

# EXECUTIVE ORDER ON SINGLE-SEX FACILITIES IN CITY GOVERNMENT BUILDINGS AND AREAS

## WHAT:

Executive Order 16 requires all City agencies to ensure that City employees and members of the public have access to single-sex facilities such as bathrooms and locker rooms in City buildings and areas consistent with their gender identity or expression without being required to show identification, medical documentation, or any other form of proof or verification of gender. Since 2002, the New York City Human Rights Law has protected people against discrimination on the basis of gender identity and expression.

The Executive Order requires City agencies to:

- Post the new single-sex facility policy in conspicuous locations for employees and members of the public to see within three months;
- Train managers on the policy within one year and frontline staff within two years;
- Update agency Equal Employment Opportunity (EEO) plans to incorporate training requirements within three months; and
- Report steps taken to comply with today's executive order to the Department of Citywide Administrative Services (DCAS) pursuant to EEO reporting requirements.

The Executive Order follows recent legal enforcement guidance issued by the NYC Commission on Human Rights, which clarifies that denying access to bathroom or other single-sex facilities based on gender identity or expression is a violation of the NYC Human Rights Law.

## WHO:

The Executive Order applies to anyone who uses buildings or areas owned or operated by the City of New York, including city employees and members of the public.

## WHERE:

The Executive Order applies to all facilities owned or operated by the City, including City agency offices, public parks, pools, playgrounds, certain cultural institutions, and recreation centers. It does NOT require City agencies to build or construct new single-stall bathroom or locker room facilities or to create new signage in existing bathroom or locker room facilities.

## WHY:

Transgender and gender nonconforming individuals are disproportionately vulnerable to harassment and violence, especially when seeking to access bathrooms and other single-sex facilities. This Executive Order ensures safe access to single-sex facilities in buildings or spaces owned or operated by the City of New York for transgender and gender nonconforming individuals and sets an example for cities and states across the U.S. on protecting the rights and freedoms of transgender and gender nonconforming individuals.

## HOW:

The New York City Commission on Human Rights and the Department of Citywide Administrative Services (DCAS) will work with all City agencies and others to ensure compliance with the Executive Order.