

## **GENDER-NEUTRAL BATHROOMS REQUIRED IN CALIFORNIA BEGINNING MARCH 2017**

On Thursday, September 29, 2016, California Governor, Jerry Brown, signed legislation requiring all single-occupancy bathrooms to be labeled as “all gender” in every business, place of public accommodation, and government agency in the State of California.

Beginning in March 2017, each single-occupancy bathroom is required to be open and available for all persons regardless of gender or gender-identity. The legislation affirmatively requires a re-branding of all single-occupancy bathrooms from “single-gender” to “all-gender” and prohibits the use of single-gender bathrooms when the bathroom is single-occupancy.

The bill allows for inspection by inspectors, building officials, or other local officials responsible for code enforcement to ensure compliance.

Existing law requires public agencies and private businesses to provide access to toilet facilities to both the public and to employees. The new law requires that each single-occupancy bathroom in every business establishment, public place of accommodation, and state agency be open to all genders and identified with signage in compliance with Title 24 of the California Code of Regulations.

The new law only applies to single-occupancy bathrooms. According to the new law, a single-occupancy bathroom is defined as “a toilet facility with no more than one water closet and one urinal with a locking mechanism controlled by the user.” Therefore, the new law does not apply to bathrooms intended to facilitate more than one occupant at a time. Bathrooms containing more than one toilet, or more than one toilet and urinal combined, without a locking mechanism controlled by the entrant, are outside the scope of the new law. To the extent that a business has two single-occupancy bathrooms, both will need to be re-branded as “all-gender” bathrooms.

### **Practical Compliance**

It is important for business owners to begin to assess their business properties in California for current compliance to prepare for full-compliance by spring 2017. To become code-compliant, businesses should identify each of their single-occupancy bathrooms and begin ordering appropriate signage now. Look for Title 24 compliant restroom signs containing figures of both a male and female.

Internally, employers should begin disseminating this information to managers and employees so that they are aware of the changes. The changes will impact both employee use and customer use. Employers should consider an update to the company’s policies and procedures to be disseminated to all employees in advance of the effective date.



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