

# STATEMENTS OF POLICY

## Title 4—ADMINISTRATION

### PART II. EXECUTIVE BOARD

[ 4 PA. CODE CH. 9 ]

#### Reorganization of the Office of Inspector General

The Executive Board approved a reorganization of the Office of Inspector General effective April 26, 2018.

The organization chart at 48 Pa.B. 2820 (May 12, 2018) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

*(Editor's Note: The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) (relating to contents of Pennsylvania Code) as a document general and permanent in nature which shall be codified in the Pennsylvania Code.)*

[Pa.B. Doc. No. 18-733. Filed for public inspection May 11, 2018, 9:00 a.m.]

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## Title 4—ADMINISTRATION

### PART II. EXECUTIVE BOARD

[ 4 PA. CODE CH. 9 ]

#### Reorganization of the Pennsylvania Emergency Management Agency

The Executive Board approved a reorganization of the Pennsylvania Emergency Management Agency effective April 26, 2018.

The organization chart at 48 Pa.B. 2821 (May 12, 2018) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

*(Editor's Note: The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) (relating to contents of Pennsylvania Code) as a document general and permanent in nature which shall be codified in the Pennsylvania Code.)*

[Pa.B. Doc. No. 18-734. Filed for public inspection May 11, 2018, 9:00 a.m.]

## Title 4—ADMINISTRATION

### PART II. EXECUTIVE BOARD

[ 4 PA. CODE CH. 9 ]

#### Reorganization of the Public School Employees' Retirement System

The Executive Board approved a reorganization of the Public School Employees' Retirement System effective April 26, 2018.

The organization chart at 48 Pa.B. 2822 (May 12, 2018) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

*(Editor's Note: The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) (relating to contents of Pennsylvania Code) as a document general and permanent in nature which shall be codified in the Pennsylvania Code.)*

[Pa.B. Doc. No. 18-735. Filed for public inspection May 11, 2018, 9:00 a.m.]

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## Title 4—ADMINISTRATION

### PART II. EXECUTIVE BOARD

[ 4 PA. CODE CH. 9 ]

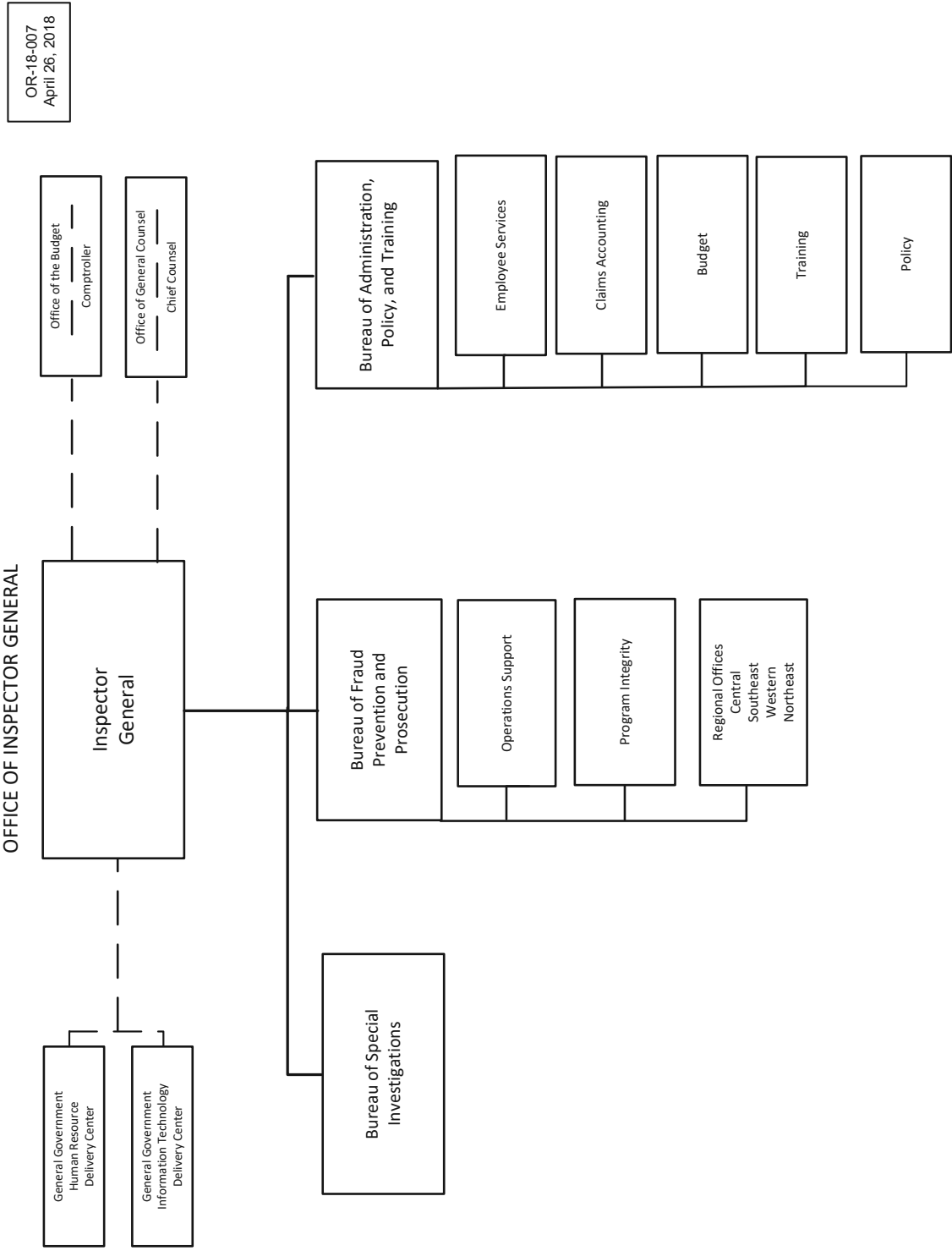
#### Reorganization of the State Civil Service Commission

