**Section 1545.110 Toilets**

a) General Requirements:

1) Where running water and sewer or septic tank connections are reasonably available, flush-type toilets and urinals shall be maintained as set forth in this Section.

2) Chemical toilets or privies shall only be used when it is impractical to install inside toilet and urinal facilities.

3) All permanent privies shall be constructed and maintained so that there will be no cracks or open spaces in that portion of the superstructure between the seat and floor or between the floor and the pit, vault or space where the cans are kept. Every privy shall be provided with a door and the door shall be self-closing. The lids over the seats shall be so constructed as to fall into closed position when the seat is not occupied. The pit, vault or space where the cans are kept shall be ventilated to the outside end by screens. Individual seats shall be provided in accordance with the ratio set forth in subsection (c)(2).

4) Every flush toilet shall have a rim flush bowl or be so constructed as to prevent the accumulation of fecal matter on the bowl. The bowl shall be constructed of vitrified glazed earthenware, enameled metal or other smooth finished material impervious to moisture. No pan, plunger or washout water closets are permitted except that pan or double-pan types are permitted for running facilities. Every flush toilet shall have a separate hinged seat made of a material, other than metal, that does not absorb moisture or that is finished with varnish or other substances resistant to moisture.

5) Every urinal shall be made of vitrified glazed earthenware, enameled metal or other smooth finished material impervious to moisture. Every urinal shall be flushed from a water supplied tank or through a flush valve. Water may be allowed to run continuously over trough urinals. Slab urinals are not permitted.

6) Separate toilet facilities for employees of each gender housed in the camp car shall be provided in each sleeping car, in accordance with the table shown in subsection (c)(2). The number of facilities to be provided for each sex shall be based on the number of employees of that gender for whom the facilities are furnished. Where toilet rooms will be occupied by no more than one person at a time, can be locked from the inside, and contain at least one water closet or nonwater carriage toilet facility, separate toilet rooms for each gender need not be provided. Where the single-occupancy rooms have more than one toilet facility, only one such facility in each toilet room shall be counted for the purpose of the table shown in subsection (c)(2).

7) The method of sewage disposal for toilet facilities in camp cars shall not endanger the health of the employees.

8) All toilet facilities shall be kept in a clean and sanitary condition. They shall be cleaned regularly.

b) Specifications:

1) Separation: No toilet room shall have direct communication with any room in which meals are taken, unless separated from that room by a self-closing door maintained in operating condition. Separate toilet facilities shall be provided for each gender, whenever practicable, and each toilet room shall then be plainly marked.

2) Compartments: Each water closet in toilet rooms containing more than one water closet, or water closets together with the one or more urinals, shall be in an individual compartment with a door and walls or partition between fixtures sufficiently high to assure privacy.

3) Ventilation: Every toilet room shall be adequately ventilated.

4) Lighting: Each toilet facility shall be lighted naturally or artificially by a safe type of lighting available at all hours of the day and night. Where privies, chemical and dry hopper toilets, or nonwater carriage toilet facilities not connected to self-contained sewage tanks are provided, they shall be located and maintained with a safe type of lighting available at all hours of the day and night. During an emergency, temporary privies, chemical and dry hopper toilets, or nonwater carriage toilet facilities not connected to self-contained sewage tanks are excused from this provision when it is not practicable to provide lighting.

5) Heating: Every toilet room shall be kept adequately heated. During an emergency, temporary privies, chemical and dry hopper toilets, or nonwater carriage toilet facilities not connected to self-contained sewage tanks are excused from this provision when it is not practicable to provide heating.

6) Screens: All windows, ventilators and other openings shall be screened. Toilet rooms shall be kept free of insects and vermin insofar as possible.

7) During an emergency, temporary privies, chemical and dry hopper toilets, or nonwater carriage toilet facilities not connected to self-contained sewage tanks, shall be located within 50 feet of the camp cars and, as far as practicable, on the same side of the track on which the camp cars are sited.

c) Number Required:

1) Adequate toilet facilities, conveniently located, shall be provided for all employees and for each gender whenever practicable. The facilities shall be maintained in a usable and sanitary condition at all times.

2) The following table shall be used as a guide in determining the adequacy of toilet facilities:

|  |  |  |
| --- | --- | --- |
| Number of Employees |  | Minimum Number of Facilities |
|  1 to 10 persons |  | 1 toilet |
|  11 to 25 persons |  | 2 toilets |
|  26 to 49 persons |  | 3 toilets |
|  50 to 100 persons |  | 5 toilets |
| 100 persons or over |  | 1 toilet for each additional 25 persons |

3) Whenever urinals are provided, one urinal may substitute for one toilet, provided the number of toilets shall not be reduced to less than ⅔ of the number shown in the foregoing table.

4) Supplies: An adequate supply of toilet paper with holder shall be supplied by the employer for each toilet.

5) Feminine Hygiene Products: In all toilet rooms used by women, the company shall permit the installation of dispensing machines for feminine hygiene products. Covered receptacles shall be provided for the disposal of feminine hygiene products.

d) Location of:

1) Running Facilities:

A) All locomotives (except those used primarily in transfer, switching or yard service and those locomotives in service on October 1, 1967 (the effective date of this Part) on which no space is available).

B) Baggage and express cars (when employees are required to work en route and no other facility is available).

C) Cabooses (except those used primarily in transfer, switching or yard service).

D) Camp cars. When toilet facilities are provided in separate cars, toilet rooms shall have a window space of not less than 6 square feet in area opening directly to the outside area or otherwise be satisfactorily ventilated. All outside openings shall be screened with material that is equivalent to or finer than 16-mesh. No fixture, water closet, nonwater carriage toilet facility or urinal shall be located in a compartment used for other than toilet purposes.

2) Stationary Facilities:

Toilets, according to the foregoing specifications, shall be available if employees are on duty regularly for periods of time long enough to make the facility reasonably necessary at the following locations:

A) All terminals.

B) All yard offices.

C) All stations (except where other facilities are otherwise reasonably accessible).

D) All engine houses and shops.

E) All signal or section headquarters in terminals and all bunk or section houses.

F) Camp cars.

G) Crossing watchman locations, where practicable, and where those facilities are not otherwise readily and conveniently located.

3) Other Locations and Job Sites:

Toilets shall be provided to employees at other locations and job sites where employees are on duty with sufficient regularity for periods of time long enough to make a toilet reasonably necessary, when determined by the following procedures:

A) An employee requesting toilets to be provided at other locations and job sites shall contact his/her immediate supervisor, and the parties shall make a reasonably good faith effort to resolve the matter.

B) If the matter is not resolved, the employee may contact his/her authorized employee representative and identify the specific location and reasons for the request.

C) If appropriate, the employee representative may initiate an Informal Complaint with the Commission staff under 83 Ill. Adm. Code 200.160. Commission staff shall conduct a joint informal investigation with parties to determine whether drinking water should be provided at the location.

D) If, following Commission staff's investigation, the matter remains unresolved, a Formal Complaint under 83 Ill. Adm. Code 200.170 may be initiated.

(Source: Amended at 33 Ill. Reg. 13802, effective October 1, 2009)