September 17, 2015

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act [Our File #: SNL-034-2015]

On September 4, Service NL received your request for access to the following records/information:

"Any OHS report(s) and other OHS records generated in the wake of a wall collapse at Roncalli School in St. John's on or about September 21, 2014."

I am pleased to inform you that a decision has been made by Service NL to provide access to some of the requested information. In particular copies of the Occupational Health and Safety and incident reports concerning the wall collapse at Roncalli School in St. John’s are enclosed. However, access to specific text within these records that would reveal individual personal information has been exempted from disclosure in accordance with the following section specified in the Access to Information and Protection of Privacy Act (the Act):

Section 40(1): “The head of a public body shall refuse to disclose personal information to an applicant where the disclosure would be an unreasonable invasion of a third party's personal privacy.”

As required by 8(2) of the Act, we have severed the information that is unable to be disclosed and have provided you with as much information as possible. In accordance with your request for a copy of the records, the appropriate copies have been enclosed.

Please be advised that you may appeal this decision to provide partial access to the requested information by asking the Information and Privacy Commissioner to review, which is set out in section 42 of the Act (a copy of section 42 of the Act has been enclosed for your reference). A request to the Commissioner must be made in writing within 15 business days of the date of this letter or within a longer period that may be allowed by the Commissioner. Your appeal should identify your concerns with the request and why you are submitting the appeal. The address of the Office of the Information and Privacy Commissioner is as follows:

Office of the Information and Privacy Commissioner
2 Canada Drive
P. O. Box 13004, Stn. A
St. John’s, NL. A1B 3V8

Telephone: (709) 729-6309
Toll-Free: 1-877-729-6309
Facsimile: (709) 729-6500
You may also appeal directly to the Supreme Court Trial Division within 15 business days after you receive the decision of the public body, pursuant to section 52 of the Act (a copy of section 52 of the Act has been enclosed for your reference).

Please be advised that responsive records will be published online following a 72 hour period after the response is sent electronically to you or five business days in the case where records are mailed to you. It is the goal to have the responsive records posted to the Office of Public Engagement’s website within one business day following the applicable period of time. Please note that requests for personal information will not be posted online.

If you have any further questions, please contact me by telephone at 709-729-7437 or by email at ellenhaskell@gov.nl.ca.

Sincerely,

ELLEN HASKELL
ATIPP Coordinator

Enclosures
Access or correction complaint (Section 42)

42. (1) A person who makes a request under this Act for access to a record or for correction of personal information may file a complaint with the commissioner respecting a decision, act or failure to act of the head of the public body that relates to the request.

(2) A complaint under subsection (1) shall be filed in writing not later than 15 business days

   a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

   b) after the date the head of the public body is considered to have refused the request under subsection 16 (2).

(3) A third party informed under section 19 of a decision of the head of a public body to grant access to a record or part of a record in response to a request may file a complaint with the commissioner respecting that decision.

(4) A complaint under subsection (3) shall be filed in writing not later than 15 business days after the third party is informed of the decision of the head of the public body.

(5) The commissioner may allow a longer time period for the filing of a complaint under this section.

(6) A person or third party who has appealed directly to the Trial Division under subsection 52 (1) or 53 (1) shall not file a complaint with the commissioner.

(7) The commissioner shall refuse to investigate a complaint where an appeal has been commenced in the Trial Division.

(8) A complaint shall not be filed under this section with respect to

   a) a request that is disregarded under section 21;

   b) a decision respecting an extension of time under section 23;

   c) a variation of a procedure under section 24; or

   d) an estimate of costs or a decision not to waive a cost under section 26.

(9) The commissioner shall provide a copy of the complaint to the head of the public body concerned.
Direct appeal to Trial Division by an applicant (Section 52)

52. (1) Where an applicant has made a request to a public body for access to a record or correction of personal information and has not filed a complaint with the commissioner under section 42, the applicant may appeal the decision, act or failure to act of the head of the public body that relates to the request directly to the Trial Division.

(2) An appeal shall be commenced under subsection (1) not later than 15 business days

a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

b) after the date the head of the public body is considered to have refused the request under subsection 16 (2).

(3) Where an applicant has filed a complaint with the commissioner under section 42 and the commissioner has refused to investigate the complaint, the applicant may commence an appeal in the Trial Division of the decision, act or failure to act of the head of the public body that relates to the request for access to a record or for correction of personal information.

