



STAFF REPORT ACTION REQUIRED

Inclusive Washrooms Policy

Date: December 5, 2022

To: Toronto Public Library Board

From: City Librarian

SUMMARY

The purpose of this report is to present an Inclusive Washrooms Policy (Policy) for approval by the Toronto Public Library Board. A draft of the Policy is included with this report as Attachment 1.

The Policy contributes to the Toronto Public Library's (TPL) strategic objective of providing quality, accessible and inclusive public space as well as advancing the Library's commitment to equity and inclusion by removing physical and systemic barriers to equity-deserving groups, particularly the 2SLGBTQ+ community and persons with disabilities.

The Policy outlines how the Library will provide access to washrooms as a human need, and in a manner that promotes a welcoming and supportive environment free from discrimination and harassment. The Policy will clarify for Library staff and the public how the Library will meet or exceed its legislative requirements, including compliance with the Ontario Human Rights Code.

The Policy provides guiding principles for how TPL will work to create, maintain and promote inclusive washrooms and commits the Library to improving washroom access through inclusive washroom design, signage features, staff training, communications materials and development of procedures and guidelines that:

- promote human dignity, including human rights that are protected under the Ontario Human Rights Code;
- are consistent with accessibility standards under the Accessibility for Ontarians with Disabilities Act; and
- promote the safety, health, and wellness of Library staff and Library Customers.

The Policy establishes the vision for inclusive washrooms at TPL. Library staff will develop an Implementation Plan (Plan) that will include initiatives for the short-term, medium-term, and long-term to advance the objectives of the Policy over the next few years. In particular, washrooms will be designed or retrofitted with additional or enhanced features through planned renovations and new construction projects as part of the Facilities Master Plan, State-of-Good Repair plans, and within annual capital and operating budgets.

RECOMMENDATIONS

The City Librarian recommends that the Toronto Public Library Board:

1. approves the Inclusive Washrooms Policy as included in Attachment 1, and
2. directs Library staff to develop a phased Implementation Plan that includes short-term, medium-term and long-term implementation initiatives.

FINANCIAL IMPACT

The Inclusive Washroom Policy has no financial impact beyond what is included in TPL's 2023 operating and capital budgets.

The Director, Finance & Treasurer has reviewed this financial impact statement and agrees with it.

ALIGNMENT WITH STRATEGIC PLAN

Providing Library staff and the public with access to inclusive washrooms is foundational to opening up the Library's public space. In addition to inclusive washroom design and signage, the Policy commits the Library to ongoing staff training and public communications, which clearly set out expectations to provide and contribute to a welcoming and supportive environment for both Library staff and the public in a mutually respectful manner. Therefore, the Policy advances the Library's strategic priority of opening up our public space for everyone including equity-deserving groups so that they can access and use the Library space free from discrimination or harassment.

EQUITY IMPACT STATEMENT

The Inclusive Washrooms Policy will have a positive impact on services for equity-deserving groups, including the 2SLGBTQ+ community and persons with disabilities. It ensures that the Library meets or exceeds legislative requirements and supports relevant individual rights that are protected under the Ontario Human Rights Code.

The Policy advances the Library's commitment to promoting equity and inclusion and is in alignment with other initiatives that serve a similar purpose, such as the Multi-Year Accessibility Plan. It provides for identification of equity barriers through continuous consultation with stakeholders and developing responsive strategies to remove these barriers in the short, medium, and long term. Further, it supports Library users that have special needs, e.g., those attended to by caregivers of a different gender and those attending to young children of a different gender.

COMMENTS

Over the past several years, there have been significant societal changes that have influenced the way Torontonians access and use public spaces for study and work, to use technology and to connect with others. The Inclusive Washrooms Policy addresses the needs of all Library users.

In recognition of the fundamental and practical importance of washrooms to the inclusiveness, accessibility, and safety of Library spaces, TPL staff conducted extensive research and consultation in the course of developing the Policy. This work built on previous public consultations conducted for the Library's Strategic Plan, capital projects, and other related initiatives.

The Policy formalizes existing practices and commits the Library to addressing the changing needs of Library users by incorporating best practices in inclusive washroom design, signage, and other related initiatives. Library staff reviewed similar policy initiatives in other public institutions in consideration of policy options. An environmental scan was conducted among urban libraries, universities, school boards, and The 519 (a City agency that promotes inclusivity for the 2SLGBTQ+ community).

Library staff reviewed equivalent policies and procedures at the City of Toronto and consulted with staff from the People & Equity Division as well as Toronto Public Health. The Policy was also reviewed by the Legal Services Division to ensure consistency with applicable law.

The Policy directly aligns with and supports many of the City of Toronto's strategies that advance community safety and wellbeing where the Library is a partner, including SafeTO and Toronto's Heat and Cooling Relief Strategy. Further, the Policy is in keeping with the review of City spaces, undertaken by Corporate Real Estate Management, with the goal of creating more welcoming and inclusive spaces.

Further, Library staff reached out and consulted with counterparts in other public library systems including Calgary Public Library and Edmonton Public Library to learn from initiatives undertaken by those libraries to advance washroom inclusivity and provide for safety, health, and hygiene needs of their users.

