

RESOLUTION No. 37210

Adopt Administrative Rule 13.03 All-User Restrooms policy (Resolution)

WHEREAS, the City of Portland is committed to removing barriers to a safe and inclusive workplace for employees, to creating spaces which are welcoming to all visitors, and to treating all people with respect and dignity; and

WHEREAS, the City of Portland does not discriminate against people on the basis of their gender, race, religion, sexual orientation, gender identity, gender expression, disability, age, or any other protected status; and

WHEREAS, Human Resources Administrative Rule 2.04 Gender Identity Non-Discrimination prohibits discrimination on the basis of gender identity and gender expression, states that all City employees shall have access to use City bathroom facilities corresponding to their gender identity or gender expression, and that the City will make reasonable efforts to accommodate all employees who use gender-specific City facilities; and

WHEREAS, all users, including but not limited to parents with children, people with personal attendants, and individuals regardless of their gender identity or gender expression, benefit when they have access to restrooms of their choosing, including both gender-specific and all-user restrooms; and

WHEREAS, Resolution #37175 directed all City bureaus to convert single-user gender-specific restrooms into all user restrooms by June 17, 2016; and

WHEREAS, Resolution #37175 directed the Office of Management and Finance (OMF) to develop a policy requiring that all new construction or substantial renovation of City-controlled buildings beginning design on or after March 31, 2016 incorporate an all-user restroom design; and

WHEREAS, OMF developed a draft policy that requires that all Single-Occupant Restrooms in City-controlled buildings be designated as All-User Restrooms, requires all new construction or substantial renovation (over \$5 million in value) of City-controlled buildings to incorporate All-User Restroom design, and requires for all renovations over \$500,000 in value that the bureau consider the feasibility of incorporating All-User Restrooms; and

WHEREAS, OMF distributed the draft policy for review to the Bureau of Human Resources, the Office of Equity and Human Rights, facility and property managers for all property-managing bureaus, Equity and Inclusion managers, the Office of the City Attorney, the leadership team of the Diverse and Empowered Employees of Portland (DEEP), and to all bureau directors, encouraging broader distribution; and

WHEREAS, the Portland Bureau of Transportation sponsored a lunchtime panel on “Transgender 101 and All-User Restrooms” where this policy was discussed and information shared about how to provide feedback on the policy; and

WHEREAS, OMF has incorporated feedback received during the 15-day notice and comment period and that received following the lunchtime panel into the final draft of the policy ADM 13.03 All-User Restrooms, attached as Exhibit A; and

WHEREAS, Portland Parks & Recreation will be replacing signage for Single-Occupant All-User Restrooms at their facilities and due to the number of restrooms impacted, needs additional time to install the signs; and

WHEREAS, OMF, prior to the Portland Building Reconstruction, will be converting two gender-specific Multi-Occupant Restrooms to All-User Restrooms in order to provide All-User options in the Portland Building for both employees and visitors, and OMF will be gathering input from users to inform All-User Restroom design for the Portland Building Reconstruction project, in accordance with this policy.

NOW, THEREFORE, BE IT RESOLVED, ADM 13.03 All-User Restrooms is adopted as shown in Exhibit A; and

BE IT FURTHER RESOLVED, the Chief Administrative Officer (CAO) shall be responsible for review and update of this policy and the development and implementation of any guidelines and procedures consistent with this policy, and will undertake this responsibility in consultation with those city bureaus and staff identified above; and

BE IT FURTHER RESOLVED, City bureau directors, property managers, and facilities managers shall ensure that their bureaus comply with this policy and associated guidelines and procedures, and work cooperatively with the CAO and OMF staff in carrying out the policy; and

BE IT FURTHER RESOLVED, ADM 13.03 All-User Restrooms is binding city policy; and

BE IT FURTHER RESOLVED, Portland Parks & Recreation is granted an extension to September 1, 2016 for installation of new signage for their Single-Occupant All-User Restrooms.

Adopted by the Council: JUN 01 2016

Mayor Charlie Hales/Commissioner Nick Fish
Prepared by: Betsy Ames
Date Prepared: May 16, 2016

Mary Hull-Caballero

Auditor of the City of Portland

By *Gayla Jennings*

Deputy

585
Agenda No. **37210**
RESOLUTION NO.
Title

Adopt ADM 13.03 All-User Restrooms policy. (Resolution)

Administrative Rule

<p style="text-align: center;">INTRODUCED BY Commissioner/Auditor: Mayor Hales/Commissioner Fish</p>	<p>CLERK USE: DATE FILED <u>MAY 24 2016</u></p>
<p style="text-align: center;">COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Hales <i>[Signature]</i></p> <p>Position 1/Utilities - Fritz <i>[Signature]</i></p> <p>Position 2/Works - Fish <i>[Signature]</i></p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Novick</p>	<p style="text-align: center;">Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p>
<p style="text-align: center;">BUREAU APPROVAL</p> <p>Bureau: Office of Management and Finance Bureau Head: Fred Miller, CAO <i>[Signature]</i></p>	<p>ACTION TAKEN:</p>
<p>Prepared by: Betsy Ames Date Prepared: May 16, 2016</p>	
<p>Impact Statement</p> <p>Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p>	
<p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document.</p> <p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>	
<p>City Auditor Office Approval: required for Code Ordinances</p>	
<p>City Attorney Approval: required for contract, code, easement, franchise, charter, Comp Plan</p>	
<p>Council Meeting Date June 1, 2016</p>	

AGENDA
<p>TIME CERTAIN <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>
<p>CONSENT <input type="checkbox"/></p>
<p>REGULAR <input checked="" type="checkbox"/></p> <p>Total amount of time needed: 10 min. (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	_____	
4. Novick	4. Novick	_____	
Hales	Hales	✓	