

## Newfoundland EWP – Elevated Work Platform

This material has been extracted from the Regulations and Acts of the Province as an aid to help students better understand the subject. This is not an official source of information and must not be used for any other purpose.

**Copyright © 2009: Queen's Printer, St. John's, Newfoundland and Labrador**

### **Occupational Health and Safety Regulations, 2009 under the Occupational Health and Safety Act (O.C. 2009-233)**

#### **RSNL1990 CHAPTER O-3**

#### **OCCUPATIONAL HEALTH AND SAFETY ACT**

##### **Amended:**

**1992 c29 s24; 1992 c42; 1996 cP-41.01 s37; 1997 c13 s49;  
1998 c19 s20; 1999 c28; 2001 c10; 2004 c36 s27; 2004 c47 s27;  
2004 c52; 2006 c16; 2009 c19; 2012 c38 s11; 2013 c16 s25**

#### **CHAPTER O-3**

#### **AN ACT RESPECTING OCCUPATIONAL HEALTH AND SAFETY IN THE PROVINCE**

##### **Employers' general duty**

**4.** An employer shall ensure, where it is reasonably practicable, the health, safety and welfare of his or her workers.

##### **Supervisors' general duty**

**5.1** A supervisor shall ensure, where it is reasonably practicable, the health, safety and welfare of all workers under his or her supervision.

##### **Workers' general duty**

**6.** A worker, while at work, shall take reasonable care to protect his or her own health and safety and that of workers and other persons at or near the workplace.

##### **Imminent danger**

**8.** A worker shall not

- (a) carry out work where there exists an imminent danger to his or her or another worker's health or safety or the health or safety of another person; or
- (b) operate a tool, appliance or equipment that will create an imminent danger to his or her or another worker's health or safety or the health or safety of another person.

### **Right to refuse to work**

**45.** (1) A worker may refuse to do work that the worker has reasonable grounds to believe is dangerous to his or her health or safety, or the health and safety of another person at the workplace

(a) until remedial action has been taken by the employer to the worker's satisfaction;

(b) until the committee or worker health and safety representative has investigated the matter and advised the worker to return to work; or

(c) until an officer has investigated the matter and has advised the worker to return to work.

(2) Where a worker refuses to do work under subsection (1) his or her employer may reassign the worker to other work that is reasonably equivalent to the work he or she normally performs and the worker shall accept the reassignment until he or she is able to return to work under subsection (1).

(3) Where a worker is reassigned to other work under subsection (2) the employer shall pay the worker the same wages or salary and grant him or her the same benefits the worker would have received had the worker continued in his or her normal work.

(4) Where a worker has reasonably refused to work under subsection (1) and has not been reassigned to other work under subsection (2) the employer shall pay the worker the same wages or salary and grant the worker the same benefits the worker would have received had the worker continued to work, until he or she is able to return to work under subsection (1).

(5) A reassignment of work under subsection (2) is not discriminatory action under section

## **NEWFOUNDLAND AND LABRADOR**

### **REGULATION 5/12**

#### ***Occupational Health and Safety Regulations, 2012***

**under the**

#### ***Occupational Health and Safety Act***

**(O.C. 2012-005)**

**(Filed January 17, 2012)**

**Newfoundland and Labrador - Terre-Neuve-et-Labrador**

## **PART XI**

### **SCAFFOLDS, STAGES AND WORK PLATFORMS**

#### **Work platforms supported by a crane or hoist**

**191.** A work platform suspended from a crane or hoist, or attached to a crane boom shall be approved and certified by a professional engineer.

#### **Crane capacity**

**192.** The weight of a work platform suspended from a crane or hoist or attached to a crane boom, and its rigging, plus the rated capacity, shall not exceed 25% of the crane's rated capacity at the working radius.

### **Eccentric loading**

**193.** Where a work platform attached to a crane boom causes eccentric loading on the boom, the rated capacity of the crane shall be reduced and shall be determined and certified by the crane manufacturer or a professional engineer.

### **Rigging**

**194.** Rigging used to suspend a work platform from a crane or hoist shall have a safety factor of at least 10, and shall be used exclusively for suspending the work platform.

### **Two block prevention**

**195.** Where a crane or hoist is being used to hoist personnel with a load line, the line shall have a device to prevent two-blocking.

