

GROUNDS FOR WAIVER

The Commission's current rule, authorized in Section 553.512, Florida Statutes, provides criteria for granting waivers and allows consideration of unnecessary, unreasonable, or extreme hardship to the applicant if the specific requirements were imposed.

The vertical accessibility in this manufacturing plant is unnecessary and unreasonable. The Ground floor of this Manufacturing building is in full compliance with the Federal ADA and FBC Standards for Accessible Design requirements. By design, the upper structures of this industrial building are heavily restricted for Safety and Security purposes and accessible solely by IKO employees to operate and repair automated machinery, inspect and control product quality, and provides local operator and maintenance personnel service areas for toilet facilities, showers, uniforms, breaks, training, etc. Being a manufacturing facility producing products weighing 70+ pounds, significant physical dexterity is required for these personnel including lifting, climbing equipment structures and accessing confined spaces.

Section 206.2.3

EXCEPTIONS: 1. In private buildings or facilities that are less than three stories or that have less than 3000 square feet (279 m2) per story, an accessible route shall not be required to connect stories provided that the building or facility is not a shopping center, a shopping mall, the professional office of a health care provider, a terminal, depot or other station used for specified public transportation, an airport passenger terminal, or another type of facility as determined by the Attorney General.

The ground floors of these areas are in full compliance with the requirements of the federal ADA Standards and FBC for Accessible Design and without vertical accessibility the areas will still be in compliance due to the exception listed above. The plant office is less than three stories and qualify for this Federal exemption.

The job description for positions in the **IKO** facility in various areas such as the raw material storage, manufacturing area, QA lab, Maintenance/parts storage area and finished product warehouse have basic physical requirements that include the ability to climb stairs, work at heights, operate fork lifts and lift heavy weights. Other necessities include prolonged periods working on feet, using tools, and performing repetitive actions that entail frequent bending, twisting, reaching, stooping and perform work in tight quarters, must be able to access equipment for repair and maintenance, This may require crawling, bending, lying underneath equipment, crouching.

IKO Industries Ltd. is an equal opportunity employer. They are committed to diversity and inclusion and are pleased to consider all qualified applicants for employment without consideration to race, religion, creed, color, national origin, age, gender, sexual orientation, marital status, veteran status or disability. IKO Industries Ltd. encourages and welcomes internal applications from employees with disabilities. Accommodation is available on request for internal applicants taking part in all aspects of the selection process. The main office which is a two floor building is fully ADA compliant and has a wheelchair lift.

See additional documents from IKO for job descriptions pertaining to positions that will operate out of the ground floor of this manufacturing building. Any persons who are hired with disability will have accommodations made for them on the first floor where Employee work area is located, which has ADA compliant restrooms as well.