

WorkSafe Services

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Services de travail sécuritaire

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April 18, 2006

"The Employer"

The Chief Compliance Officer is writing in response to the employer's letter dated April 3, 2006 requesting a deviation from Section 49(3) of the General Regulation 91-191 with regards to fall arrest systems.

The employer has indicated that the employer has long been a proponent of using full body harnesses with shock absorbing lanyards, lanyards with a separate shock absorber attached or self retracting lanyards (SRL). The employer also mentions, in the employer's letter, that the employer is a part of the WHSCC Fall Protection Technical Committee in 2003 and 2004 and that the employer would like to adopt the proposed changes relating to limiting free fall distance, which were based on a number of studies and verified by agreement of the Technical Committee.

The employer states in the employer's letter that the free fall distance should be kept to as short as possible. With use of full body harnesses and shock absorbing lanyards, lanyards with a separate shock absorbers attached or self retracting lanyards (SRL), the employer has proposed limiting the free fall distance to as short as possible but not to exceed 1.8 m or a shock level of 8kN on the body (the use of shock absorbers limits the shock level on the body to 4kN).

The Chief Compliance Officer encloses a "Legislation Interpretation" on the topic of Fall Protection - Free fall of more than 1.2 metres, which indicates that a free fall distance greater than 1.2 metres is permitted provided the following are 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.

"Legislation Interpretations" allow employers to meet the intent of legislation, through compliance with the provisions in the interpretation, without a deviation being required; therefore if the provisions have been complied with, the employer may proceed without being granted a deviation.

Regards,

Chief Compliance Officer

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