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October 4, 2010

"The Employer"

The Chief Compliance Officer is writing in response to the employer's fax and the employer's Health Care Provider Application dated September 21, 2010, in which the employer includes information required to obtain a deviation from Section 8 subsections (1) to (6) inclusive of Regulation 2004-130 First Aid.

As the employer is aware, Section 8 subsections (1) to (6) of the Regulation require employers to ensure that those who have been designated first aid providers receive training as outlined in the Regulation and certification by a recognized first aid training agency.

The employer proposes instead to designate registered nurses who the employer believes are able to provide first aid at a level equivalent to those who have received prescribed training and certification. In order to consider the employer's request for a deviation, those designated to provide first aid must:

- accept the responsibility of the designation
- work in the vicinity of the first aid kits
- not perform work of a nature that will affect their ability to perform first aid
- have reviewed the new requirements of the Regulation
- have stated that they are competent in all areas outlined in the Regulation
- maintain current CPR certification

The employer's application dated September 21, 2010, indicates that there is one registered nurse who meets these requirements.

Based on the information that the employer has provided, a deviation from Section 8 subsections (1) to (6) is granted provided that the employer comply with Section 8(7) of the Regulation that states:

An employer shall ensure that a first aid provider has a minimum of 6 hours practice on first aid skills each year during which he or she holds a valid certificate.

In addition, it is imperative that the Chief Compliance Officer be advised should there be any changes in the status of any of the persons listed that would affect their designation as first aid providers.

A copy of the Regulation as well as copies of the interpretations is included to assist the employer with complying with the remaining elements of the Regulation.

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

Yours truly,

Chief Compliance Officer

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