The Executive Board approved a reorganization of the State Civil Service Commission effective April 26, 2018.

The organization chart at 48 Pa.B. 2823 (May 12, 2018) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

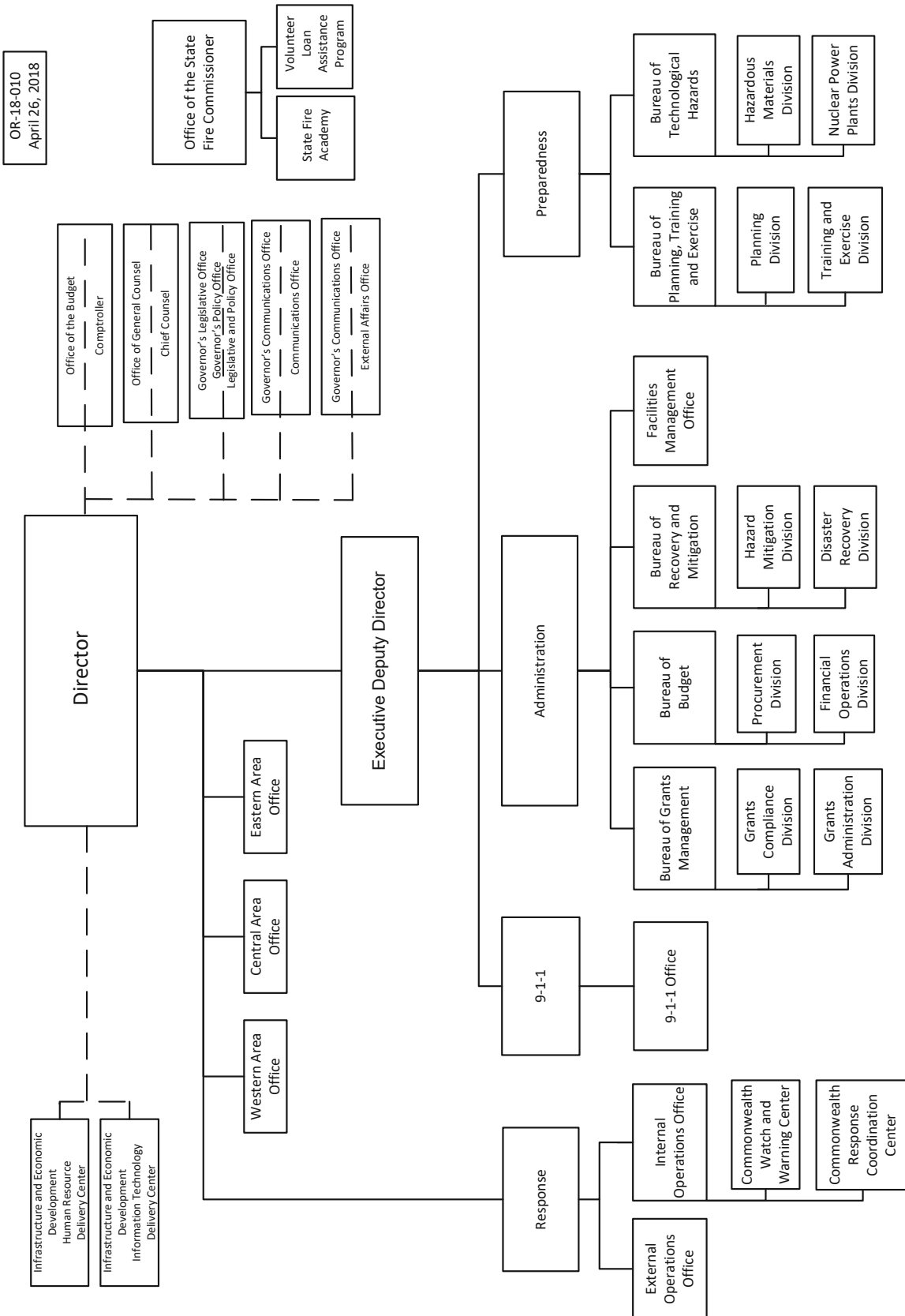
*(Editor's Note: The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) (relating to contents of Pennsylvania Code) as a document general and permanent in nature which shall be codified in the Pennsylvania Code.)*

