

**WorkSafe Services**

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**Services de travail sécuritaire**

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September 9, 2008

"The Employer"

The Chief Compliance Officer is writing in response to the employer's email dated September 2, 2008 requesting a deviation from Section 121(4)(b) of the General Regulation 91-191. The employer's request is to allow for a "flare" at the bottom of a fixed ladder cage that exceeds the 725 mm maximum allowable from the centre line of the rung.

In support of the employer's request the employer has provided the Chief Compliance Officer with examples of process industry practices for the design and construction of the fixed ladders requiring a cage. In addition, the employer provided the Chief Compliance Officer with the design specification for the ladder system currently being contemplated by the employer.

After reviewing the information that the employer had provided, as well as having conducted research into process industry practices for the design and construction of such ladder systems, it is the Chief Compliance Officer's opinion that what is being proposed meets the requirement of the regulation and therefore a deviation is not required.

Yours truly,

Chief Compliance Officer