

Do I have to provide restrooms for my customers?

International Plumbing Code® 403.3 Required public toilet facilities. Customers, patrons and visitors shall be provided with public toilet facilities in structures and tenant spaces intended for public utilization. The number of plumbing fixtures located within the required toilet facilities shall be provided in accordance with Section 403 for all users. Employees shall be provided with toilet facilities in all occupancies. Employee toilet facilities shall be either separate or combined employee and public toilet facilities.

Americans with Disabilities Act Accessibility Guidelines (ADAAG) Public accommodations covered by the ADA must remove architectural barriers in existing facilities, including communication barriers that are structural in nature, where such removal is readily achievable. The ADA generally defines readily achievable as "easily accomplishable and able to be carried out without much difficulty or expense."

Avoiding ADA Lawsuits

- ADA is a complaint-driven law. Although Department Of Justice initiates some investigations, most complaints are generated by individuals with disabilities, their families or disability-rights organizations.
- Many believe the myth that any building built before ADA became law in 1990 is "grandfathered" in. In reality, for buildings built before ADA, facility executives were required as of Jan. 26, 1992, to begin removing barriers and working toward compliance. They include items such as installing a ramp to an entrance, widening doors, enlarging toilet stalls and installing grab bars, etc.
- Many organizations have taken the "I'm not going to do anything until I have to" approach. This single strategy has been the cause of many lawsuits.
- As long as it is not an undue hardship, an employer will need to provide access to the individual's office, the restroom, the conference room, the employee break room, etc.
- "Access" to common spaces for employees may involve widening doors to 34 - 36 inches throughout the workplace (to provide 32 inches of clear opening).