[Pa.B. Doc. No. 18-736. Filed for public inspection May 11, 2018, 9:00 a.m.]



OR-18-007  
April 26, 2018

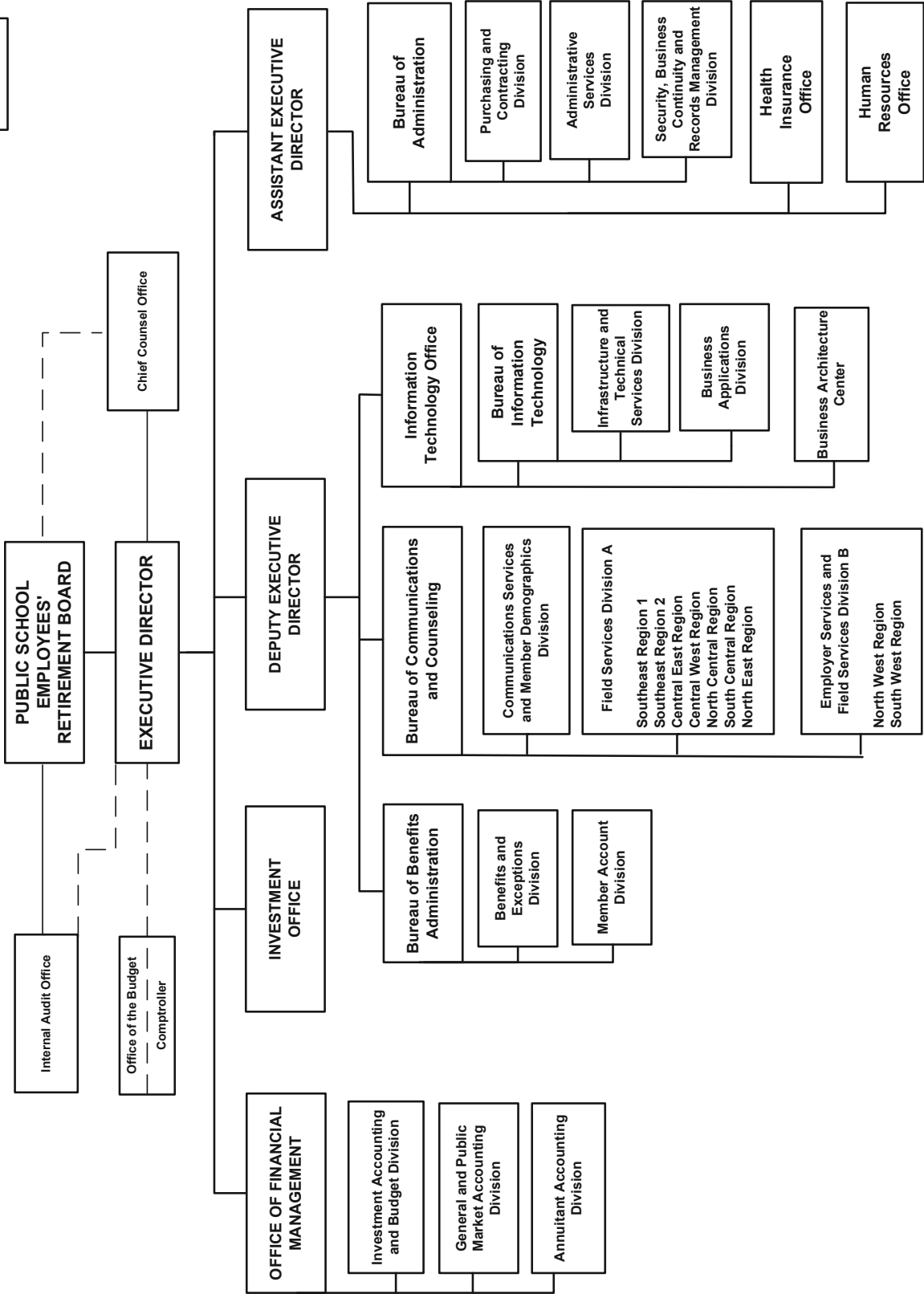
PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY

