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Elevating work platform safety in construction

Safe At Work Ontario
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Improper use of access equipment on construction projects continues to cause workplace injuries in Ontario. The use of elevating working platforms may put workers at risk when the equipment is not adequately used, maintained or stored, or when manufacturer's instructions are not followed and equipment limitations are not respected.

Some general duties of workplace parties

Employers

Employers' obligations under the Occupational Health and Safety Act (OHSA) and the Construction Projects Regulation include, but are not limited to:

- ensuring workers are adequately trained in the use of fall protection systems at Ontario construction sites [O. Reg. 213/91, section 26.2]
- appointing a competent person as a supervisor [OHSA clause 25(2)(c)]
- taking every precaution reasonable in the circumstances for the protection of a worker [OHSA clause 25(2)(h)].

An employer with six or more workers must also:

- prepare an occupational health and safety policy
- review that policy at least once a year
- set up a program to implement it [clause 25(2)(j)], and
- post, in a conspicuous place, a copy of the occupational health and safety policy [OHSA clause 25(2)(k)].

Supervisors

Supervisors' duties under the OHSA include, but are not limited to:

- ensuring workers work in compliance with the act and regulations, using protective devices, measures and procedures required by the OHSA and regulations [clause 27(1)(a)]
- taking every precaution reasonable in the circumstances for the protection of workers [clause 27(2)(c)].

Workers

Workers' duties under the OHSA include, but are not limited to:

- working in compliance with the act and regulations, using protective devices, equipment and clothing that their employer requires them to use [subsection 28(1)], and
- not using or operating any equipment, machine, device or thing or working in a manner that may endanger themselves or any other worker [clause 28(2)(b)].

Protecting workers

All workplace parties — employers, supervisors and workers — are responsible for ensuring compliance with the provisions of the OHS Act and the prescribed regulations. There are many factors to consider for the safe use of elevating work platforms on construction projects.

Obligations under the OHS Act and the Construction Projects Regulation

- The elevating work platform:
 - must not be loaded in excess of its rated working load
 - must be situated on a firm and level surface
 - must be operated only in accordance with the written instructions of the manufacturer
 - shall not be loaded and used in such a manner as to affect its stability or endanger a worker, and
 - shall not be moved unless all workers on it are protected against falling by a safety belt attached to the platform [O. Reg. 213/91, section 148].
- The area around the elevating work platform secured (access restricted by fencing or barriers) so as not to endanger any nearby worker [O. Reg. 213/91, section 109].
- The elevating work platform must comply with the applicable National Standard of Canada as set out in O. Reg. 213/91. A professional engineer must have certified in writing that the elevating work platform is in compliance with the applicable National Standard. The certificate provided by the professional engineer must include the details of testing carried out on the elevating work platform and outlined in the standard [O. Reg. 213/91, section 144].
- The platform must be equipped with guardrails [O. Reg. 213/91, subsection 144(7)].
- Workers on the platform must be protected from a fall by a safety belt attached to the platform when it is being moved [O. Reg. 213/91, section 148].
- The elevating work platform must have signs that are clearly visible to an operator at its controls indicating its rated working load, all the limiting working conditions and warnings by the manufacturer (and direction of machine movement for non boom-type elevating work platforms) [O. Reg. 213/91, section 144].
- The elevating work platform must have (clearly visible to the operator) the name and number of the National Standards of Canada standard to which it was designed and the name and address of its owner [O. Reg. 213/91, section 144].
- A maintenance and inspection record tag must be attached to the elevating work platform near the operator's station. Such tag must include the date of the last maintenance and inspection, the signature and name of the person who performed the maintenance and inspection, and an indication that the maintenance has been carried out in accordance with the manufacturer's recommendations [O. Reg. 213/91, section 146].
- The operator must have been given oral and written instructions on the use and limitations of the elevating work platform. [O. Reg. 213/91, section 147].
- The operating manual must be kept with the elevating work platform [O. Reg. 213/91, section 149].
- The elevating work platform must be used in accordance with the operating manual [O. Reg. 213/91, section 148].
- The elevating work platform must be inspected daily by a trained worker [O. Reg. 213/91, clause 144(3)(b)].
- The owner must have a permanent record of all inspections, tests, repairs, modifications and maintenance performed on the elevating work platform. This record must include the name and signature of the persons who carried out the maintenance, tests or repairs. [O. Reg. 213/91, section 145].
- Safe distance must be maintained from overhead energized power lines as dictated by the voltage of the power lines and relevant legislation [O. Reg. 213/91, sections 187 and 188]

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- Workers need to be aware of the written emergency procedures in place (required to be established by the constructor) at the project in the event of an accident [O. Reg. 213/91, section 17].
 - Employers must ensure that PPE needed for the job is used by workers and maintained in good condition. The PPE must comply with applicable standards. Where required, the employer must ensure that the PPE is used, maintained and stored according to manufacturer's instructions, applicable standards, and legislated requirements. The workers must be adequately trained on the use of the PPE [O. Reg. 213/91, sections 21, 26 and 93].
 - Workers need to know who is in charge of the operation — supervisor? “competent person”¹? [O. Reg. 213/91, section 14].

Health and safety considerations and best practices

Here are some of the many factors to consider for the safe use of elevating work platforms on construction projects:

- Analyze the job hazards. Are there ventilation issues that need to be addressed? Could carbon monoxide from internal combustion engines accumulate?
- Review the work area to where the equipment is being elevated. Is there adequate lighting? Are there any obstructions above that could strike or crush a worker?
- Has specific training been provided to address identified hazards while using the elevating work platform – including training on fall protection, material handling, Workplace Hazardous Materials Information System (WHMIS), etc.?
- Have any hazardous chemical and other toxic substances been identified, and are there engineering controls and other safety measures in place to deal with them?
- Has the proper equipment been provided for material handling to reduce the risk of overexertion or musculoskeletal disorders? (Consider work positioning, lifting devices, etc.)
- All workers, including young workers and workers new to the job, must be adequately trained and properly supervised.
- Specific work-related hazards must be analyzed and relevant controls established.

More information about safety on construction projects

- Ministry of Labour, construction safety: <http://www.ontario.ca/ConstructionSafety>
- Infrastructure Health & Safety Association: <http://www.ihsa.ca>
- Workplace Safety & Insurance Board: <http://www.wsib.on.ca>
- CSA standards (view only) referenced in occupational health and safety legislation: <http://ohsviewaccess.csa.ca>

Call toll-free

Call 1-877-202-0008 anytime to report workplace health and safety incidents or for general inquiries about health and safety at the workplace.

Note: *This document does not constitute legal advice and has no legal effect.*

To determine your rights and obligations under the Occupational Health and Safety Act (OHSA) and its regulations, please contact your legal counsel or refer to the legislation at http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90o01_e.htm.

¹ The OHSA defines a “competent person” as:

- having the knowledge, training and experience to organize the work
- being familiar with the OHSA and the Construction Regulation, and
- being able to identify existing and potential health and safety hazards and/or unsafe working conditions.