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## Proposed Change 2029

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<b>Code Reference(s):</b>	<b>NBC25 Div.B 3.8.3.16. (first printing)</b>
Subject:	Accessibility
Title:	Accessible Menstrual Product Dispensers: Control Design
Description:	This proposed change requires accessible control designs for menstrual product dispensers where such dispensers are provided so that they may be accessed by persons with disabilities related to dexterity.
Related Code Change Request(s):	CCR 1441
Related Proposed Change(s):	PCF 1771

This change could potentially affect the following topic areas:

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|--|---|
| <input type="checkbox"/> Division A                                | <input checked="" type="checkbox"/> Division B              |
| <input type="checkbox"/> Division C                                | <input checked="" type="checkbox"/> Design and Construction |
| <input type="checkbox"/> Building operations                       | <input type="checkbox"/> Housing                            |
| <input checked="" type="checkbox"/> Small Buildings                | <input checked="" type="checkbox"/> Large Buildings         |
| <input type="checkbox"/> Fire Protection                           | <input type="checkbox"/> Occupant safety in use             |
| <input checked="" type="checkbox"/> Accessibility                  | <input type="checkbox"/> Structural Requirements            |
| <input type="checkbox"/> Building Envelope                         | <input type="checkbox"/> Energy Efficiency                  |
| <input type="checkbox"/> Heating, Ventilating and Air Conditioning | <input type="checkbox"/> Plumbing                           |
|  | <input type="checkbox"/> Construction and Demolition Sites  |

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### Problem

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Lack of access to menstrual products can lead to persons having to miss work, school or social events, which can lead to health consequences. Several facilities make menstrual products available by installing product dispensers in washrooms alongside dispensers for soap, towels and other products.

However, unlike the design and installation of soap dispensers and other equipment, the National Building Code of Canada (NBC) does not regulate the design and installation of menstrual product dispensers, where provided, with respect to accessibility. This situation can cause a problem for persons with disabilities related to dexterity who menstruate because they may not be able to manipulate the controls on menstrual product dispensers if the operation of the controls requires high contact force, tight pinching, grasping or twisting to operate. Several types of dispensers currently on the market create barriers to access for people with disabilities related to dexterity and could limit their ability to use a building and its facilities on an equal basis with other building occupants.

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### Justification

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This proposed change introduces new requirements for the design of menstrual product dispensers, where provided, such that their controls can be operated by persons with disabilities related to dexterity.

By introducing accessibility requirements for the design of controls on these dispensers and providing specifications for designers to consider when selecting these dispensers, this proposed change would help to limit the probability that persons with disabilities related to dexterity are unable to operate these dispensers and access menstrual products.

This proposed waives the requirement for closed fist operation with one hand that is part of the NBC requirements for accessible controls in Subclause 3.8.3.8.(1)(b)(i) of Division B, increasing the number of commercial options that comply with the proposed change and also more closely aligning the level of dexterity required to operate these dispensers with that required to independently use common disposable menstrual products.

Similar to accessibility provisions for toilet paper or soap dispensers, the proposed change addresses the location of installation of the dispensers, but does not address issues related to providing or supplying dispensers with products (i.e. loading operation). The proposed requirements for the location of installation would apply where commercial dispensers are provided.

This proposed change does not introduce a requirement for product dispensers themselves, but only applies in cases where a wall-mounted dispenser is provided (i.e. permanently fixed to the building), as opposed to cases where menstrual products may be provided in a countertop basket, for example, or not provided at all.

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## PROPOSED CHANGE

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### **[3.8.3.16.] 3.8.3.16. Lavatories, Mirrors and Other Washroom Amenities**

- [1] 1)** Lavatories required by Sentence 3.8.2.8.(8) shall
- [a] a) be equipped with faucets complying with Sentence 3.7.2.3.(4),
  - [b] b) be located so that the distance between the centre line of the lavatory and any side wall is not less than 460 mm,
  - [c] c) have a clear floor space in front of the lavatory that is at least
    - [i] i) 800 mm wide, centred on the lavatory, and
    - [ii] ii) 1 350 mm long, of which no more than 430 mm is beneath the lavatory,
  - [d] d) have a rim height not more than 865 mm above the floor,
  - [e] e) have a clearance beneath the lavatory not less than (see Note A-3.8.3.16.(1)(e))
    - [i] i) 800 mm wide, centred on the lavatory,
    - [ii] ii) 735 mm high at the front edge,
    - [iii] iii) 685 mm high at a point 200 mm back from the front edge, and
    - [iv] iv) 230 mm high over the distance from a point 280 mm to a point 430 mm back from the front edge,
  - [f] f) have insulated water supply and drain pipes where these pipes are exposed (see Note A-3.8.3.16.(1)(f)),
  - [g] g) have a soap dispenser that
    - [i] i) is automatic, or
    - [ii] ii) complies with Clause 3.8.3.8.(1)(b) and is located not more than 1 100 mm above the floor, within 500 mm from the front of the lavatory (see Note A-3.8.3.16.(1)(g)), and
  - [h] h) have a towel dispenser or other hand-drying equipment located close to the lavatory, not more than 1 200 mm above the floor in an area that is accessible to persons in wheelchairs.
- [2] 2)** Mirrors required by Sentence 3.8.2.8.(9) shall be
- [a] a) mounted with their bottom edge not more than 1 000 mm above the floor, or
  - [b] b) fixed in an inclined position so as to be usable by a person in a wheelchair.
- [3] --)** The menstrual product dispenser referred to in Sentence 3.8.2.8.(10) shall be mounted

