



SAFETY ALERT



Safety Alert Number: **0000011**

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Work Platform Prohibition

Issue

In the field, OHS Officers are seeing workers being lifted on platforms attached to equipment that was not specifically designed to lift workers. This includes any machine that was not specifically designed as a work platform, including but not limited to powered mobile equipment such as loaders, backhoes, excavators, bulldozers, skidders, scoops, and similar pieces of equipment.

In our regulations, the use of this equipment is explicitly prohibited due to the high risk it poses for workers on a work platform supported by this type of equipment.

This hazard alert is intended for employers, employees, engineers, manufacturers, service providers and other parties that may be involved in work where workers are supported by a work platform.

Regulatory Requirements

Prohibited use

Employers may not lift persons in equipment that has not been specifically designed for that purpose. This includes personnel baskets mounted on excavators, loaders, and similar pieces of equipment:

Lifting persons in certain equipment prohibited

23.16 *Except as expressly permitted in these regulations or in some other enactment, a person must not be lifted or held aloft in equipment that is not specifically designed for that purpose, including loader buckets or backhoes.*



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Regulatory options

The regulations address requirements for a number of types of work platforms, including:

Type of work platform	Regulatory Reference
Scaffolds	Workplace Health and Safety Regulations, Section 23.3
Suspended work-platforms	Workplace Health and Safety Regulations, Section 23.11
Lift truck work-platform	Workplace Health and Safety Regulations, Section 23.12
Elevating work-platforms	Workplace Health and Safety Regulations, Section 23.13
Crane-supported work-platforms	Workplace Health and Safety Regulations, Section 23.14
Mast-climbing work-platforms	Workplace Health and Safety Regulations, Section 23.15

The list above is limited to work platforms. There are other ways to access work locations, such as rope access, which is covered under Part 22 of the Workplace Health and Safety Regulations.

When an employer has decided to use a work platform to access a work site, it is important that a hazard assessment is conducted to ensure that the most appropriate method is chosen. The regulations and incorporated standards also provide guidance on the most appropriate work platform method.

The role of manufacturer's specifications and engineer's certifications for equipment use

Aside from the detailed regulations relating to work platforms above, the Workplace Health and Safety Regulations also provide important requirements for equipment in general.

Section 1.10 covers an employer's requirement to adhere to the manufacturer's specifications for equipment and components.



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Often, the manufacturer of equipment will restrict the use or modification of equipment to within the scope of what the equipment was specifically designed to do. For example, an excavator is primarily designed to dig and move earth with a bucket. A manufacturer may also design accessories to perform other tasks, but these would be aligned to both the capabilities and limitations of the machine.

Section 1.11 covers an engineer's certification for other uses of equipment or components not specifically permitted by the manufacturer's specifications or an applicable standard. OHS officers have seen documents in the field that have been stamped by an engineer, and which may cover certain aspects of the use of the equipment, but this does not make the equipment specifically designed for lifting workers. Section 1.11 of the Regulations does not apply alone as authority for the use of equipment, if it is prohibited elsewhere in the regulations. Under Section 21 of the Occupational Health and Safety Act, an engineer must take all reasonable precautions to ensure that the employer relying on their work will not be in contravention of the Act or regulations by following their advice or design.

Authorized deviation from regulations

Under Section 83 of the Occupational Health and Safety Act, the Director of the Occupational Health and Safety Division may authorize a deviation to a regulation if they are satisfied that it would provide at least the same level of safety as the regulatory requirement.

The success of a deviation depends on many factors, including but not limited to the prescriptiveness of the regulation, whether or not the regulation is a prohibition, the quality and sufficiency of technical information submitted to support a decision, and whether the safety of the proposed approach to work has been sufficiently demonstrated.

Due to the nature of the regulation and the technical issues involved, a deviation application for Section 23.16 of the Workplace Health and Safety Regulations would be complex and would require the employer to have detailed engineering work completed.



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Conclusion

Work platforms can be a very effective method of positioning workers to complete their tasks. The Workplace Health and Safety Regulations outline requirements for a number of different types of work platforms. The regulations also prohibit lifting persons in equipment that is not specifically designed for that purpose. Any employer that uses prohibited equipment to lift workers is in contravention of Workplace Health and Safety Regulations section 23.16.

Contact for bulletin queries

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