



APPLICATION FORM DISABILITY AND COMMUNICATION ACCESS BOARD

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INTERPRETIVE OPINION

Pursuant to §103-50, Hawaii Revised Statutes (HRS), all buildings and facilities constructed by, or on behalf of the State or any county, shall conform to the 2004 Americans with Disabilities Act Accessibility Guidelines (2004 ADAAG) and amendments. In accordance to HRS §103-50 and Chapter 11-216, Hawaii Administrative Rules, the Disability and Communication Access Board has authority to issue interpretive opinions to HRS §103-50 design standards.

Docket: DCAB 2015-02: What is the minimum space required in an employee work area to satisfy the ADAAG 203.9 requirements for employees to approach, enter and exit the workspace?

Summary: The question was raised as to whether a 30 x 48 inch wheelchair clear floor space is required to be fully contained within an employee work area in order to meet the “approach, enter, exit” criteria, as many smaller work areas such as janitor rooms are not designed to accommodate the wheelchair space within the room.

Section 203.9 Employee Work Areas states:

“Spaces and elements within employee work areas shall only be required to comply with 206.2.8, 207.1, and 215.3 and shall be designed and constructed so that individuals with disabilities can approach, enter, and exit the employee work area. Employee work areas, or portions of employee work areas, other than raised courtroom stations, that are less than 300 square feet (28 m²) and elevated 7 inches (180 mm) or more above the finish floor or ground where the elevation is essential to the function of the space shall not be required to comply with these requirements or to be on an accessible route.”

The 2004 ADAAG and the Department of Justice’s (DOJ) 2010 ADA Standards for Accessible Design and accompanying regulations do not specifically specify that a wheelchair space must be wholly contained within an employee work area. DOJ technical assistance has stated that the 2010 ADA Standards for Accessible Design only requires the wheelchair to enter the workspace for an unspecified distance. However, where the wheelchair space is not wholly contained in the workspace, doors must not have closers; this will help to prevent a door from closing on someone who is within the doorway.

Ruling: For buildings or facilities subject to HRS §103-50,

ADAAG Section 203.9 Employee Work Areas

Employee work areas at a minimum must provide a route to the work area that complies with ADAAG 403 and the door must comply with ADAAG 404. In addition, a 30” x 48” wheelchair clear floor space that overlaps the door threshold to the work area must be provided to comply with ADAAG 203.9 for approach, enter and exit. Where the 30” x 48” wheelchair clear floor space is not fully contained within the work area the door shall not have a door closer unless required by the building code.

[Rul: 11/20/15] (Auth and Imp: HRS §103-50)

If you have any questions or comments regarding this ruling, please call us at 586-8121. DISABILITY AND COMMUNICATION ACCESS BOARD