

TAKEN TO ACCESS



Question of the month:

- Q. If my project was reviewed under the 2001 or 2007 CBC and the 1991 ADAS, does it get monitored under the current code when construction concludes and the 2010 ADAS or is it monitored per the code and ADAS under which it was originally plan reviewed?
- R. Several of our ongoing projects have lengthy construction durations and often code cycles change during the life of those projects. Nonetheless, the projects are to be monitored per the code and ADAS under which the Accessibility Plan Review (APR) was performed. Prior to initiating the monitoring of the space, PAC staff performs a project evaluation to determine percentage at which the monitoring will take place, the appropriate access specialist to perform the field monitoring as well as the appropriate applicable code.

SPRING-BREAKROOMS

Should a break room be considered an employee work area or a common use area? Per the 2010 ADA Standards Section 106.5 an employee work area is defined as “all or any portion of a space used only by employees and used only for work.” The standard goes on to state specifically that “corridors, toilet rooms, kitchenettes and break rooms are not employee work areas.” Therefore a break room is considered a common use area made available for the use of a restricted group of people.

Additionally, 2010 CBC section 1123B.1 states that employee areas shall comply with the accessibility requirements of Chapter 11B and it’s very specific about what employee areas are exempt from accessibility requirements beyond approach, enter and exit: *“Accessibility is not required to (1) observation galleries used primarily for security purposes; or (2) in nonoccupiable spaces accessed only by ladders, catwalks, crawl spaces, very narrow passageways or freight (nonpassenger) elevators, and frequented only by service personnel for repair purposes; such spaces include, but are not limited to, elevator pits, elevator penthouses, mechanical rooms, piping or equipment catwalks.”*

This means that in new construction, break rooms just like staff toilet rooms for that matter are required to be designed and constructed so that individuals with disabilities can access and use all features, accessories and elements within the space.

During accessibility plan reviews several access specialists have flagged break rooms where only approach, enter and exit requirements have been met. This is an incorrect application of employee work area requirements to break rooms. Also, the argument that accommodations can be made when the need arises to serve an employee with disabilities per ADA Title I does not apply.

Below are samples of how as-built conditions are monitored for accessibility in several break rooms. Note that accessibility to a refrigerator/ freezer is also a requirement, one that was made clear in the 2010 ADAS section 804.6.6.



Access specialist verifies work surface maximum height of 34” AFF, unobstructed side maximum high reach of 48” AFF and maximum depth of 10” to appliances’ operable parts. A maximum depth of 24” is allowed when the side maximum high reach is 46” AFF.



Access specialist verifies that at least 50% of refrigerator/ freezer space is at a maximum of 54” AFF. In some cases, side by side refrigerators are specified during design to ensure compliance.