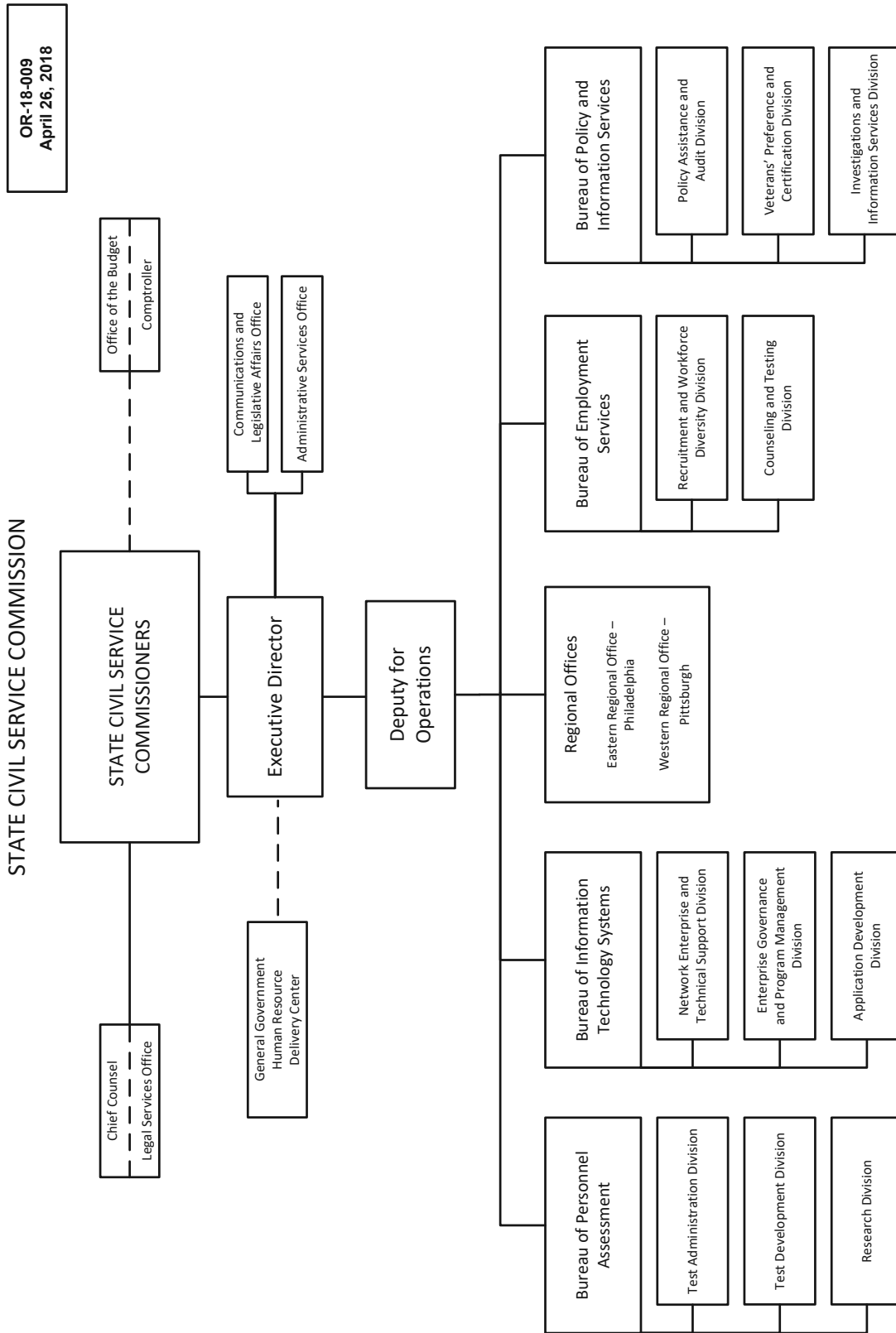


OR-18-010  
April 26, 2018

PUBLIC SCHOOL EMPLOYEES' RETIREMENT SYSTEM

OP-18-008  
April 26, 2018





OR-18-009  
April 26, 2018

## Title 4—ADMINISTRATION

### DEPARTMENT OF GENERAL SERVICES

[ 4 PA. CODE CH. 67b ]

#### Commonwealth of Pennsylvania Universal Restroom Policy

The Department of General Services (Department), under the authority of section 2401.1 of The Administrative Code of 1929 (71 P.S. § 631.1), adds Chapter 67b (relating to Commonwealth of Pennsylvania universal restroom policy—statement of policy) to read as set forth in Annex A.

Section 2401.1(1) of The Administrative Code of 1929 provides the Department with the powers and duties as to new construction, alteration and repairs over \$25,000 base cost. Section 2401.1(2) of The Administrative Code of 1929 provides the Department with the exclusive authority over all construction of capital public improvement projects passed in a Commonwealth Capital Budget or other legislation, and defines public improvement projects to include public buildings for the use of the Commonwealth, State arsenals, armories, military reserves, State airports, State institutions of every kind and character, and State-related educational institutions. Section 2401.1(3) of The Administrative Code of 1929 provides the Department with exclusive authority over all Commonwealth repair projects which cost in excess of \$25,000 funded by appropriations in the operating budget. Section 2401.1(5) of The Administrative Code of 1929 authorizes the Department to carry out all construction activities which cost in excess of \$ 25,000, including all aspects of project management, design and construction, such as preplanning and estimating, legal and administrative services, planning, actual construction, repair, and alteration or addition to existing facilities. Section 2401.1(9) of The Administrative Code of 1929 requires the Department to formulate and establish minimum specifications and standards for construction, room design, materials and utilities for all projects to be constructed by or the construction of which is subsidized in whole or in part by the Commonwealth and to be used by any department, board, agency, commission, or State-supported institution, agency or project.

