

**Prevention Services Division**

PO Box 160  
Saint John NB E2L 3X9  
Phone 506 453-2467  
Toll free 1 800 442-9776  
Fax 506 453-7982  
Web www.whscc.nb.ca

**Division des services de prévention**

Case postale 160  
Saint John NB E2L 3X9  
Téléphone 506 453-2467  
Sans frais 1 800 442-9776  
Télécopieur 506 453-7982  
Web www.whscc.nb.ca



June 24, 2004

"The Employer"

This is in reply to the employer's letters dated March 31, 2004 and April 19, 2004 requesting an interpretation from Section 51.6 (2) of the General Regulation 91-191. As the employer is aware, Section 51.6 (2) states that:

*51.6(2) An employer shall ensure that a firefighter who is wearing self-contained respiratory protective equipment when engaged in structural fire-fighting or rescue is accompanied by another firefighter similarly equipped and having the same air capacity.*

According to the employer's letters, the main concern raised by members of the JHSC is that during the initial stages of any investigation by a lone firefighter, it is unknown if the fire has reached the incipient stage. Depending on the stage of the fire, this could require that the fire-fighter wear a self-contained breathing apparatus (SCBA) thus requiring the presence of a second (back-up) fire-fighter equipped with an SCBA as well. In addition, it was stated that depending on the region within the city and the nature of an alarm, it was reported that there could initially be insufficient staff to carry out the task of fire-fighting or rescue as the response brigade wait for back-up. One of the consequences of this situation was the possibility that fire fighters could undertake fire fighting or rescue with insufficient back-up.

The Joint Health and Safety Committee had discussed this matter with no resolution. As a result, a request was forwarded to the WHSCC

On May 10, 2004 two WHSCC Health and Safety Officers and the Chief Compliance Officer met with members of the JHSC and Fire Department Administration. Following lengthy discussions with no resolution, it was agreed that the employer and the JHSC would attempt to develop jointly a procedure that would address this issue. On June 7 the Chief Compliance Officer was advised by the employer that the matter had been resolved and that a procedure had been developed and agreed to by the JHSC.

As a result of the employer's successful resolution on this matter, the WHSCC considers this matter closed and will not be responding to the employer's requests for an interpretation. The Chief Compliance Officer would appreciate, however, receiving a copy of the agreed-upon procedure.

By copy of this letter, the Chief Compliance Officer has advised WHSCC staff of the employer's successful resolution of this most important issue.

Yours truly,

Chief Compliance Officer

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