

RESOLUTION No. 37175

Direct all City bureaus to convert existing single-user gender-specific restrooms into all-user restrooms within 6 months of passage of this Resolution, to develop a plan to increase the number of all-user restrooms Citywide, and to implement gender-neutral policies. (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, all users, including but not limited to parents with children, people with personal attendants, and transgender individuals benefit when they have access to all-user restrooms; and

WHEREAS, direct access to restrooms is a safety, equity, and public health concern, and restrooms should be available to all persons, regardless of status; and

WHEREAS, public female-specific facilities must accommodate a wider range and frequency of physiological needs, which tend to prolong the wait time for female-designated facilities; and

WHEREAS, Multnomah County, Portland State University, Portland Community College, Grant High School, and other cities, including Austin, Philadelphia, Washington, D.C., and Seattle, have adopted all-user restroom policies; and

WHEREAS, the City of Portland's Civil Rights Code, Title 23, states that employers must "provide reasonable and appropriate accommodations permitting all persons access to restrooms consistent with their expressed gender"; and

WHEREAS, Human Resources Administrative Rule 2.04, "Gender Identity Non-Discrimination," affirms the City's commitment to non-discrimination on the basis of an individual's gender identity; and

WHEREAS, the Occupational Safety & Health Administration, the Equal Employment Opportunity Commission, and the White House have encouraged access to all-user restrooms in the workplace; and

WHEREAS, the City can further promote a welcoming and inclusive environment by adopting the use of gender-neutral language in City policies wherever applicable.

NOW, THEREFORE, the City shall take an affirmative step to promote equity and inclusion by converting single-stall, gender-specific restrooms to all-user restrooms; and

BE IT FURTHER RESOLVED, within 6 months of passage of this Resolution, City bureaus with property management functions shall create an inventory of all existing gender-specific restrooms on all City-owned and City-occupied properties, shall change signage for existing single-user gender-specific restrooms, and shall add signage indicating the availability and location of all-user facilities in a public and visible location, to reflect that all users are welcome; and

BE IT FURTHER RESOLVED, within 3 months of passage of this Resolution, the Office of Management and Finance (OMF) Facilities Division shall examine best practices and consider the input of representatives from the Bureau of Human Resources (BHR), Office of Equity and Human Rights, bureaus with property management functions, Equity and Inclusion Managers or equivalent bureau staff, representative(s) from the Diverse and Empowered Employees of Portland (DEEP), and the Office of the City Attorney, to develop a policy requiring that all new construction or substantial renovation of City-owned buildings beginning design on or after March 31, 2016 incorporate an all-user restroom design; and

BE IT FURTHER RESOLVED, OMF shall work with bureaus with property-managing functions, and seek input from the internal stakeholders referenced above, to assess the feasibility of providing all-user restrooms in all City facilities, including the option of converting a portion of the existing inventory of multi-occupancy gender-specific restrooms to all-user restrooms. Within one year of passage of this Resolution, OMF shall develop a plan, including an assessment of cost and an implementation proposal, and shall return to Council for review and approval of the plan; and

BE IT FURTHER RESOLVED, within one year of passage of this Resolution, the Office of the City Attorney and BHR shall work with all City bureaus to examine their policies and procedures, including but not limited to policy documents, rules and regulations, applications, permits, and contracts, to assess whether gender-specific language in the documents should be eliminated and replaced with gender-neutral language; and

BE IT FURTHER RESOLVED, that City bureaus complying with this Resolution shall absorb all reasonable costs.

Adopted by the Council: DEC 17 2015
Commissioner Nick Fish
Prepared by: Jamie Dunphy
Date Prepared: November 30, 2015

Mary Hull Caballero
Auditor of the City of Portland

By



Deputy

Agenda No. **37175**
RESOLUTION NO.

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| <p style="text-align: center;">INTRODUCED BY Commissioner/Auditor: Nick Fish</p> | <p>CLERK USE: DATE FILED <u>DEC 08 2015</u></p> |
| <p style="text-align: center;">COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Hales</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish <i>gms for Nick Fish</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 style="text-align: center;"><i>Mary Hull</i> _____ Deputy</p> <p>ACTION TAKEN:</p> |
| <p style="text-align: center;">BUREAU APPROVAL</p> <p>Bureau: Office of Comm. Nick Fish Bureau Head: Comm. Nick Fish</p> | |
| <p>Prepared by: Jamie Dunphy Date Prepared: 12/07/15</p> | |
| <p>Impact Statement</p> <p>Completed <input 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 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 12/17/2015</p> | |

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| AGENDA |
| <p>TIME CERTAIN <input checked="" type="checkbox"/></p> <p>Start time: 2:00</p> <p>Total amount of time needed: 1 hour (for presentation, testimony and discussion)</p> |
| <p>CONSENT <input type="checkbox"/></p> |
| <p>REGULAR <input type="checkbox"/></p> <p>Total amount of time needed: _____ (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 | ✓ | |