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March 8, 2017

Employer:

I am writing in response to your letter dated February 15, 2017 with respect to the requirement for a First Aid Room as per Schedule A of Regulation 2004-130 of the *Occupational Health and Safety Act*. In your letter you indicate that the company has added employees and now have more than 99 employees working at your primary location and as per the regulation are now required to have First Aid Room.

The company is requesting a deviation from this requirement given a number of factors including:

- *The company is located -0.9km from the Hospital;*
- *The company is a very large multi-discipline facility with many levels (and elevation changes) inside.*
- *Moving an injured person to another location within the building (other than the nearest exit) is undesirable and potentially challenging. Should an injury occur our standard practice is to not move an injured person to another location in the building as you immediately initiate your transportation plan to the emergency department;*
- *If an injured person is capable of being transported by a regular passenger vehicle in a sitting position, then an employee trained in First Aid will accompany the injured person (along with the driver) to the hospital*
- *For more serious incidents, an ambulance is called for right away as First Aid is administered. In order to not aggravate an injury (and given the rapid response time of ambulances to the company), you do not wish to move an injured person to a First Aid room but instead prefer to make that person as comfortable as possible at/near the scene of the incident while awaiting the ambulance.*
- *Response times of ambulances to the company are under 10 minutes;*
- *Also for consideration, the company currently exceeds the minimum requirements of the Regulation as follows:*
 - *8 staff members trained in First Aid & CPR*
 - *13 first aid kits on site*
 - *AED on-site with staff members trained in its use*

In rendering a decision, I took into consideration the information you provided as well as the requirements of the first aid regulation for the minimum number of first aid providers and kits for the number of employees at the company which is two (2) because you are not considered a workplace with high hazard work.

Based on the above and as provided by the authority of Section 3(3) of the *Occupational Health and Safety Act*, a deviation from the requirements of a first aid room is granted provided as the company maintains the conditions outlined above, including ensuring that the designated first aid providers have successfully completed the six hour refresher requirements as required by Section 8(7) of Regulation 2004-130-First Aid.

Please note that should there be any changes to the conditions outlined above, a review of this decision will be required.

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By copy of this letter, I have informed WorkSafeNB staff of my decision. Please do not hesitate to contact me at 738-4107.

Yours truly,

Chief Compliance Officer