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**FIRE PREVENTION AND BUILDING SAFETY COMMISSION**  
**Department of Homeland Security**

**Written Interpretation of the State Building Commissioner**

**Interpretation #:** CEB-2021-05-2014 IBC-202

**Building or Fire Safety Law Interpreted**  
[675 IAC 13-2.6](#) 2014 Indiana Building Code (IBC)

**Section 202 DEFINITIONS**

**EMPLOYEE WORK AREA.** All or any portions of a space used only by employees and only for work. *Corridors, toilet rooms, kitchenettes and break rooms are not employee work areas.*

**Section 1103.2.3 Employee work areas.** Spaces and elements within employee work areas shall only be required to comply with Sections 907.5.2.3.2, 1007 and 1104.3.1 and shall be designed and constructed so that individuals can approach, enter and exit the work area. *[Remainder of section omitted for lack of relevance to interpretation request.]*

**Issue**

Whether an employee lactation room is considered an employee work area as that term is defined in the 2014 IBC, and subsequently used in Section 1103.2.3 to establish qualification for exemptions from specific provisions of the code's accessibility requirements.

**Interpretation of the State Building Commissioner**

An employee lactation room is not an employee work area as the term is defined in the 2014 IBC and as used in Section 1103.2.3.

**Rationale**

No dispute has been reported regarding the meaning or intent of Section 1103.2.3 of the 2014 IBC, or the manner of its application, therefore no interpretation has been provided specific to that section. Rather, the dispute centers on whether an employee lactation room is considered an "employee work area," thus determining its eligibility for the accessibility exemptions provided under Section 1103.2.3.

If a given term is defined in the 2014 IBC, the meaning contained in the definition must be applied to the term unless another section of the code expressly provides otherwise. See Section 202.1.

Here the term "employee work area" is defined, and there is no other language that provides that this definition should not be applied to the use of the term as it appears in Section 1103.2.3 of the 2014 IBC. Therefore, for the purposes of determining whether an employee lactation room is considered an employee work area under Section 1103.2.3, the definition found in Section 202 must be applied to the space in question.

For the purposes of this interpretation, the space in question is an employee lactation room – a room offered, to employees only, for the primary purpose of providing a private space for expressing and storing breast milk.

As defined in Section 202 of the 2014 IBC, an "employee work area" means:

All or any portion of a space used only by employees and only for work. Corridors, toilet rooms, kitchenettes and break rooms are not employee work areas.

Based on this definition, in order for an area to be considered an "employee work area," the area must meet each of two specific conditions:

- (1) The area must only be used by employees; and
- (2) The area must only be used for work.

Additionally, to provide examples of spaces which are not employee work areas, the definition goes on to state that corridors, toilet rooms, kitchenettes and break rooms are not employee work areas. The definition makes no statement, nor does it imply, that this is a comprehensive list comprising all possible spaces that fail to meet the stated conditions – they are simply examples of some common spaces that fail in this regard.

The first of the two required conditions, whether the area is used only for employees, should be immediately apparent. Any area that is employee-use only meets this condition; any area that allows occupants other than

employees does not. In the instance of an employee-only lactation room, it is immediately apparent that this condition has been met.

The second condition, whether the area is used only for work, turns on whether the primary purpose of the room is for completion of **actual** work duties. This condition is meant to exclude any area other than those provided for the purpose of performing actual job duties. This understanding of the definition is driven by its provided examples of typical areas not considered to be employee work areas. An examination of the use characteristics in common among these examples reinforces the definition's intent that areas, the primary purpose of which is to serve anything other than **actual** performance of work tasks, are not considered work areas.

In the instance of a lactation room, this second required condition would be met only if the person is employed to produce breast milk. If they have not been employed for that purpose, an employee lactation room does not meet the condition. Such a lactation room shares the same qualities as a break room – it is an area where personal, if private, non-employment-related activities occur.

Therefore, in general, an employee-only lactation room is not considered an employee work area as the term is used in Section 1103.2.3 of the 2014 IBC.

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