

WorkSafe Services

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Services de travail sécuritaire

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September 30, 2005

"The Employer"

The Chief Compliance Officer is writing in response to the employer's letter dated September 12, 2005 requesting a deviation from Section 49(3) of the General Regulation 91-191 with regards to fall arrest systems.

The employer has referred to a "Legislation Interpretation" on the topic of *Fall Protection - Free fall of more than 1.2 metres*, which indicates that a free fall distance greater than 1.2 metres is permitted provided the following are met:

1. There is enough clearance.
2. The shock absorber used is rated by the manufacturer for the free fall distance to which it could be subjected.
3. The fall protection equipment is used as per manufacturer specification, and
4. The users of the fall protection equipment have been trained in the use of the equipment.

The employer has indicated that the employer has addressed these provisions as follows:

1. The minimum clearance provided in case of a fall is 50 feet between the trolley platform and the Turbine Building floor. This is greater than the required clearance, of 19'-2" specified by the equipment supplier.
2. The shock absorber specified on the design sketches is the DBI-SALA EZ Stop II, which permits a free fall distance of 6 feet.
3. Representatives from DBI-SALA were recently on-site to review the proposed method of fall protection for accessing the trolley platform and concluded that the horizontal lifelines, in combination with the shock absorbing lanyards, are acceptable.
4. Certain on-site staff have been certified in the proper use of this safety equipment and will provide the required training to personnel.

"Legislation Interpretations" allow employers to meet the intent of legislation, through compliance with the provisions in the interpretation, without a deviation being required; therefore if the provisions have been complied with, the employer may proceed without being granted a deviation.

Regards,

Chief Compliance Officer

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