

## Transgender Restroom Guidelines

Occupational Safety and Health Administration (OSHA) has reported over 700,000 adults in the United States are Transgender- meaning their internal gender identity is different from the sex they were assigned at birth. For this reason, it is essential that they are rated as any other individual. They must feel safe and comfortable in every setting. This includes the restrooms and Locker rooms. In recognition that others may feel uncomfortable in the beginning, the College is providing information to assist in understanding potential Transgender issues and our responsibility to provide a safe and unbiased atmosphere.

**DOL and OSHA issued this guide on June 1, 2015 -  
<https://www.osha.gov/Publications/OSHA3795.pdf>**

A few highlights:

- A person who identifies as a man should be permitted to use men's restrooms, and a person who identifies as a woman should be permitted to use women's restrooms.
- The employee should determine the most appropriate and safest option for him- or herself.
- The best policies also provide additional options, which employees may choose, but are not required, to use. These include:
  - Single-occupancy gender-neutral (unisex) facilities; and
  - Use of multiple-occupant, gender-neutral restroom facilities with lockable single occupant stalls.
- Employees are not asked to provide any medical or legal documentation of their gender identity in order to have access to gender-appropriate facilities.
- No employee should be required to use a segregated facility apart from other employees because of their gender identity or transgender status.
- In April 2015, the OFCCP announced it would require federal contractors subject to Executive Order 11246, as amended, which prohibits discrimination based on both sex and gender identity, to allow transgender employees to use the restrooms and other facilities consistent with their gender identity.
- In April 2015, the EEOC ruled that a transgender employee cannot be denied access to the common restrooms used by other employees of the same gender identity, regardless of whether that employee has had any medical procedure or whether other employees' may have negative reactions to allowing the employee to do so. EEOC held that such a denial of access constituted direct evidence of sex discrimination under Title VII.

### **What does this mean for the College of Lake County?**

CLC has adopted OSHA's guidance for Transgender bathroom access and that includes Locker room access as well. This policy applies to students, employees, and the public. The following plans will be implemented:

A person will be permitted to utilize the restroom facilities and/or locker rooms in which they identify themselves to be.

A determination of which restroom to use will be decided by each individual based on what they feel is the safest and appropriate option for him or herself.

No medical or legal documentation will be required to have free access to any restroom or Locker room.

CLC will have other options available to the staff, students and the public. While we are in the midst of the Master Plan, CLC will be constructing one gender-neutral restroom with the A (new "C") renovation.

Restroom renovations are not included in the D, T, C (new "A"), or JLC wings.

There is currently a feasibility review for possible renovation of a space in the Athletics building for a gender neutral/private changing room.

There are no plans at this time of constructing gender neutral restrooms for the Southlake Campus; but the Master Plan for the Lakeshore Campus construction does call for a gender neutral restroom, if and when that project is ok'd to move forward.

We must all do our part to become more educated on the concerns of our Transgender population. This will increase safety as well as a welcoming and inclusive environment that are foundational for the College of Lake County.

### **Additional Resources on Understanding Transgender Issues**

Occupational Safety and Health Administration  
[www.OSHA.gov](http://www.OSHA.gov)

National Center for Transgender Equality and National Gay and Lesbian Task Force  
<http://endtransdiscrimination.org/report.html>

Memorandum to Regional Administrators and State Designees of the Occupational Safety and Health Administration on the Interpretation of 29 CFR 1910.141c(1)(1): Toilet Facilities (April 6, 1998).  
[www.osha.gov/pls/oshaweb/owadisp.show\\_document?p\\_table=INTERPRETATIONS](http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=INTERPRETATIONS).