



**Gender Free Bathrooms- Act 127
Frequently Asked Questions
August 2018**

What is Act 127? This is a new law that took effect on July 1, 2018. All single-user bathrooms in public buildings or places of public accommodation shall be labeled "restroom" or "bathroom" and be made available for use by persons of any gender or who identify as neither gender. This includes single-use restrooms designated for family or assisted use (persons with disabilities).

What is a single-user bathroom?

A restroom with only one toilet. This law does not apply to multiple use facilities, where there is more than one toilet stall.

What is the definition of a place of public accommodation? Any school, restaurant, store, establishment, or other facility at which services, facilities, goods, privileges, advantages, benefits or accommodations are offered to the general public. So basically, it encompasses any and all businesses that offer goods or services to the general public.

Why was this law passed? Testimony about the bill by people whose gender identity does not correspond to their assigned gender at birth, or who don't identify as either gender, indicated that the labeling of restrooms as "men" or "women" often led to harassment or discomfort. Rather than risk this, people would choose not use the restroom, often causing health problems related to kidney function or would seek out businesses where restrooms were not so labeled in order to feel comfortable using the facilities. Other testimony by individuals with disabilities indicated similar issues related to finding a restroom when a caregiver or aide was of a different gender.

Can I still have restrooms that are labeled just for men and women?



Yes, if they are multiple use facilities.

Can I still use the pictogram of men/women or other signage that is not words to indicate gender? No. Pictograms such as the ones below or other symbols that indicate gender, even if they indicate both male and female are not permissible as some people do not identify as either.

Signs such as these on a single use restroom are no longer lawful, effective July 1, 2018.



What signage is appropriate? If it is a single user bathroom which is not handicapped accessible, it should be identified with a sign RESTROOM, and include the braille characters underneath. If it is also handicapped accessible, it needs to be marked with the universal sign of access/ RESTROOM and the braille.

<p>An existing <u>single-user toilet</u> facility which is not handicapped accessible may be identified with a sign RESTROOM</p>	
<p>New and existing single-user restrooms, which are handicapped accessible, shall be marked handicapped accessible.</p>	

Are there other requirements for the signs? Yes. They are required to have a non-glare finish with either a light pictogram on a dark field or a dark pictogram on a light field. They are also required to have a length of 6" for the universal sign of access with the braille and RESTROOM sign not located in the pictogram field. See above.

Who enforces this law? The Department of Public Safety's Fire Safety Division has authority to inspect for compliance. The Vermont Human Rights Commission has jurisdiction to investigate complaints related to improper signage by persons who have a disability, or who are associated with a person with a disability, or persons whose gender identity is different from their assigned gender at birth.

Why are these groups singled out for special privileges?

It is not about special privileges. It is about equal access. The public accommodations act and other anti-discrimination laws allow people who are in "socially marginalized" groups additional protections in order to level the playing field and provide for equal access. In addition, having bathrooms that are gender free benefits everyone as it allows anyone to use an available bathroom rather than waiting in line until the one previously marked for men or women is free. In other words, the law benefits everyone.

What if I have more questions, who can I contact?

Human Rights Commission
Call 802-828-1625
or email at human.rights@vermont.gov