

WorkSafe Services

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Services de travail sécuritaire

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August 11, 2005

"The Employer"

The Chief Compliance Officer is writing in response to the employer's letter dated March 28, 2005, in which the employer requests a deviation from Schedule A of Regulation 2004-130 First Aid under the *Occupational Health and Safety Act*, specifically the requirement that an employer with 100 or more employees at any one time must provide and maintain a first aid room.

The employer has included a copy of a letter from the Chief Compliance Officer dated March 12, 1997, that granted the employer a similar deviation under the old legislation. The deviation was granted on the basis of the low risk of serious injury to workers in an office setting and the proximity of the employer's facility to a hospital. The employer also states that the employer has up-to-date first aid kits as required by the new regulations and have a number of people properly trained in first aid assigned to each kit.

On May 16, 2005, the Chief Compliance Officer met with the employer and other staff of the employer's premises to review the employer's request. The Chief Compliance Officer indicated that since the revised first aid regulation continued to require a first aid room for workplaces with more than 100 employees, that the technical committee tasked to recommend any amendments that might have affected the requirement to have a first aid room believed that no changes would be considered.

The employer indicated during the meeting that finding space for a first aid room within the workplace that could meet all of the requirements of the first aid room provisions could be difficult. As a result, the Chief Compliance Officer recommended that the employer conduct a review of where a first aid room could be located within the employer's facility and to identify any limitations where compliance with the first aid room provisions could not be met.

Since the meeting, the Chief Compliance Officer has contacted the employer for an update on the employer's review and has received no response. Therefore, based on the foregoing, the employer's request for a deviation is denied. Should the employer decide to update the Chief Compliance Officer on the employer's review, the Chief Compliance Officer will reconsider the employer's request.

By copy of this letter, the Chief Compliance Officer has advised WHSCC staff of the decision.

Regards,

Chief Compliance Officer

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