(4) An appeal shall be commenced under subsection (3) not later than 15 business days after the applicant is notified of the commissioner’s refusal under subsection 45 (2).
GOVERNMENT OF NEWFOUNDLAND AND LABRADOR
Service NL
Occupational Health and Safety Inspections Branch

Toll Free: 1-800-563-5471
Accident Reporting: 729-4444

INSPECTION / OFFICER'S REPORT

Reference #: 0911073
Inspection: SEP 22, 2014

BARACO-ATLANTIC CORP
5 HALLETT CRESCENT
ST. JOHN'S
NL

A1B-4C4

Firm #: 925726
WCC #: 2040617
Tel: 709-437-1777
Fax: 709-437-1460

Employees: 10
NIC: 4022
Insp. Time: 1:15PM

Worksite: Roncalli School
Location: Airport Heights Drive
Employer Co-Chair: N/A
Employee Co-Chair: N/A
Worker Rep/Designate: Safety Advisor

REPORT:

Assignment #: 

Arrived onsite at Roncalli School, Airport Heights Drive, St. John's, and met with HSE Person as to the nature of the complaint. A block wall onsite collapsed due to the wind. A second block wall next to it is not secured.

I informed as to the nature of the complaint. A block wall onsite collapsed due to the wind. A second block wall next to it is not secured.

The wall that collapsed happened on a Saturday. No workers were onsite at the time. The second wall has been supported with wood to prevent it from falling. Baraco has a structural engineer from Stantec coming to the site today to inspect the wall and see where support is needed. The area below the existing wall has been red to keep workers out of the area in the event it falls.

has agreed to send an incident report complete with mitigating measures to the undersigned Officer for review.

No Directives issued at this time.

A copy of this inspection/order report must be provided at the earliest possible opportunity to your OHS Committee, Worker Representative or Workplace Designate.
INSPECTION / OFFICER'S REPORT

Reference #: 0911073
Inspection: SEP 22, 2014

Section 40(1)

Received By: [Redacted]
Position: [Redacted]
Date: SEP 22, 2014
Time: 2:37PM

Officer's Name: Neary, Pierre

A copy of this inspection/order report must be provided at the earliest possible opportunity to your OHS Committee, Worker Representative or Workplace Designate.
GOVERNMENT OF NEWFOUNDLAND AND LABRADOR
Service NL
Occupational Health and Safety Inspections Branch

INSPECTION / OFFICER'S REPORT

Toll Free: 1-800-563-5471
Accident Reporting: 728-4444

BARACO-ATLANTIC CORP
5 HALLETT CRESCENT
ST. JOHN'S
NL

A1B-4C4

Worksite: Roncalli School
Location: Airport Heights Drive
Employer Co-Chair: N/A
Employee Co-Chair: N/A
Worker Rep/Designate: [Redacted] Safety Advisor

REPORT:

Arrived onsite for Follow-Up Inspection to previous inspection # 911073 at Roncalli School, Airport Heights Drive, St. John's, and met with Supervisor [Redacted].

Requested Incident Report complete with mitigating measures has been received from Baraco Atlantic Corp. HSE person [Redacted]. Additional bracing was added to the block wall adjacent to the fallen wall as per [Redacted] Structural Engineer from DBA Consulting. The bracing was observed by the undersigned Officer.

No Directives issued at this time.

A copy of this inspection/order report must be provided at the earliest possible opportunity to your OHS Committee, Worker Representative or Workplace Designate.
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BARACO-ATLANTIC CORP
5 HALLETT CRESCENT
ST. JOHN'S
NL
A1B-4C4

Worksite: Roncalli School
Location: Airport Heights Drive
Employer Co-Chair: N/A
Employee Co-Chair: N/A
Worker Rep/Designate: [Redacted] Safety Advisor

Employees: 10
NIC: 4022
Insp. Time: 10:00AM

REPORT:

Arrived onsite for Follow-Up Inspection to previous Inspection # 911073 at Roncalli School, Airport Heights Drive, St. John's, and met with Supervisor [Redacted].

Meeting was held with [Redacted]. Drawings for structure were reviewed. The wall in question is not a load bearing wall. Issues with bent plates and dowels in the bottom section of the wall were discussed. [Redacted] stated that going forward, pictures/inspections are to be completed as masonry work is completed onsite to ensure it is installed as per engineers drawing. Extra precautions are to be taken in the event of extreme weather as well.

There are several contractors involved with ongoing work. Baraco-Atlantic Corporation are reminded that as principle contractor at this site they have to ensure that work tasks are organized to provide safe working conditions for workers.

Follow-Up Inspection to be completed in the future to ensure mitigating measures has been implemented.

No Directives issued at this time.

A copy of this inspection/order report must be provided at the earliest possible opportunity to your OHS Committee, Worker Representative or Workplace Designate.
INSPECTION / OFFICER'S REPORT

Received By: [Redacted]  Section 40(1)  Date: SEP 29, 2014  Time: 11:01 AM

Position: OPERATOR & MGR  Date: SEP 29, 2014

Officer's Name: Pierre Neary  Time: 11:01 AM

Toll Free: 1-800-563-5471  Inspection: SEP 29, 2014
Accident Reporting: 729-4444  SEP 29, 2014

Reference #: 0911079

A copy of this inspection/order report must be provided at the earliest possible opportunity to your OHS Committee, Worker Representative or Workplace Designate.
All,

Please see attached incident report from Roncalli. Additional bracing was added to the block wall adjacent to the fallen wall as per [Name] Structural Engineer from DBA Consulting. Please contact me should you require any further information.

