

August 23, 2010

"The Employer"

The Chief Compliance Officer is writing in response to the employer's letter dated May 28, 2010, in which the employer requests a deviation from Section 136(1)(c) of General Regulation 91-191 that states:

*136(1) An employer shall ensure that a metal scaffold*

...

*(c) if 6 m or greater in height, is equipped with a continuous access stairway commencing at ground level.*

In the employer's request the employer indicates that the employer's intent is to replace the stairwell with 3-4 (depending on length of span) fixed ladders per span for the reasons listed below:

- The work area is very congested and installation of a stairwell the entire height from the platform to the decks would further complicate access and egress making a stairwell impractical.

The employer also indicates that in conversations with a contractor it became apparent that the contractor had safety concerns about emergency egress from the decks. The contractor stated that in their experience the hoses feeding their breathing apparatus would become entangled due to the many turns in a stairwell versus a straight ladder man way.

The Chief Compliance Officer has reviewed the employer's request and conferred with a Health and Safety Officer. Based on the information the employer provided, a deviation is granted based on the following conditions:

- Where the footprint of the bridge structure allows, a continuous access stairway will be installed.

Please note that the installation and use of a continuous stairway does not exclude the use of ladders providing access or egress from one level to another.

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

Yours truly,

Chief Compliance Officer