

TYPE:	Administrative
TITLE:	All-Gender Washroom
NO.:	ADMIN-246
RESPONSIBILITY:	Chief Administrative Officer and Vice-President, Student Affairs
APPROVED BY:	Durham College Leadership Team
EFFECTIVE DATE:	February 2018
REVISED DATE(S):	
REVIEW DATE:	February 2021

1. Introduction

- 1.1. Durham College strives to promote respect, as well as maintain and advocate for a diverse and inclusive campus for all students regardless of race, sex, religion, gender identity or gender expressions, ethnic background, socio-economic class, ability or sexual orientation.
- 1.2. Gender specific washrooms that are designated for exclusive use by females or males, fail to accommodate all members of the Durham College community. *The Ontario Human Rights Code* (the Code) is clear that everyone has a right to use facilities in accordance with their lived gender identity and/or gender expression. For gender diverse, Trans and intersex persons, finding a safe place to use the washroom is an ongoing challenge and a daily struggle. Often, they are the subject of discrimination, which takes the form of assault, harassment, and threats when using gender-segregated washrooms. Without safe access to public washrooms, these individuals are denied full participation in public life. Making public washrooms safe and dignified for all people is a matter of basic human right.
- 1.3. The Code provides for equal rights and opportunities, and freedom from discrimination. The Code recognizes the dignity and worth of every person in Ontario, in employment, housing, facilities and services, contracts, and memberships in unions, trade or professional associations. Individuals who are discriminated against or harassed because of gender identity and/or gender expression, are legally protected. This includes transsexual, transgender and intersex, cross dressers, gender non-conforming, non-binary, genderqueer, two-spirit, and other people whose gender identity or expression is, or is seen to be, different from their biological sex.

2. Purpose

- 2.1. The purpose of this policy and procedure is to ensure all members of our campus community have safe, appropriate washroom facilities available to them that are free of judgment or harassment; and allow individuals to have the option of using a washroom without identifying their gender identity and/or gender expression.
- 2.2. Designated all gender washrooms are available at every Durham College location and that these washrooms are posted with signs that are clear and welcoming to those who choose to access

3. Definitions

Refer to [Durham College's Standard Definitions](#).

4. Policy statements

- 4.1. Durham College recognizes the dignity and worth of every member of its community and provides for equal rights and opportunities, free of discrimination and harassment.
- 4.2. Each member of the Durham College community is aware of, and shares, the responsibility for creating and maintaining a working/learning environment free from discrimination, as defined by *The Ontario Human Rights Code*.
- 4.3. The policy, within the College work/study environment, applies to:
 - Students
 - Academic staff
 - Non-Academic staff
 - Members of the Board of Governors
 - Members of standing and ad hoc committees established by the College
 - Members of societies, associations or business partners that have a direct relationship or are under the authority of the College
 - Contractors such as those undertaking construction, provision of service, or research
 - Visitors and guests who have no ongoing connection to the institution, but are on campus

5. Procedure

- 5.1. The College will adapt the single-stalled, gender specific, women and men's washrooms on campus to all gender washrooms and identify them on all campus maps.
- 5.2. The current signage on designated washroom doors (and respective directional signage) will be replaced with "all gender" washroom signs.
- 5.3. All single-stalled washrooms will be made accessible to all members of the campus.
- 5.4. Moving forward, all new buildings that include single-stalled washrooms will be designated as all gender washrooms with the appropriate visible signage

6. Roles and responsibilities

- 6.1. Together, the Chief Administrative Officer, who is also the designated human rights advisor, the Vice-President of Student Affairs and the Director, Office of Student Diversity and Inclusion will be responsible for overseeing the implementation of this policy and procedure.
- 6.2. The Chief Administrative Officer and the Director, Diversity, Inclusion and Transitions, or his or her designate, is responsible for ensuring the College is abiding by all applicable legislation and directives as they relate to harassment and discrimination, and that the College properly investigates any harassment or discrimination situation.
- 6.3. The Manager of Facilities Services will ensure that all single-stalled washrooms will have appropriate signage as "all gender" washrooms.

7. Accessibility for Ontarians with Disabilities Act considerations

Accessibility for Ontarians with Disabilities Act (AODA) standards have been considered in the development of this policy and procedure and it adheres to the principles outlined in the College's commitment to accessibility as demonstrated by the Accessibility Plan (ADMIN-203).

8. Non-compliance implications

- 8.1. Achieving integration and full participation requires barrier-free inclusive design up front as well as removing existing barriers. Good inclusive design will minimize the need for people to ask for individual accommodation. The Supreme Court of Canada has said that standards should be designed to reflect all members of society, to the extent that it is reasonably possible. They should not create new barriers.

- 8.2. Failure to properly report or act on a harassment or discrimination situation could result in damage to an external or internal member of the campus community and to the College through financial or reputational loss.

9. Communications plan

- Article placed on employee intranet (ICE) with accompanying policy and procedure for campus awareness.
- New employees will be made aware of the policy and procedure as part of their orientation.
- Students will be made aware through ongoing class presentations, training sessions, awareness initiatives and events.
- Policy and procedure will be included in training with the Student Association leaders and other student groups on an ongoing basis.
- Article and location of all gender washrooms will be placed on the Student Diversity, Inclusion and Transitions webpage.

10. Related forms, legislation or external resources

- Bill 33, An Act to amend the Human Rights Code with respect to gender identity and gender expression
- Ontario Human Rights Commission, Policy on discrimination and harassment because of gender identity and gender expression (January 2014)
- The Ontario Health and Safety Act