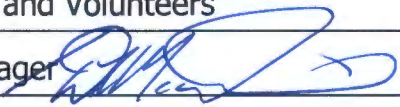




CITY OF DUBLIN
ADMINISTRATIVE ORDERS
OF THE CITY MANAGER

| ADMINISTRATIVE ORDER 2.73 | |
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| TO: | City of Dublin Employees and Volunteers |
| FROM: | Dana McDaniel, City Manager  |
| SUBJECT: | Transgender Use of Restroom/Locker Room/Shower Policy |
| DATE: | July 28, 2022 |
| <i>Supersedes and replaces Administrative Order 2.73, dated July 21, 2020 regarding the same subject.</i> | |
| PROPONENT: | Human Resources |

1. PURPOSE - The purpose of this Administrative Order is to establish guidelines for all City of Dublin employees and volunteers as it pertains to the usage of City restrooms, locker rooms, and shower usage of transgender employees. This administrative order also establishes guidelines for the customer service expectations for employees or volunteers who interact with transgender members of the public. Direct questions regarding this Administrative Order to the Division of Human Resources.

2. DEFINITIONS - Transgender - An individual who identifies with or expresses a gender identity that differs from that which corresponds to the person's sex assigned at birth.

3. POLICY -

a. The City of Dublin strives to provide and maintain a respectful, professional, businesslike work environment free from all forms of unlawful discrimination; therefore, it is the policy of the City of Dublin that employees, volunteers, residents or visitors should use the restroom facilities that correspond with their gender identify. For example, a person who identifies as a male should use the men's restroom, and a person who identifies as a female should use the women's restroom. All employees, volunteers, residents, or visitors should determine the most appropriate and comfortable options for themselves when it comes to use of restrooms.

b. Just as non-transgender individuals are entitled to use a restroom appropriate to their gender identity without having to provide documentation or respond to invasive requests, transgender individuals will be allowed to use a gender identity appropriate restroom without being harassed or questioned by City employees, volunteers, or guests.

c. It is also the City of Dublin's policy that transgender employees will be permitted to use the locker room/shower facilities that correspond with their gender identity. Since many employees utilize the Dublin Community Recreation Center (DCRC), please note that the DCRC has an additional separate and specific policy with regard to the locker room facilities due to the family nature of the facility.

d. The City designates all single-occupancy facilities (bathroom & changing rooms), to include those located in the DCRC, as "All Gender".

e. Employees are hereby advised that any form of harassment or discrimination, as stated in Administrative Orders 2.2 (Sexual Harassment Policy), 2.49 (Disrespectful or Malicious Conduct/Behavior in the Workplace) and 2.66 (Discrimination Policy), not be tolerated and will result in prompt discipline, up to and including dismissal.

4. INTERACTION WITH THE PUBLIC -

a. Customer Service Expectations - Employees who serve at a reception area within City buildings and employees or volunteers who work in the community where restrooms are available for public use (i.e. parks) are expected to inform residents and visitors, if questioned or approached, that City policy permits restroom facilities usage that corresponds with the individual's gender identity. Should a member of the public request to use shower facilities within a City Building, employees will direct those individuals to the Dublin Community Recreation Center (DCRC).

b. Employee Training - Employees who work in the DCRC will be trained on how to follow the DCRC policy. Restroom, Locker Room, and Shower access issues need to be handled with respect and consideration. It is the City's obligation to provide all guests and visitors to the DCRC adequate facility access.

5. REPORTING/INVESTIGATORY PROCEDURES -

a. Reporting Procedures -

(1) An employee who desires to file a complaint is encouraged to utilize the applicable grievance procedure in his/her Collective Bargaining Agreement, directly to his/her Department/Division Head, or directly to the Director of Human Resources, the Human Resource Manager, or a Human Resources Business Partner. It will be the employee's right to choose the reporting option with which he/she is most comfortable. The employee's option to report an incident directly to the Division of Human Resources will not be blocked, restricted, or prohibited in any way by Department/Division Heads or other supervisory personnel within the employee's Department/Division. Efforts at the Departmental/Divisional level to, in any way, block, restrict, or prohibit the employee's choice to report an incident directly to Human Resources, will result in disciplinary action.

(2) A volunteer for the City should file a complaint or report any incidents to the supervisor or Department/Division Head they are supporting or with the Director of Outreach and Engagement for appropriate action.

(3) A citizen who desires to file a complaint of discrimination may do so pursuant to the procedure outlined in City Ordinance 81-21. A complaint under Ordinance 81-21 is initiated by filing a complaint with the City Clerk of Courts, including the conduct at issue, the location of the conduct, and the names of the relevant parties. Citizens may request a copy of the complaint procedure or City Ordinance 81-21 by contacting the City Clerk of Courts. If, however, a citizen simply has concerns about policy regarding transgender use of city owned facilities, that inquiry should be submitted to the City Manager's office by calling (614) 410-4400 or submitting a "Contact the City Manager" inquiry to the following link. <https://dublinohiousa.gov/contact-us/contact-the-city-manager/>

b. Investigatory Procedure - Upon receiving a complaint, the Division of Human Resources will promptly investigate, document the findings, and will recommend the appropriate action to be taken. Until such time as the investigation is completed and any recommendations are implemented, the identities of those directly involved will be kept as confidential as is reasonable under the circumstances. Following closure of the investigation, the investigation results will be disclosed to the affected parties.

6. PROTECTION FROM RETALIATION - Employees who report incidents of harassment or disrespectful/malicious behavior to a Human Resources representative (i.e.: HR Business Partners) or their supervisor are protected from retaliatory conduct/behavior because of reporting such incidents. Retaliatory conduct/behavior on the part of Department/Division Heads, other supervisory personnel, co-workers or other employees is unlawful and will not be tolerated. Such retaliatory conduct/behavior may result in severe disciplinary action.