### **Powered booms and winches**

**196.** (1) A crane used to suspend a work platform shall have a powered boom or a fixed boom.

(2) A hoist used to raise or lower a work platform suspended from a crane shall be capable of lowering under power.

(3) A free running boom or hoisting winch, controlled only by brakes, shall not be used to raise or lower a work platform.

(4) Hoisting and lowering speed of a crane or hoist shall be kept as slow as practicable while supporting a work platform.

### **Fall protection - suspended work platforms**

**197.** (1) An occupant of a work platform suspended from a crane or hoist shall use a personal fall arrest system with a shock absorbing lanyard secured to a designated anchorage point on the platform or above the load hook.

(2) Where a work platform suspended by a crane or hoist is occupied by a worker with a personal fall arrest system attached to the platform, the platform shall have a safety strap that prevents the platform from falling more than 15 centimetres where the platform becomes dislodged from the hook.

(3) Each occupant of a work platform attached to a crane boom shall use a personal fall arrest system secured to a designated anchorage point on the boom.

### **Articulating booms prohibited**

**198.** A work platform shall not be

- (a) suspended from an articulating boom crane; or
- (b) attached to an articulating boom crane unless the installation is approved by the crane manufacturer.

### **Travelling restriction**

**199.** Travelling with a worker in a work platform supported by a crane or hoist is not permitted except where the platform is supported by a rail-mounted crane.

### **Communications**

**200.** The operator of a crane or hoist used to suspend a work platform shall have an effective means of constant communication with a person on the platform.

### **Definitions -elevating work platforms**

**201.** For the purpose of this section and sections 202 to 217 ,

(a) "aerial device" means a vehicle-mounted device having a boom which may be telescoping or articulating, or both, with a work platform on the boom, which is used to position personnel;

(b) "aerial ladder" means a vehicle-mounted aerial device with a single or multiple-section ladder with or without a platform at the top;

(c) "boom-supported elevating work platform" means an elevating work platform or aerial device which has its platform supported by an elevating device that elevates and rotates relative to the machine base;

(d) "elevating work platform" means a work platform or aerial device which self-elevates to overhead work locations and includes other similar devices not covered elsewhere in these regulations; and

(e) "self-propelled" means the capability of an elevating work platform to be power propelled with the primary controls on the work platform.

### **Standards**

**202.** (1) A self-propelled work platform comprising a boom-supported elevating platform, which telescopes, articulates, rotates or extends beyond the base dimensions, and is not mounted on a separate self-propelled vehicle shall meet the requirements of

(a) CSA Standard CAN/CSA -B354.4 "Self-propelled Boom-Supported Elevating Work Platforms";

(b) ANSI Standard ANSI /SIA A92.5 "Boom-Supported Elevating Work Platforms"; or

(c) other standard acceptable to the minister.

(2) A self-propelled integral chassis elevating work platform having a platform that cannot be positioned laterally completely beyond the base and for which primary functions are controlled from the platform shall meet the requirements of

(a) CSA Standard CAN/CSA -B354.2 "Self-Propelled Elevating Work Platforms";

(b) ANSI Standard ANSI /SIA A92.6 "American National Standard for Self-Propelled Elevating Work Platforms"; or

(c) other standard acceptable to the minister.

(3) A manually propelled, integral chassis elevating work platform having a platform that cannot be positioned laterally completely beyond the base, which may be adjusted by manual or powered means and which shall not be occupied when moved horizontally, shall meet the requirements of

(a) CSA Standard CAN/CSA -B354.1 "Portable Elevating Work Platforms";

(b) ANSI Standard ANSI /SIA A92.3 "American National Standard for Manually Propelled Elevating Aerial Platforms"; or

(c) other standard acceptable to the minister.

(4) A telescopic aerial device, aerial ladder, articulating aerial device, vertical tower, material-lifting aerial device or a combination of these, when vehicle-mounted, whether powered or manually operated, shall meet the requirements of CSA Standard CAN/CSA -C225 "Vehicle-Mounted Aerial Devices" or other standard acceptable to the minister.

(5) An elevating work platform of a type other than that referred to in subsections (1) to (4) shall meet a standard acceptable to the minister.

