company whose \$300,000 fine was a tax write-off.

These are the frustrating pieces that families have to deal with when they lose someone to a workplace fatality. There is blame and finger pointing and a long court process. It took three years for the courts to come up with a decision. This included many court dates that my parents had to sit through. We wrote victim impact statements and then there was more waiting. My parents were joined in these proceedings by my grandparents, providing a great deal of emotional support, and my grandfather working rather vigorously to ensure that there were charges laid for this safety oversight. Eventually 11 charges were laid and the company pled guilty for one count in my brother's case. A charge was dropped against the municipal district of Wainwright which had contracted the company for road maintenance.

This is a bittersweet victory for our family. Although the company was charged a fine of \$300,000, it was in the form of a donation and was eligible for a tax write-off. So even though there was punishment it came with reward and just shows the level of injustice that can come with this kind of loss. My family fought for Jahryn's rights. On top of their huge loss already they had to continue to fight for a change in safety practices.

We just passed the ten-year anniversary of the death of Jahryn. We have all dealt with this loss in our own ways but we keep him alive in our world every day. We bring him up at family functions and we go through pictures. We often talk about the "what ifs". We discuss how we think he would be living now and what he would be up to. He had so much un-lived life ahead of him.

I struggle but I tend to keep my struggles to myself. My car has seen more tears than my friends and family have. Holidays have been very difficult in the past, and will continue to be in the future. Christmas was put on pause for a few years, but there is nothing wrong with having lasagna for supper and not putting up a tree if that is what gets you through the season. We spent more than one Christmas "celebrating" this way. I also struggled with bringing it back, feeling angry that it was taken away and then trying to reincorporate it back into our

life after such a long break.

I feel guilty about my grief, often feeling selfish about how his absence affects me. Jahryn's life was taken away from him. He was deprived of so many life experiences and my heart hurts for him every day. Since the day I turned 21 I have outlived my older brother, a difficulty I deal with every year on my birthday. My high school graduation was a hard time for me, Jahryn's death being only six months prior. Shortly after that I turned 18 and found myself in more social settings where Jahryn's presence was missed and I was faced with a lot of people who knew him but did not know how to approach me about it.

"Oh...Jahryn WAS your brother..." awkward pause... "Let me buy you a shot"

No. Jahryn IS my brother. Always; no past tense.

and how disappointed I already am because I know there is going to be a dark empty space on that day. I try and day dream the way a young woman does and then I am hit with anxiety about how sad the day is going to be. And then I cry because I know that he would give anything in the world to see his little sister get married. This feeling will never go away. He is only going to miss more birthdays, more anniversaries and weddings. I will miss these major milestones in his life for him. There is no friendly banter about him getting old, no giving him the gears about a new relationship, no watching his face light up as he watches the woman he loves walk down the aisle.

All these things he will miss and we will miss for him, all because someone didn't want to put proper safety precau-

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Christmas, birthdays, Mothers'/Fathers' day, National Siblings day etc. Major milestones in our lives are greeted with a dark shadow. My brother missed the birth of his niece; he's missed weddings and anniversaries. I dread my wedding (if/when that happens) because of this loss. This is when I feel most selfish, when I think of my life

tions into effect. This was a giant failure, not just for this company but also the safety company that should have been more diligent in ensuring safety was in full effect. I wonder how many other malpractices are over looked and how many more people need to lose their life and family members because of it.



Jahryn's family at the Steps for Life walk