

WorkSafe Services

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Services de travail sécuritaire

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June 18, 2007

”The Employer”

The Chief Compliance Officer is writing in response to the employer’s letter of June 1, 2007, in which the employer requests a deviation from *Occupational Health and Safety Act* General Regulation 91-191 section 115(1)(c) and 115(3)(a) that states:

115(1) *An employer shall ensure that a stairway*

(c) is pitched not less than 20 degrees and not more than 35 degrees from the horizontal,

115(3) *An employer shall ensure that a service stairway*

(a) is a minimum of 900 mm in width,

The employer indicates, in the employer’s letter, that on May 30, 2006 an order was issued which dealt with two issues. The first issue was with regard to odors from the composting compactor and the other was the pitch on the stairway leading to an office at the employer’s premises. Staff of the employer’s premises have addressed the first issue.

On the second issue, the employer has prepared plans to redesign the stairway to the office and will be rebuilding the first and second set of stairs so that they are consistent in rise and run throughout the stairway and meet the requirements of the Building Inspector for the City. The employer has provided copies of these plans, which were approved on May 23, 2007 by the Building and Technical Services and the Building Permit approved by the Building Inspector on May 24, 2007.

The employer also indicates that the employer has requested and has been approved for deviations from the National Building Code to reconstruct the stairs as follows:

	NBCC Requirements	Accepted Deviations
Tread	250 mm min	235 mm (meets requirements of 91-191)
Run	230 mm min	216 mm
Rise	200 mm max	207 mm
Stair Width	900 mm min	711 mm
Height above landing	2050 mm min	1,873 mm

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, a deviation from Section 115 (1) and 115 (3) is granted.

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

Yours truly,

Chief Compliance Officer