### **Operating and maintenance manuals**

**203.** (1) The equipment manufacturer's

(a) operation manual; and

(b) maintenance manual, containing maintenance instructions and replacement part information

for each elevating work platform in use at the workplace shall be available at the workplace.

(2) Where either of the manuals referred to in subsection (1) is not available, the equipment shall not be used until the manual is obtained, or until written instructions for the safe operation and maintenance of the equipment are supplied by a professional engineer.

### **Inspection and maintenance records**

**204.** (1) Records of inspection, maintenance, repair and modification shall be kept for an elevating work platform by the equipment operator and a person inspecting and maintaining the equipment.

(2) Where the inspection and maintenance records required under subsection (1) are not available, an elevating work platform shall be inspected and certified by a professional engineer before use, and an inspection and maintenance recording system shall be established as required by subsection (1).

### **Shift inspection**

**205.** An elevating work platform shall be inspected by the operator before use on each shift and a condition that could endanger workers shall be remedied before the platform may be used.

### **Annual inspection and certification**

**206.** (1) An elevating work platform shall be inspected, maintained, repaired and modified in accordance with

(a) the manufacturer's instructions;

- (b) the relevant CSA Standard as specified in section 202 ;
  - (c) the direction of a professional engineer; or
  - (d) another standard acceptable to the minister.
- (2) An insulated aerial device shall be dielectrically tested at least annually in accordance with CSA Standard CAN/CSA -C225 "Vehicle Mounted Aerial Devices" or other standard acceptable to the minister and the insulating capability of the aerial device shall be certified by the testing agency.

### **Fall protection - elevating work platform**

**207.** (1) A person on an elevating work platform shall wear a personal fall arrest system secured to an anchorage point that is approved by the manufacturer or professional engineer.

(2) A worker on an aerial ladder shall be continuously protected by means of a personal fall arrest system as required by Part X or shall maintain 3 points of contact with the ladder at all times.

### **Safe access**

**208.** Safe means shall be provided to get on and off the platform of an elevating work platform.

### **Rated capacity**

**209.** The rated capacity of an elevating work platform

- (a) shall be marked on the platform; and
- (b) shall not be exceeded.

### **Outriggers**

**210.** (1) An outrigger on an elevating work platform shall be used in accordance with the manufacturer's instructions.

(2) Where an elevating work platform has outriggers, notices indicating the circumstances specified by the manufacturer for which the outriggers are to be used shall be clearly displayed at the operating controls for the platform.

### **Controls**

**211.** (1) Each control on an elevating work platform shall be clearly identified to indicate its function.

(2) Controls on an elevating work platform shall be 'hold-to-run' (continuous pressure) type that return to the neutral or stop position when released.

(3) Controls on an elevating work platform shall be protected against inadvertent operation.

(4) Each set of operating controls of an elevating work platform shall be provided with an emergency stop device.

- (5) An emergency stop device referred to in subsection (4) shall be
  - (a) within easy reach of the operator;
  - (b) clearly labelled 'STOP'; and
  - (c) red in colour.

(6) An elevating work platform shall have a clearly marked overriding lowering control to enable a worker at the lower controls to stop and lower the platform in the event of an emergency.

#### **Immobilization of vehicles**

**212.** (1) The carrier vehicle of an elevating work platform shall be secured against inadvertent movement before a worker occupies the platform.

(2) Where a manufacturer permits an elevating work platform to be elevated on sloping ground, the vehicle's wheels shall be secured according to the manufacturer's instructions and where no instructions have been provided, the wheels shall be chocked.

#### **Shear hazard**

**213.** An elevating work platform lifting mechanism which creates a shear hazard to workers shall be adequately guarded or identified with signs, decals or similar markings warning of the hazard.

#### **Warning devices**

**214.** An elevating work platform, other than a vehicle-mounted aerial device which complies with the requirements of CSA Standard CAN/CSA -C225 "Vehicle Mounted Aerial Device", shall have a warning system consisting of an intermittent horn and flashing light which is automatically activated during motion of the work platform.

#### **Transporting workers**

**215.** A worker may not be transported on an elevated work platform unless the transport is in accordance with the manufacturer's instructions.

<http://www.assembly.nl.ca/legislation/sr/regulations/rc120005.htm> - top