

WorkSafe Services

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Services de travail sécuritaire

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April 28, 2005

“The Employer”

The Chief Compliance Officer is writing in response to the employer’s letter dated April 27, 2005, requesting a deviation from *Occupational Health and Safety Act* General Regulation 91-191 Section 136(1)(c) that states:

An employer shall ensure that a metal scaffold if 6 m or greater in height, is equipped with a continuous access stairway commencing at ground level.

The employer’s letter states that the employer’s request for a deviation is based on the fact that the employer’s stair towers are 6’6” and the deck levels are at a distance of 8’2”. The employer indicates that is not structurally possible to have a continuous access stairway commencing at ground level because of window openings. The employer also states that as the stair towers are not accessible at 8’2”, it requires the employer to use access ladders at every third level. It is the Chief Compliance Officer’s understanding that the work (and scaffold set-up) is being carried out at a hotel.

Based on the information provided, a deviation from Section 136 (1) (c) is granted. Please note that this deviation is limited to this site and for the duration of this project only.

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

Regards,

Chief Compliance Officer

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