

Construction concerns: Fall protection and scaffold safety is up there

by Rick Van Ihinger

In an effort to reduce the number of injuries and fatalities from falls, the Ontario Ministry of Labour has rewritten parts of *Construction Regulation 213/91* under the *Occupational Health and Safety Act*, by which all construction projects in Ontario must abide.

On June 12, 2002, the Ministry of Labour's fall protection enforcement will swing into high gear. Fall protection training will be mandatory for all workers who work in areas where falls are a hazard. Inspectors will begin visiting construction sites looking for evidence of worker training in the use of fall protection equipment provided by the employer. The worker will need to demonstrate an understanding of fall arrest systems.

During the regulation rewrite process, the government invited industry stakeholders to provide feedback. The Construction Safety Association of Ontario (CSAO) and the Provincial Labour-Management Health & Safety Committee were key contributors.

The regulation rewrite put all issues of fall protection into one grouping in the regulations. *Reg. 26* under the Act, says that fall protection is required for any work above three metres and *Reg. 26.3* says that guardrails are required around a scaffold platform at or above 2.4 metres. All construction personnel, including scaffold-erecting crews, must comply with the revamped regulations.



Looking northwest at the Casa Loma stables in Toronto. Systems scaffold enabled restoration of the Roman stone at the top of the stable tower. Work was completed in July 2001.

Fall protection includes worker training and planning and covers both fall prevention and fall arrest.

- ◆ Fall prevention aims to keep the worker from being exposed to the hazard of a fall. Fall prevention as it relates to scaffolding may include safe work procedures, guard rails, barriers and signage, or changing work procedures.
- ◆ Fall arrest is designed to save the worker in the event of a fall. Fall arrest may include horizontal, vertical or retractable lifelines, suitable anchor points, safety nets, and personal protective equipment, such as full-body harnesses and shock-absorbing lanyards.

Although personal protective equipment may be the only way to go in some circumstances, it can be cumbersome and uncomfortable, and should be considered a last resort, after all other means have been investigated. As for safety nets, *Reg. 26.8* requires inspection and testing by a professional engineer or by a competent person under the engineer's supervision, before being put into service. A profes-

sional engineer must document the inspection and testing, and sign and seal the document, which must be kept at the project as long as the net is in service. Horizontal lifelines must be designed by a professional engineer.

A critical part of the Ministry of Labour's strategy will be to visit construction sites looking for safe work procedures and for evidence of worker training in fall protection. Any lack may be met with job stoppages, leading to lost production, charges, convictions, fines or jail time under the *Occupational Health and Safety Act*. Maximum fines for an individual are \$25,000 per offence, and/or a year in jail, while corporate penalties can be as much as \$500,000.

Key to the Ministry's new fall protection enforcement is *Reg. 26.2(1)*: "An employer shall ensure that a worker who may use a fall protection system is adequately trained in its use and given adequate oral and written instructions by a competent person." Further, the employer must ensure that the instructor prepares, signs and keeps a written record of the training, including the worker's name and training

date. If the Ministry of Labour (MOL) asks for it, the employer must produce it.

MOL inspectors may also ask for written procedures for worker rescue after a fall. Recovery procedures after a fall are mandatory for workers erecting or dismantling scaffold. *Reg. 26.1(4)*: "Before any use of a fall arrest system or a safety net by a worker at a project, the worker's employer shall develop written procedures for rescuing the worker after his or her fall has been arrested." Rescue of a co-worker can be risky if it means exposing oneself to the hazard as well, but the recovery should be done quickly and without putting the rescuer at risk.

Scaffolds and work platforms

In late 2000, when the CSAO and the Masonry and Allied Trades Health & Safety Committee created written procedures for the masonry industry, there appeared to be a shortage of fall protection equipment aimed at scaffold building and alteration tasks. Manufacturers of scaffolding had included guardrails to provide fall prevention for workers after the scaffold was built, but there was little in the way of facilities for the erector. What did exist was cumbersome, and met with backlash from the scaffold building crews. Some manufacturers have responded by designing systems that would assist the user in complying with the new regulations.

New requirements have been drafted for the various types of scaffolds. Proposed amendments to the existing regulation (*Reg. 213/91*) are currently being reviewed. One of the goals of the new requirements is to provide a clearer set of guidelines for design engineers to follow. Check out the Ministry of Labour's website for updates at www.gov.on.ca/lab.

For more information on worker training contact: Construction Safety Association of Ontario at 416-674-3736, or 1-800-781-2726; website: www.csao.org.

References:

Occupational Health and Safety Act and Regulations for Construction Projects, June 2000 edition, (the "green book"). ◆

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Statistics for Ontario construction

	1995	1996	1997	1998	1999	2000	2001
Fall fatalities	6	8	8	4	7	7	5
Total fatalities	13	23	15	24	12	16	21

Source: Construction Safety Association of Ontario.