Library staff also conducted internal consultations to seek the views of Library staff and staff groups. Consultations were conducted with staff groups including: 2SLGBTQ+ Services Committee; Equity and Diversity Group for Employees; Joint Health and Safety Committee; Labour Relations Management Committee; Pride Alliance; and Rules of Conduct Committee.

Through these consultations, Library staff received valuable information and input into creation of the Policy and development of the Implementation Plan.

Policy Overview

The Inclusive Washrooms Policy describes how TPL will create, maintain and promote inclusive washrooms to nurture a welcoming environment for all Library users.

The principles of the Policy confirm that:

- all Library users have the right to access TPL's public spaces and services in a welcoming and supportive environment;
- TPL acknowledges the dignity of all Library users and provides both staff and public washrooms as a basic human right and physical need;
- washrooms are provided in a manner that supports accessibility, dignity and independence for all Library users without discrimination or harassment; and
- access to washrooms is provided in a manner that is consistent with TPL's vision, mission and values, including equity, diversity, inclusion, integrity and service orientation; and consistent with applicable legislation and other Library policies.

In summary, the Inclusive Washrooms Policy commits the Library to:

- ensure a common understanding of barriers hindering equitable access to washrooms, and to develop effective solutions to remove these barriers;
- develop and implement the highest standards in inclusive washroom design, accessibility, and safety features in renovation and new construction projects, while taking into account available resources;
- design and install clear, prominent and accessible signage for washrooms to support inclusivity, accessibility, dignity and independence of the individual;
- provide washrooms in a manner that benefits all Library users, including people of all gender identities and gender expressions; and
- support Library users in a manner, that takes into consideration their health and wellness, including conducting wellness checks in washrooms.

By providing inclusive and accessible washrooms, the Inclusive Washrooms Policy promotes the Library as a vital physical space that contributes to the resilience, success, and connectedness of Torontonians.

Development of an Implementation Plan

An Implementation Plan will be developed by staff to achieve the purpose and objectives of this Policy. The Plan will establish timelines for implementation of this Policy in terms of short-term medium-term and long-term initiatives.

Short to Medium-Term Initiatives

These are initiatives that can be achieved in a period of one to five years and may include:

- development of standards, procedures and guidelines for inclusive washrooms;
- design and installation of new signage;

- updating branch floor plans with information on washrooms, e.g., location (map), floor, open hours, etc.;
- updating/developing training materials, including Positive Spaces Training and Rules of Conduct bulletins;
- delivering training/education to TPL staff and security staff;
- developing and executing a communications plan that includes staff and public audiences; and
- providing FAQs to communicate and provide resources for resolving complaints regarding competing human rights.
- repurposing gendered single-user washrooms into universal washrooms; and
- retrofitting / renovating washrooms.

Long-Term Initiatives

- Update all TPL washrooms to inclusive standards, as part of renovations, new construction projects, and within the Library's State of Good Repair and 10-year rolling facilities capital plans.

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SIGNATURE

Vickery Bowles
City Librarian

ATTACHMENTS

Attachment 1: Inclusive Washrooms Policy (draft)

Inclusive Washrooms Policy

POLICY CLASSIFICATION: BOARD POLICY

MOTION# and APPROVAL DATE: [Include the Motion # and date the policy was approved by the Board]

MOTION# and LAST REVISION DATE: [If applicable, include the motion # and date when last revisions were approved]

Effective Date

[When the policy is to come into effect.]

Purpose

The Toronto Public Library (TPL or Library) is committed to achieving an environment that provides equitable access to staff and public washrooms for all Library Users, including equity-deserving groups, in a manner that promotes a welcoming and supportive environment free from discrimination and harassment.

The Inclusive Washrooms Policy (the Policy) outlines and communicates to staff and the public how TPL will work to create, maintain, and promote inclusive washrooms to nurture a welcoming environment for all Library Users – including staff and the public – through inclusive design, signage features, staff training, communications, and other appropriate initiatives.

Scope

This Policy applies to both staff and public washrooms that are operated by the Library and are within Library facilities.

Underlying Principles

TPL's Inclusive Washrooms Policy is founded on the following core principles:

- All Library Users have the right to access TPL's public spaces and services in a welcoming and supportive environment;
- TPL acknowledges staff and public washrooms as a basic human right and physical need;
- Washrooms are provided in a manner that supports accessibility, dignity, and independence without discrimination or harassment for users; and
- Access to washrooms is provided in a manner consistent with TPL's vision, mission, and values – including equity, diversity, inclusion, integrity, and service orientation – and consistent with applicable legislation and other Library policies.

Policy Statement

Providing inclusive access to washrooms enables all Library Users – including equity-deserving groups – to use and benefit from the Library spaces and services.

TPL will support equitable access to staff and public washrooms and a welcoming and supportive environment through inclusive design and signage features, training, communications, and other appropriate initiatives.

This Policy contributes to a welcoming and supportive environment and a spirit of mutual respect among all Library Users.

