

Supervisor Says Fall Protection Is Unnecessary But Board Doesn't Buy It



An OHS inspector issued a \$250 administrative monetary penalty to a supervisor after observing 2 of his workers on the roof of a 2-storey building wearing safety harnesses not secured to an anchor point. While acknowledging that the workers were 7 metres above the ground, the supervisor contended they were in no danger of falling and didn't need to be attached because of the slope and perimeter of the roof and underfoot protection. The Labour Board upheld the penalty. Accepting the supervisor's argument would 'require a re-writing of the regulations' mandating that fall protection be used by workers at risk of falling 3 metres or more [*Nutter (Re)*, 2018 NSLB 157 (CanLII), Nov. 14, 2018].

Editor's Note: *Why wasn't the employer charged? Answer: The inspector determined that the crew had the appropriate fall protection equipment and received proper training and instruction how to use it.*