

**WorkSafe Services**

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**Services de travail sécuritaire**

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June 27, 2007

"The Employer"

The Chief Compliance Officer is writing in response to the employer's email dated June 27, 2007 in which the employer requests a deviation from *Occupational Health and Safety Act* General Regulation 91-191 section 136(1)(c) that states:

*136(1)(c) An employer shall ensure that a metal scaffold if 6m or greater in height is equipped with a continuous access stairway commencing at ground level.*

In the email, the employer indicates that the employer is requesting a deviation for a stair-tower at the owner's premises which is inside of an acid tank. The reason being is that the scaffold is approximately 35' high and the contractor is requesting a rolling scaffold 10'w x10' w x35' high. To install a stair-tower the weight of scaffold components will almost make impossible to roll. The employer will install a ladder access with a breaking point and landing at midway of the 10' x10' scaffold caged in to access work area.

The Chief Compliance Officer has reviewed the information the employer has provided and has conferred with a Health and Safety Officer. Based on the information the employer has provided and the Health and Safety Officer's findings, a deviation is granted provided the ladder access complies with sections 121(1), 121(2), 121(3) and 121(4) of the General Regulation 91-191.

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

Yours truly,

Chief Compliance Officer

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