1. Introduction

- 1.1. All Library Users contribute to a welcoming and supportive environment by refraining from verbal or physical harassment and discrimination of other users.
- 1.2. Acts of harassment and discrimination will not be tolerated and Library Users who engage in such acts are subject to corrective measures taken in accordance with the Library's Human Rights and Anti-Harassment/Discrimination Policy and Rules of Conduct.
- 1.3. This Policy aims to achieve a balance between inclusivity, accessibility, dignity, independence, and the privacy concerns of individuals.
- 1.4. An individual's personal information, including their self-identified gender or disability, will not be collected or shared with another party without the individual's express consent.

2. General

- 2.1. The Library will take both a short and longer-term approach to provide equitable, inclusive, and accessible washrooms to improve accessibility and inclusivity.
- 2.2. To ensure a common understanding of barriers hindering equitable access to washrooms, and to develop effective solutions to remove these barriers, the Library will:
 - Consult and communicate with all relevant stakeholders to promote mutual understanding and respect among all Library Users;
 - Ensure that Library staff are well-informed of this Policy and understand its application; and
 - Incorporate strategies to remove barriers to washrooms in short-and longer-term service and facilities plans.

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3. Design of Washrooms

- 3.1. The Library commits to developing and implementing inclusive design, accessibility, and safety features in its washrooms in renovation and new construction projects taking into account available resources.
- 3.2. Where the City of Toronto or Province of Ontario has provided for relevant standards, the Library will meet or surpass those standards in renovation and new construction projects.
- 3.3. Washrooms will be designed or redesigned to facilitate equity, inclusivity, and accessibility by, but not limited to:
 - Installing inclusive signage;
 - Installing multi-purpose change tables in washrooms where practical;
 - Repurposing washrooms to support universal access; and
 - Mounting locked containers for disposal of sharp objects.

4. Washroom Signage

- 4.1. The Library will use clear, prominent, and accessible signage to support inclusivity and inform Library Users of the features available inside the washrooms.
- 4.2. Signage for washrooms will be designed and installed to support the accessibility, dignity, and independence of the individual.

5. Gender Identity and Expression

5.1. The Library will provide washrooms in a manner that benefits all Library Users, including people of all gender identities and expressions, through design, the use of signage and training as identified above.

5.2. Library Users are welcome to use a washroom based on their self-identified gender identity and expression. No documentation or other proof of gender will be required or requested.

6. Health and Wellness

6.1. The Library will provide access to washrooms that supports Library Users in a manner that takes into consideration their health and wellness.

6.2. Library staff and security personnel will conduct wellness checks in washrooms according to procedures and guidelines established for this Policy.

6.3. Procedures for wellness checks will consider the needs of all users, including accommodation for persons with disabilities.

Specific Directives

This Policy provides guiding principles for how TPL will work to create, maintain and promote inclusive washrooms and commits the Library to improving washroom access in both the short and longer term.

In particular, inclusive design features will be implemented through planned renovation and new construction projects as part of implementation of the Facilities Master Plan and the 10-year Capital Plan

Accountability

The Transformational Projects division is accountable for implementation of this Policy.

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Related Legislation

- The Ontario Human Rights Code, R.S.O. 1990, c. H.19
- Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c.11
- O. Reg. 332/12: Building Code (Section 3.8. Barrier-Free Design)
- Occupational Health and Safety Act, R.S.O. 1990 c. O.1

Related TPL Policies

- [Accessibility for Persons with Disabilities Policy](#)
- [Human Rights and Anti-Harassment/Discrimination Policy](#)
- [Rules of Conduct](#)

Definitions

- **Accessibility:** Refers to the absence of barriers that prevent individuals and/or groups from fully participating in all aspects of employment and service provision. The term is often linked to people with disabilities and their rights to access.
- **Barriers:** With respect to discrimination, it includes attitudes and designs that prevent people from fully participating in employment, use of facilities, and service provision.

Individuals and/or groups can experience discrimination as a result of physical (building design), attitudinal (stereotypes or prejudices) or systemic barriers.

Systemic barriers are formal or informal policies, practices or rules that, when applied in the same way to everyone, may have the effect of excluding or restricting the participation of some individuals, e.g., a work schedule or community meeting that conflicts with religious observance requirements.

- **Gender Expression:** Refers to the way people communicate or express their gender identity, often through behaviour and physical appearance, e.g., dressing, the length and style of hair, or by emphasizing, de-emphasizing or changing physical characteristics. Chosen names and pronouns are also

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ways in which people express gender. Gender expression is totally separate from sexual orientation.

- **Gender Identity:** Refers to the gender people identify with or how they perceive themselves, which may be different from their birth-assigned sex. Gender identity is linked to a sense of self, the sense of being female, male, both, neither (non-binary) or anywhere along the gender spectrum. Gender identity is completely separate from sexual orientation.
- **Library User:** Includes anyone who uses the Library's spaces, e.g., Library customers, Library staff, contractors, the public.
- **Universal Washroom:** A single occupancy washroom that is all gender and provides the space for a person using a larger mobility device, an adult change table and an attendant to assist a user when required, and an emergency call system.

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