

**WorkSafe Services**

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**Services de travail sécuritaire**

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July 19, 2006

"The Employer"

The Chief Compliance Officer is writing in response to the employer's fax of June 16, 2006, 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.*

The employer indicates, in the employer's fax, that the employer is preparing a quote for a scaffold at the owner's premises inside a cable shaft. The dimensions of the shaft is 92" x 92" x 100' high and that due to the congested area and size of the shaft the employer is unable to use a stair-tower for this scaffold. There are open areas in the shaft, at 30' and 60', where the employer will platform a walkway as access points. There will be nine working levels on this scaffold in which the employer will have ladder access installed.

The employer has also enclosed Page 2 and 3 of a Tender Document titled Technical Specifications that indicate that the shaft is 92" wide.

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(2), 121(3) and 121(4).

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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