Regards,
ACCIDENT / INCIDENT REPORT FORM

NAME: [Redacted]

BRIEF DESCRIPTION OF ACCIDENT/INCIDENT: Approximately 5 ft by 5 ft section of Cinder-block wall collapsed

OCCUPATION: Construction Safety Specialist

HOW LONG IN THIS OCCUPATION: 18 yrs

HOW LONG IN THIS POSITION: 4 yrs

MANAGEMENT: [Redacted]

OH&S COMMITTEE MEMBER: [Redacted]

1. COMPANY INFORMATION

FIRM NAME: Baraco Atlantic

DIVISION: General Contractors

ADDRESS: 32R Frederic Road, 3rd Floor

CITY/TOWN: St. John's

PROVINCE/STATE: NL

PHONE NO.: 709-900-7910

TYPE OF BUSINESS: Construction

2. EMPLOYEE INFORMATION

EMPLOYEE NAME: [Redacted]

ADDRESS: [Redacted]

CITY/TOWN: [Redacted]

PROVINCE/STATE: [Redacted]

PHONE NO.: [Redacted]
3. DATE AND TIME

DATE OF OCCURRENCE: Sunday, September 21/14
TIME OF OCCURRENCE: Unknown
DATE REPORTED: Monday, Sept 22/14
TIME REPORTED: 7:13am

4. LOCATION

SITE OF OCCURRENCE: Russell School Airport Highway, St. John's, NL
IF ACCIDENT OCCURRED IN A DIFFERENT LOCATION THAN #1 PLEASE SPECIFY
ADDRESS
CITY/TOWN: St. John's
PROVINCE/STATE: NL

5. MACHINERY

DESCRIPTION OF ALL MACHINERY, EQUIPMENT, TOOLS OR VEHICLES
INVOLVED

Approx 25' by 50' Cinder block wall

6. INVESTIGATION

CHECK ALL ITEMS BELOW THAT APPLY TO THE OCCURRENCE BEING
INVESTIGATED:

- INJURY
- PROPERTY OR EQUIPMENT DAMAGE
- PROCESS LOSS
- FIRE
- VEHICLE
- INJURY

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7. ACCIDENT SCENE
MEASURES TAKEN TO SECURE ACCIDENT SCENE

Pictures taken. Railing added to similar wall 12' past
we wall that is AIA tapped. SSC. Additional supports
added as per Structural Engineer [redacted] (CSS Consulting), sub contract
by [redacted].

8. MEDICAL ASSISTANCE

MEDICAL ASSISTANCE RENDERED AT: [redacted]
NAME OF ATTENDING PHYSICIAN: [redacted]

9. INJURIES

DESCRIPTION OF PERSONAL INJURIES: [redacted]

10. WITNESSES

1. NAME: [redacted]
   OCCUPATION: Security

2. NAME: [redacted]
   OCCUPATION: [redacted]
11. SEQUENCE OF EVENTS

Section 40(1)

12. DIAGRAM OF SCENE

Section 40(1)

PHOTO DESCRIPTIONS

PHOTO #1
Russell Moody
15/21/14
Black
Los Sallet

PHOTO #2
South Facing Site
of stairwell will
fall (note ear
construction)

PHOTO #3

PHOTO #4

Additional photo
shows presence of rebar throughout

Barco
Atlantic

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14. CONTRIBUTING CONDITIONS & ACTIONS
LIST THE CONDITION WHICH CONTRIBUTED TO THE OCCURRENCE:

Strong winds and insufficient support on top, bottom and sides

15. REASONS WHY THESE CONDITIONS AND ACTIONS EXISTED
REASONS FOR THE CONDITIONS WHICH CONTRIBUTED TO THE OCCURRENCE:

Workers did not take time to dowel in rebar or ensure that plates were attached to wall

16. CORRECTIVE MEASURES THAT COULD BE TAKEN
CORRECTIVE MEASURES SUGGESTED TO ELIMINATE THESE CONDITIONS:

Verification that all supports are in place prior to constructing wall or accepting as complete. Extra measures to be taken in event of high winds or other conditions.
### 17. Risk of Recurrence

- **LOW**
- **HIGH**

### 18. Loss Potential

- **LOW**
- **HIGH**

### 19. Recommendations to Prevent Recurrence

Barato to review all support structures/methods prior to and upon completion of back wall meeting to be held with managers to discuss.

### 20. Follow-up Person Responsible

[Redacted]

### 21. Follow-up Date

- As Required
- Sept 27, 2014
- [Redacted]