

April 28, 2017

Employer:

I am writing in response to your email dated April 27, 2017, in which you request a deviation from Section 136(1)(c) of the General Regulation 91-191 which 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 your request you indicate the following:

- The area that needs to be accessed are the roofs of the plant that would not be able to hold the load of a stair tower (photos of the buildings provided);
- The company will use 7 x 7 bays with staggered ladders and ladder cages;
- You also confirmed that employees will not be carrying anything up ladders, that they will use a gin wheel;

On April 28, 2017, I requested additional information and was provided with the following:

- Construction Manager/Estimator provided information on the differences in weights by using a stagger ladder system with resting area (approximate weight is 1000 lbs) verses using a stair tower system (with an approximate weight of 11000 lbs), both calculated going up 60 feet in height;
- While the specific load bearing limits of the roofs are not known, it is the opinion of the Construction Manager/Estimator and yours as well that the risk of roof failure is very high due to the increased weight of the stair tower system;
- Construction Manager/Estimator also indicated that using a stair tower is also going to take up a much larger footprint at the base of the lower roof 7' wide X 21 " feet long, which is also a safety concern because the area is need while storing material during the erection of the gin wheeling , daisy chain, etc.;

Based on the information received and as provided by the authority of Section 3 (3) (b) of the *Occupational Health and Safety Act*, a deviation from Section 136 (1)(c) is granted.

By copy of this letter, I have advised WorkSafeNB staff of my decision. Please do not hesitate to contact me at 738-4107 should you have any questions regarding this decision.

Yours truly,

Chief Compliance Officer