

November 28, 2005

The following question was recently posed:

Question:

How many toilets do you need to have per person in an area?

Does this rule apply to cab drivers at the airport?

They keep us in one area at the airport. We are not supposed to leave that area. In fact we aren't suppose to leave our vehicles except to go to the restroom. There is only one men's and one ladies restroom that we can use. The men's has a regular toilet and a stand up urinal in it. I have no idea what the ladies has. Shouldn't there be more. There can be as many as 100 guys penned up in this area with access only to this one filthy dirty restroom.

Answer:

Oregon OSHA's rules about the ratio of employees to toilets apply only to fixed work sites. As a cab driver, your work site is actually your cab and therefore you are not employed in a fixed work site. As you stop at various places to await a customer, your employer (the cab company) has no control over the number or condition of bathrooms at your disposal. If restrooms are for employees, the employer, in this case the airport, must keep them clean and there must be one for each 15 workers or fraction thereof.

Your employer must give you time to use a restroom when you need to do so. It sounds like your employer should work something out with the airport to better accommodate the needs of drivers.

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