



Reduce harmful work stressors.  
Improve job quality and health.

# Healthy Work Strategies

## Bathroom access for bus drivers in the US and Canada (bus driver case study #2)

Bus drivers, and other workers such as teachers, nurses, agricultural processing workers, and taxi drivers, have jobs where bathroom access is restricted, and in some cases, even denied.<sup>1</sup> This has led such workers to delay bathroom visits, and to cope by not drinking water or other fluids. This is stressful for anyone in this situation, and even more stressful for pregnant workers, workers with certain medical conditions, and workers who need to take medication on a set schedule.

Health problems caused by delayed bathroom use include urinary tract infections, as well as bladder, bowel, and kidney problems. Bus and taxi drivers who are distracted by a full bladder can create a safety hazard while driving. In fact, driving on a full bladder can impair a driver's concentration in a manner comparable to drunk driving. An extreme urge to urinate can have the similar effects on a worker's attention as having a Blood Alcohol Concentration (BAC) of 0.05%, or roughly the same as driving without having slept in the past 24 hours. In a study conducted in San Francisco with members of Local 192 of the Amalgamated Transit Union (ATU), workers reported improvising by using cups, bottles, or plastic bags, and 20% reported accidentally relieving themselves on the job.<sup>2</sup>

Other concerns include safety and cleanliness of available bathrooms, including bathrooms used by bus and taxi drivers along their driving routes. Occupational health advocates have argued that rather than call them "bathroom breaks", they should be referred to as worker rights to "use of the bathroom" or "access to and use of the bathroom."

### Government regulations on bathroom access

The Occupational Safety and Health Administration (OSHA) sanitation standard for general industry, 29 CFR 1910.141(c)(l)(i), requires employers to provide their employees with toilet facilities, which was emphasized in OSHA's 1998 interpretation letter.<sup>3</sup> In addition, the 2010 Washington State Division of Occupational Safety and Health (DOSH) Directive 5.98, Bathroom and Toilet Facility Access<sup>4</sup>, is consistent with the 1998 OSHA



interpretation.<sup>3</sup> OSHA's guidance includes timely access without restrictions (such as having to use the bathroom only during scheduled breaks), and understanding that some workers need to use the bathroom more than others. This is more challenging for bus drivers, who must also locate bathrooms and deal with time constraints and traffic. Unfortunately, public employees are covered by Federal or state OSHA programs in only about half of U.S. states.

## Union efforts to improve bathroom access for drivers

The Amalgamated Transit Union (ATU, representing workers in the US and Canada) has advocated for years for better access to restrooms while transit workers are working. In February 2019, the ATU published *Restroom Access: A Guide for Local Unions* to help with local union campaigns, to inform union members, and to educate the public about the importance of access to clean, safe, secure bathrooms for transit workers.<sup>5</sup> On its website, the ATU provides news of local union efforts, scientific articles, surveys, flyers, posters, and educational media such as a comic book and a short video about the struggles of transportation workers to find bathrooms while working.<sup>6</sup>

In 2018, Connecticut bus drivers demonstrated and renewed their pleas for transit authorities to provide adequate restroom services to the workers. The union released a survey in which workers reported the ways they have had to learn to cope without having proper access to bathroom services.<sup>10</sup>

ATU president Larry Hanley wrote to the CT department of Transportation to allow bus drivers the basic human right to which they were being denied. He proposed timely access to safe and sanitary restrooms, sufficient time at the end of each route to allow the driver to use the facilities, no discipline for a driver that takes the time out of his/her schedule to use the restroom and joint union and management implementations for bathroom access measures.<sup>11</sup>

In June 2019, a 3-year contract between ATU Local 443 (Stamford, CT) and Connecticut Transit was signed, placing high importance on drivers' rights to access clean, safe bathrooms when needed.<sup>7</sup> Drivers in Stamford had protested at rallies for more than a year, and formed "bathroom committees" who helped locate accessible bathrooms along bus routes.

The International Transport Workers' Federation (ITF) represents 18.5 million union members in 147 countries. The ITF, together with Unite, a British and Irish trade union with more than 1.3 million members as of 2017, developed a charter that recognizes access to bathrooms as a human right.<sup>8</sup> Unite publicized research results on the struggles of transport workers over bathroom access on World Toilet Day, an official United Nations day since 2013, in November 2019.<sup>9</sup>

## Recommendations for improving bathroom access for transit workers<sup>2</sup>



The California Code of Regulation (CCR) outlines the requirement of transit employers to provide workers access to restrooms; however, the vague wording of the clause allows for different interpretations by management. In a 2014 report on bathroom access for transit workers in California, the following recommendations were made that address the challenges that transit workers currently face in regards to this sensitive issue.

- Extend route times
  - Scheduling changes are needed to reduce the rigid scheduling and time constraints that are a major barrier to adequate restroom access for transit workers.
- Add buses during peak hours and high traffic areas
  - If buses were added to areas that generate more traffic, this would decrease the stressors that drivers often face, by allowing for a realistic passenger load and more time to maneuver traffic and thus reach their break sites at layover points.
- Improved Supervisor-Operator Relations
  - Encouraging open dialogue and removing formal punishment or verbal retaliation when operators use the restroom.
- Increased Restroom Inspections
  - Increase inspection of the facilities to ensure sanitary conditions and the necessary supplies be continually stocked.

## Other strategies to reduce stressors faced by bus drivers

Please see the other four case studies posted on <https://healthywork.org/resources/healthy-work-strategies/> on strategies to reduce stressors faced by bus drivers.

## References:

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