

**Compliance Orders
Issued Under the Occupational Health and Safety Act**

File Ref #:4050752
Inspection No. 12682787
Inspection Date: May 31, 2019

Inspectee: THE GOVERNORS OF ST. FRANCIS XAVIER UNIVERSITY

Operating As: GOVERNORS OF SAINT FRANCIS XAVIER
UNIVERSITY

Mailing Address: PO BOX 5000 MACKINNON HALL
ANTIGONISH, NS CANADA B2G 2W5

Related to the work being conducted at:

Worksite Location: STFXU

**TAKE NOTICE THAT YOU ARE TO COMPLY WITH THE FOLLOWING
ORDER(S) ISSUED UNDER THE AUTHORITY OF THE OCCUPATIONAL
HEALTH AND SAFETY ACT**

Order 12682787-001

Date Order Issued: May 31, 2019

Occupational Health and Safety Act

55-4 Orders and consequences of orders

Where an officer makes an order pursuant to subsection (1) and finds that the matter or thing referred to therein is a source of danger or a hazard to the health or safety of a person at the workplace, the officer may order that

(a) any place, device, equipment, machine, material or thing not be used until the order is complied with;

(b) work at the workplace or any part of the workplace stop until the order to stop work is withdrawn or cancelled by an officer;

(c) the workplace or any part of the workplace be cleared of persons and isolated by barricades, fencing or any other means suitable to prevent access thereto until the danger or hazard is removed.

You have contravened the above provisions as follows:

An incident has been reported where an employee on site came into contact with a 200volt powerline.

In order to be in compliance with this section, you must:

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The employer must ensure the immediate area is secured until this Officer arrives one site, as required in section 64 of the OHS Act.

This order must be complied with by May 31, 2019

Order 12682787-002

Date Order Issued: May 31, 2019

Occupational Health and Safety Act

64 Disturbance of accident scene

Except as otherwise directed by an officer, no person shall disturb the scene of an accident to which subsection 63(1) applies except as is necessary to

- (a) attend to persons injured or killed;
- (b) prevent further injuries; or
- (c) protect property that is endangered as a result of the accident.

You have contravened the above provisions as follows:

As agreed, the accident scene will not be secured until this Officer arrives on site June 3rd and released the SWO associated with this Order.

In order to be in compliance with this section, you must:

No persons shall preform work activities or disturb of the accident scene until the SWO is released by an Officer.

This order must be complied with by May 31, 2019

Order 12682787-003

Date Order Issued: May 31, 2019

Occupational Health and Safety Act

47 Powers of officers

For the purpose of ensuring compliance with this Act and the regulations and any order made thereunder, an officer may

- (a) at a reasonable hour of the day or night enter and inspect a workplace, conduct tests and make such examinations as the officer considers necessary or advisable;
- (b) require the production of records, drawings, specifications, books, plans or other documents in the possession of the employer that relate to the workplace or the health and safety of employees or other persons at the workplace and remove them temporarily for the purpose of making copies;
- (c) require the production of documents or records that may be relevant to the investigation of a complaint pursuant to subsection 46(1), and remove them temporarily for the purpose of making copies;
- (d) take photographs or recordings of the workplace and any activity taking place in the workplace;

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(e) make any examination, investigation or inquiry as the officer considers necessary to ascertain whether there is compliance with this Act and the regulations and any order made under them;

(f) inspect, take samples and conduct tests of samples, including tests in which a sample is destroyed, of any material, product, tool, equipment, machine or device being produced, used or found at the workplace for which the officer shall be responsible, except for a sample that has been destroyed, until the material, product, tool, equipment, machine or device is returned to the person being inspected;

You have contravened the above provisions as follows:

For the purpose of this report, the employer is requested to provide all information collected or obtained for the purpose of their OHS internal investigation(s) into the electrical powerline contact report May 31/19.

In order to be in compliance with this section, you must:

Provide copies of all relevant documentation/information that may be related to the investigation; both documentation supporting efforts to prevent occurrence and that collected following the event.

This order must be complied with by June 7, 2019

Important Notes:

1. A person who has contravened a provision of the *Occupational Health and Safety Act* or regulations may be required to pay an administrative penalty.
2. Section 69 of the *Occupational Health and Safety Act* allows orders and some decisions to be appealed. You may appeal this order by filing notice with the Labour Board no later than 30 days after being served this notice. To get information and the required forms, please visit the Labour Board website at: <http://www.novascotia.ca/lae/labourboard/>
3. Compliance with an order issued by an OHS officer is expected and required by law. Where an order is issued you are required to submit a compliance notice to the officer named below identifying the action taken to comply with the order. Failure to submit your compliance notice(s) can result in prosecution.
4. Submitting a compliance notice does not prevent the issuance of an administrative penalty. Where a contravention of the OHS Act or regulations has been recorded in an order it will be considered for an administrative penalty.
5. If you are an employer and have been issued this order(s) you are required to post a copy of the order (s) in a prominent place. You are also required to give a copy of the order(s) to the joint occupational health and safety committee or health and safety representative, if they exist in your workplace.

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The Compliance Order report was provided to _____ by:

Officer Name: Paula Dobson

Officer Signature: _____

Date: _____

Inspectee Signature: _____

Date: _____

This order(s) was issued by Paula Dobson, Occupational Health and Safety Officer, who may be contacted at:

Occupational Health and Safety Division
Department of Labour and Advanced Education
11210 Highway #16
Boylston, NS B0H 1G0

Phone: 1-800-952-2687 Fax: 902-533-2307 Email: Paula.Dobson@novascotia.ca
