

**WorkSafe Services**

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**Services de travail sécuritaire**

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October 8, 2004

"The Employer"

The Chief Compliance Officer is writing in response to the employer's letter dated September 30, 2004 requesting a one-time deviation from section 136 (c) under Regulation 91-191 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 is requesting that the vendor be permitted to install a metal scaffold 12.3 meters in height without a continuous access stairway. The employer's reason for this request is that the employer has contracted the maintenance replacement of their elevator's hydraulic piston to an elevator vendor.

This elevator was designed and built with a 2 meter x 2.15 meter hoist-way and is 12.3 m (40 feet) in height. The elevator car is raised and lowered within the hoist-way by a 12.3-meter hydraulic piston. The physical size of the hoist-way does not permit the installation of a metal scaffold equipped with continuous access stairway. Additionally, the established industry method and process for performing change-out and replacement of the hydraulic piston and cylinder could not be carried out even if the hoist-way was large enough to accommodate a metal scaffold with continuous access stairway.

The employer indicates that prior to commencement of this maintenance, the Owner and Vendor carried out detailed planning of this project and have summarized the critical steps, anticipated the traps and implemented the required and appropriate defenses to ensure a safe and event-free job. These steps are as follows:

- Elevator car (weight of 700 kg) will be raised to the upper level by the hydraulic piston.
- Certified and calibrated chainfalls and wire rope slings will be used to secure the elevator car to hoist-way I-beams at the top of the hoist-way.
- 1.5 meter x 1.5 meter (5'x5') frame scaffolding complete with cross bracing will be installed from the base of the elevator hoist-way pit, up 12.3 meters to underside of the elevator car. During this installation, rest platforms will be installed every 3 meters; installers will wear full body harness, and use lanyards and fall arrest safety line. Upon completion of the scaffold installation, mechanical clamps will be installed to underside of the elevator car as a second method of securing the car in position during performance of piston maintenance.
- This scaffold will be equipped with a lifting beam to support maintenance work. An Engineer-approved drawing of the scaffolding and lifting beam has been supplied.
- The piston and cylinder will be replaced following established maintenance practices of the Vendor, and then the process will be reversed.

Based on the information provided, the employer's request for a one-time deviation has been granted.

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

Regards,

Chief Compliance Officer

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