such that its controls and dispensing components are located in accordance with Clause 3.8.3.8.(1)(a), except that the dispenser shall not be mounted less than 900 mm above the floor.

**[4] --)** The menstrual product dispenser referred to in Sentence 3.8.2.8.(10) shall be operable in accordance with Clause 3.8.3.8.(1)(b), except that it is not required to be operable with one hand in a closed fist position.

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## Impact analysis

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### Impact on financial costs

The impact of the proposed change would vary for different buildings because it does not require that menstrual product dispensers be provided; it simply specifies that if these dispensers are provided, they are installed such that they can be used on a more equal basis. Some building owners or operators may decide to provide alternatives to commercial dispensers depending on their needs (e.g. a basket of products on the lavatory counter); in this context, there are no cost implications.

In cases where commercial menstrual product dispensers are provided, they typically cost between \$400 and \$1000. Options that comply with the proposed dexterity requirements appear to span that price range, with common models available for under \$600. It should be noted that operating force requirements are not known for many models, which may affect the range of compliant products on the market.

### Impact on manufacturers

The proposed change related to dexterity would improve market access for designs that comply with the dexterity requirement and limit market access for designs that do not comply. As the proposed change would waive the requirement in Subclause 3.8.3.8.(1)(b)(i) for closed fist operation, multiple commercial models comply, with the caveat that operating force levels on commercial models are not clear.

### Impact on accessibility

The proposed change is expected to improve the accessibility of menstrual product dispensers for persons with disabilities related to dexterity. Approximately 5% of Canadians over the age of 15 years have disabilities related to dexterity [1]. While data on the distribution of disability by sex are not available from the most recent Canadian Survey on Disability, earlier surveys indicate that female adults are 25% more likely than male adults to have disabilities related to dexterity [2], suggesting a larger benefit of accessibility requirements for the design of menstrual product dispensers. While disabilities are less likely in age groups where menstruation is common (12 to 56 years) [3][4] relative to persons over 65 years [1], the consequences of not being able to access menstrual products even when they are available in the building can be severe, including missing school, work or other activities—highlighting the benefit of requiring menstrual product dispensers to be accessible where they are provided.

### REFERENCES

[1] Statistics Canada, "New data on disability in Canada 2017." <https://www150.statcan.gc.ca/n1/en/pub/11-627-m/11-627-m2018035-eng.pdf?st=v5UqujRh>

[2] Statistics Canada, "Prevalence of disability types for women and men aged 15 or older, by age group, Canada, 2012." <https://www150.statcan.gc.ca/n1/pub/89-503-x/2015001/article/14695/tbl/tbl06-eng.htm>

[3] Al-Sahab, B., Ardern, C. I., Hamadeh, M. J., & Tamim, H. (2010). Age at menarche in Canada: results from the National Longitudinal Survey of Children & Youth. *BMC public health*, 10, 1-8.

[4] Costanian, C., McCague, H., & Tamim, H. (2018). Age at natural menopause and its associated factors in Canada: cross-sectional analyses from the Canadian Longitudinal Study on Aging. *Menopause*, 25(3), 265-272.

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## Enforcement implications

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This proposed change could be enforced using similar enforcement infrastructure used for other controls under Article 3.8.3.8.

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## Who is affected

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Building occupants, particularly those with dexterity disabilities, who would be able to access menstrual product dispensers.

Building owners, who would need to decide if the building's washrooms should be equipped with menstrual product dispensers that comply with the proposed change.

Designers, who would need to ensure that dispensers are designed in compliance with the proposed change.

Authorities having jurisdiction, who would need to ensure that the dispensers comply with the design requirements for controls.

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## OBJECTIVE-BASED ANALYSIS OF NEW OR CHANGED PROVISIONS

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[\[3.8.3.16.\]](#) 3.8.3.16. ([1] 1) [F74-OA2]

[\[3.8.3.16.\]](#) 3.8.3.16. ([1] 1) [F71-OH2.3]

[\[3.8.3.16.\]](#) 3.8.3.16. ([1] 1) ([f] f) [F31-OS3.2]

[\[3.8.3.16.\]](#) 3.8.3.16. ([2] 2) [F74-OA2]

[\[3.8.3.16.\]](#) -- ([4] --) [F74-OA2]