

**WorkSafe Services**

PO Box 160  
Saint John NB E2L 3X9  
Phone 506 632-2200  
Toll free (Claims) 1 800 222-9775  
N.E. Regional Office 1 800 561-2524  
Web www.whscc.nb.ca

**Services de travail sécuritaire**

Case postale 160  
Saint John NB E2L 3X9  
Téléphone 506 632-2200  
Sans frais (Réclamations) 1 800 222-9775  
Bureau de la Région du N.-E. 1 800 561-2524  
Web www.whscc.nb.ca



December 19, 2005

"The Employer"

The Chief Compliance Officer is writing in response to the employer's email dated December 14, 2005, in which the employer requests a deviation from *Occupational Health and Safety Act* General Regulation 91-191, section 49(3)(b) that states:

*49(3)(b) An individual fall-arresting system shall prevent an employee from falling freely for more than 1.2 m.*

In the employer's email, the employer has requested approval to change the free fall limit indicated in section 49(3)(b) from 1.2m to 1.8m. This application for deviation is a result of a request from the owner's Group Safety Manager for the new Project.

To comply with the granted deviation, the employer is going to purchase new energy absorber y-lanyards series FPAE2GG, manufactured by NORTH. The employer has supported the employer's deviation request with technical information on the new NORTH y-lanyards via fax.

The WHSCC has developed an interpretation that deals with free falls of more than 1.2 metres when a CSA approved shock absorber is utilized. The interpretation states that a free fall of more than 1.2 metres is permitted provided the following is 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 Chief Compliance Officer has enclosed a copy of the interpretation for the employer's perusal.

Based on the information contained in the interpretation and the technical data sheet the employer has provided on the NORTH energy absorber y-lanyard series FP2AEGG, a deviation is not required. The Chief Compliance Officer would, however, like to emphasize the following details found in the technical data sheet:

Maximum fall distance allowed is 10 ft. (3.0m)

- Note: 10 ft. free fall does not apply to worker weighing over 310 lbs; workers weighing between 310 lbs. And 440 lbs. cannot exceed a 6 ft. free fall.

Maximum arresting load is 900 lbs (4kN).

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

Sincerely,

Chief Compliance Officer

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