

**WorkSafe Services**

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**Services de travail sécuritaire**

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July 19, 2006

"The Employer"

Further to the Chief Compliance Officer's letter to the employer dated June 28, 2006, in which it was requested that the employer provide more detailed information as to how the operator (s) of the grinder would avoid or be prevented from operating on a grade exceeding 15%, the employer provided the following three items:

1. Safe Job Procedure (labeled Appendix A) that includes a new step requiring the operator to *Survey unloading and work areas prior to unloading in order to identify potential soft spots and problematic areas*. The employer has also added a warning section which addresses travel elevation, conveyor location, speed of travel, surface contours and soft surfaces.
2. The Work Site Inspection Report (labeled Appendix B) indicates that all operators of milling equipment are required to complete a Daily Work Site Inspection Report. There are two criteria on this report sheet to address recognition of any potential hazard. The first being Job Site Hazard, to identify any hazards and a second addressing ground conditions.
3. Detailed pictures of the work station of the grinder (labeled Appendix C and D) which shows that the slope meter is in constant view of the operator, as the operator continues throughout the work area, the operator can determine/correct the angle of the machine by adjusting the individual legs of the unit.

In a phone conversation on July 18, 2006, the Chief Compliance Officer's attention was drawn to the employer's Safe Job Procedure for the grinder that requires the operator to adjust the front legs to maintain the slope between 0 and 5%, which is well below the 15% slope that would put the machine in danger of rolling.

Based on the additional information the employer has provided, a deviation from Section 220(3) is granted provided that all operators are trained in the Safe Job Procedure and that this training is documented.

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

Yours truly,

Chief Compliance Officer

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