Based on the powers and duties in section 2401.1 of The Administrative Code of 1929, the Department is adding Chapter 67b, which establishes guidelines for the design and implementation of universal restrooms, which are single occupancy restrooms that do not designate a gender and can be used by anyone.

Chapter 67b applies to Capital Projects administered by all Commonwealth agencies and to Capital Projects that the Department delegates to other agencies or institutions. The policy in Chapter 67b will be incorporated into all Agreements for Professional Services for new Capital Projects for new construction and, to the extent feasible, renovations of existing buildings. The policy in Chapter 67b will also be included as a condition of the Department's delegated Capital Projects.

Chapter 67b requires at least one universal single occupancy restroom to be created per floor/story for each floor/story that contains restrooms in all Capital Projects for new construction. To the extent feasible, at least one universal single occupancy restroom should be created in all renovations of existing Commonwealth buildings, and all gender-specific single occupancy restrooms within ex-

isting Commonwealth buildings shall be converted to universal single occupancy restrooms.

#### *Fiscal Impact*

This statement of policy will result in an additional cost of approximately \$7,850 per restroom for all new construction or renovation projects subject to Chapter 67b. The cost to convert gender-specific single occupancy restrooms to universal single occupancy restrooms is approximately \$500 per restroom.

#### *Paperwork Requirements*

This statement of policy will not result in an increase in paperwork for individuals or entities.

#### *Effective Date*

This statement of policy is effective upon publication in the *Pennsylvania Bulletin*.

#### *Contact Person*

Specific questions regarding information in this statement of policy may be directed to Mary W. Fox, Assistant Counsel, Department of General Services, Office of Chief Counsel, 603 North Office Building, 401 North Street, Harrisburg, PA 17120.

