

CLACKAMAS COUNTY BOARD OF COUNTY COMMISSIONERS

Policy Session Worksheet

Presentation Date: 06/20/17 **Approx Start Time:** 02:00PM **Approx Length:** 15 mins

Presentation Title: Restroom Accessibility Resolution

Department: County Administration

Presenters: Emmett Wheatfall, Assistant County Administrator

Other Invitees:

WHAT ACTION ARE YOU REQUESTING FROM THE BOARD?

Approve proposed Restroom Accessibility Resolution

EXECUTIVE SUMMARY:

It is unlawful in Oregon for an employer to discriminate based on sexual orientation¹(e.g. Senate Bill 2).

Courts have interpreted sexual orientation to include gender identity, gender expression, and transgender persons.

Restroom accessibility based on sexual orientation is now a prominent national matter, notwithstanding locally. Both public and private sector employers have started to address this important societal need. The Restroom Accessibility Project Team (RAPT) has given thoughtful consideration to what Clackamas County's response should be to 1. Standing nondiscrimination law, 2. Employee and customer need relative to restroom accessibility based on sexual orientation.

FINANCIAL IMPLICATIONS (current year and ongoing): To be determined

(See proposed Resolution).

STRATEGIC PLAN ALIGNMENT:

- How does this item align with your Department's Strategic Business Plan goals?
County Administration is responsible for equity, diversity and inclusion as a County value and strategic performance based outcome.
- How does this item align with the County's Performance Clackamas goals?

¹ <http://glapn.org>

Clackamas County is committed to being a welcoming and inclusive workplace and community where people want to live, work, and enjoy life.

LEGAL/POLICY REQUIREMENTS:

✚ State of Oregon nondiscrimination statutes (Visit footnote)

PUBLIC/GOVERNMENTAL PARTICIPATION: N/A

OPTIONS:

1. Approve proposed Restroom Accessibility Resolution.
2. Ask staff for more information.

RECOMMENDATION:

Staff recommends the BCC ratify the proposed Restroom Accessibility Resolution.

ATTACHMENTS:

✚ Restroom Accessibility Resolution

SUBMITTED BY: Emmett Wheatfall, Assistant County Administrator & Compliance Officer

Division Director/Head Approval _____

Department Director/Head Approval _____

County Administrator Approval _____

For information on this issue or copies of attachments, please contact Emmett Wheatfall @ 503.655.8291

Restroom Accessibility Resolution

WHEREAS, all County employees, customers and visitors are entitled to be treated with respect and consideration; and

WHEREAS, it is the County's intent to provide all employees, customers and visitors adequate access to County restroom facilities, in accordance with their gender identity or gender expression;

NOW THEREFORE, BE IT RESOLVED:

1. It is the policy of Clackamas County that employees, customers and visitors may use the restroom that corresponds with their gender identity or gender expression.
2. All employees, customers and visitors should determine the most appropriate and comfortable restroom option for themselves, in accordance with their gender identity or gender expression.
3. All single-user restrooms will be identified as all-gender restrooms.
4. This policy will be communicated and implemented with appropriate signage, including directions to all-gender restrooms for any person requesting or desiring additional privacy.
5. County staff is directed to evaluate options for providing safe and comfortable locker room access for all employees, customers and visitors, and provide a recommendation to the Board of County Commissioners by November 15, 2017.

Draft Version 060717

*Contains County Counsel suggested edits