

**WorkSafe Services**

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**Services de travail sécuritaire**

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April 27, 2006

"The Employer"

The Chief Compliance Officer is writing in response to the employer's letter dated July 21, 2005, in which the employer has requested an exemption to a requirement in Regulation 2004-130 First Aid.

The employer states that the employer's department has a number of 1-5 man first aid kits that have been purchased for all vehicles including ATVs, snowmobiles, trucks and cars. The employer is in the process of purchasing 2-19 man kits for all new vehicles so that in time, all department vehicles will have the new first aid kits.

The employer has requested that the employer be allowed to meet the requirements of Regulation 2004-130 on a gradual basis as old vehicles are replaced with new models. The employer has provided the following information in support of the employer's request:

- At the present time, all staff is required to be trained in emergency first aid
- The employer is equipped with a two-way radio system that provides emergency communication from virtually all areas of the province
- Some staff are equipped with cell phones and two-way radio communication to assist with contact
- In all circumstances where 5 or more staff are working, the employer will provide them with the 2-19 kits
- The 1-5 kits will mostly be used in situations where 1-2 individuals are traveling in trucks or for individuals traveling on ATVs
- In fire situations that have more than 40-50 persons on site, the employer will call the Ambulance to provide emergency responder service in case of accidents
- List of contents in the old 1-5 man first aid kits with comparison to the new first aid kits.

Before going any further, the Chief Compliance Officer would like to apologize for the delay in responding to the employer's request and the Chief Compliance Officer thanks the employer for the employer's patience in this matter.

The Chief Compliance Officer has reviewed the employer's letter and the employer's rationale for the request. The Chief Compliance Officer wishes to advise the employer that as outlined in Section 3 of Regulation 2004-130 – First Aid which states that:

*This Regulation does not apply to a place of employment that is a ferry, a train or a vehicle used or likely to be used by an employee,*

There are no requirements for first aid kits when persons travel in vehicles and as a result an exemption (deviation) from the Regulation is not required. However, should employees travel to and perform work in *places of employment* subject to this Regulation then compliance with the First Aid Regulation including requirements for kits must be complied with by the employer.

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The Chief Compliance Officer would like to take this opportunity to commend the employer on the employer's obvious commitment to the health and safety of the employees.

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

Regards,

Chief Compliance Officer