



2.04 GENDER IDENTITY NON-DISCRIMINATION

Rule

No individual will be discriminated against in any aspect of employment including recruitment, selection, hiring, wages, hours and promotion based upon the individual's publicly asserted gender identity, or any declaration of intention to change the individual's perceived gender.

The City will not tolerate disrespectful language or behavior from its employees toward or about a person on the basis of their gender identity. Individuals have a right to be addressed in a manner that is consistent with the individual's expressed gender. The refusal of managers, supervisors, co-workers and other persons to address individuals in a manner consistent with their expressed gender identity will not be tolerated.

Sex-Specific Facilities

The City will make reasonable efforts to treat male to female transgender individuals equitably with other women, and female to male transgender individuals equitably with other men in sex-specific facilities. The phrase "transgender individual" refers to an individual whose actual or perceived gender identity differs from that traditionally associated with the individual's sex at birth.

It is the intent of the City that there will be no discrimination against a transgender individual in their use of sex-specific facilities. In sex-specific facilities, such as a locker room, where nudity in the presence of other people is unavoidable, the City will determine, if necessary, what accommodations can be provided that meets the privacy concerns of all impacted users. All City employees using sex-specific facilities where nudity is unavoidable are expected to deal with others in a respectful and responsible fashion.

Dress Codes

Transgender employees have the right to abide by sex-specific dress norms according to their gender identity. Nothing in this rule, however, requires any bureau or office within the City of Portland to allow non-transgender employees to occasionally dress in clothing that is conflicting with the person's stated gender identity.

Implementation

Bureau EEO representatives are available to respond to questions, including but not limited to, an individual's right to use a sex-specific facility and compliance with dress codes according to their gender identity. The Diversity Development/Affirmative Action Office is also available as a resource.

Administrative Rule History

Adopted by Council March 6, 2002, Ordinance No. 176302
Effective April 5, 2002
Revised November 4, 2011