CURTIS M. TOPPER,  
*Secretary*

*(Editor's Note: Title 4 of the Pennsylvania Code is amended by adding statements of policy in §§ 67b.1—67b.6 to read as set forth in Annex A.)*

**Fiscal Note:** 8-29. (1) Capital Facilities Fund; (2) Implementing Year 2017-18 is \$0; (3) 1st Succeeding Year 2018-19 is \$314,000; 2nd Succeeding Year 2019-20 is \$323,000; 3rd Succeeding Year 2020-21 is \$333,000; 4th Succeeding Year 2021-22 is \$343,000; 5th Succeeding Year 2022-23 is \$353,000; (4) 2016-17 Program—\$228,230,000; 2015-16 Program—\$380,030,000; 2014-15 Program—\$682,268,000; (7) Public Improvement Projects, Buildings and Structures; (8) recommends adoption. The Public Improvement Projects appropriation is able to absorb the increased cost.

### Annex A

#### TITLE 4. ADMINISTRATION

#### PART III. DEPARTMENT OF GENERAL SERVICES

#### Subpart C. CONSTRUCTION AND PROCUREMENT

#### ARTICLE II. CONSTRUCTION

#### CHAPTER 67b. COMMONWEALTH OF PENNSYLVANIA UNIVERSAL RESTROOM POLICY—STATEMENT OF POLICY

| Sec.   | Purpose.                      |
|--------|-------------------------------|
| 67b.1. | Purpose.                      |
| 67b.2. | Scope.                        |
| 67b.3. | Definitions.                  |
| 67b.4. | Universal restroom policy.    |
| 67b.5. | Required design standards.    |
| 67b.6. | Recommended design standards. |

#### § 67b.1. Purpose.

The Commonwealth complies with Federal and State laws regarding nondiscrimination and strives to promote access and accommodation for all employees and visitors. The Commonwealth recognizes that employees and visitors may require special restroom accommodations for their health, safety, convenience or privacy. The underlying purpose of this chapter is to establish guidelines for the design and implementation of universal restrooms and restroom facilities, and to ensure that, to the extent feasible, Commonwealth buildings include universal

single occupancy restroom facilities that are safe, accessible and convenient to all citizens.

**§ 67b.2. Scope.**

(a) This chapter applies to all Capital Projects for new construction and, to the extent feasible, renovations of existing buildings. The requirements in this chapter apply to Capital Projects administered by all Commonwealth agencies and to Capital Projects that the Department delegates to other agencies or institutions. Deviations from this chapter require the written approval of the Secretary of General Services or a designee.

(b) This policy will be incorporated into all Agreements for Professional Services for new Capital Projects for new construction and, to the extent feasible, renovations of existing buildings. This policy will also be included as a condition of the Department's delegated Capital Projects.

**§ 67b.3. Definitions.**

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

*Capital Projects*—Projects listed in a capital budget project itemization act.

*Commonwealth buildings*—Buildings owned by the Commonwealth or owned by a Commonwealth agency.

*Gender-specific single occupancy restroom*—A single occupancy restroom that has been designated men or women.

*Universal single occupancy restroom*—Any single occupancy restroom that does not designate a gender and can be used by anyone.

**§ 67b.4. Universal restroom policy.**

(a) At least one universal single occupancy restroom will be created per floor/story for each floor/story that contains restrooms in all Capital Projects for new con-

struction. To the extent feasible, at least one universal single occupancy restroom should be created in all renovations of existing Commonwealth buildings. To the extent feasible, all gender-specific single occupancy restrooms within existing Commonwealth buildings will be converted to universal single occupancy restrooms.

(b) The location of the universal single occupancy restrooms will be determined in consultation with the Department based upon the operational needs of the agency or institution.

**§ 67b.5. Required design standards.**

All newly-constructed and renovated single occupancy restrooms subject to this chapter must:

(1) Utilize appropriate signage as designated by the Department that indicates a universal single occupancy restroom.

(2) Comply with all applicable Federal, State and local codes, laws and regulations including the following:

(i) All requirements in the Americans with Disabilities Act of 1990 (ADA) (42 U.S.C.A. §§ 12101—12213) applicable to single-occupancy restrooms, including ADA lever/closer hardware with secured locks that include occupancy indicators.

(ii) International Building Code accessibility requirements for single-occupant toilet rooms.

(iii) Uniform Construction Code.

**§ 67b.6. Recommended design standards.**

The following recommended design standards should be included in universal single occupancy restrooms when appropriate and feasible:

(1) A changing station.

(2) A sanitary napkin disposal container.

[Pa.B. Doc. No. 18-737. Filed for public inspection May 11, 2018, 9:00 a.m.]