

BUILDING EQUALITY

Ministry of Housing, Communities & Local
Government

Response to 'Toilet Provision for Men and
Women: Call for Evidence'

In 2017, a report on LGBTQ+ Trans individuals in Britain completed by Stonewall UK found that almost half of Trans people (48%) do not feel comfortable using public toilets, as a result of verbal abuse, intimidation, and physical assault.

- Stonewall UK, 2017 LGBT in Britain Trans Report





C O N T E N T S

1. Building Equality
2. Consultation Evaluation
3. Changing Cultural Conceptions
4. Design & Technical Evidence
5. References & Resources

1

BUILDING EQUALITY

Who We Are

Building Equality is a voluntary alliance of construction consultants, engineers, developers, contractors and institutions who are passionate about working together and harnessing our collective power to drive LGBTQ+ inclusion in the construction industry. We have a presence across the UK, with 60+ organisations from the industry regularly participating in joint initiatives to support LGBTQ+ inclusion.

Our Vision

To have a construction industry that is wholly welcoming, inclusive and supportive of lesbian, gay, bisexual, transgender + other related communities.

Our Response

The purpose of this document outlines a collective response to the governments' call for evidence on the open consultation on 'Toilet provision for men and women'.

Building Equality requested technical and best practice design evidence from built environment professionals within the alliance of members on the benefits of gender-neutral toilets provision and inclusive design. Evidence was extracted from both how we design and create inclusive environments for our own people in our own member organisations, but also in the project work we deliver for our clients in designing the built environment in the UK.





Organisations who are members of Building Equality include:

- | | | |
|--|----------------------------|---------------------------|
| Aecom | Homes England | Sir Robert McAlpine |
| Amey | ICE North West | Skanska |
| Arcadis | ISG | South Lanarkshire Council |
| Arup | Jacobs | Tetra Tech |
| Atkins (member of the SNC-Lavalin Group) | Kier | Three Sixty |
| Balfour Beatty | Laing O'Rourke | Tony Gee |
| BAM | Leeds Council | Turner & Townsend |
| BDP | Leeds University | Urbana Town Planning |
| Built Environment Networking | Lendlease | Volkerwessels |
| BuroFour | Leslie Clark | Wates |
| BuroHappold Engineering | Logikal | Willmott Dixon |
| CIAT | Mace | Willmott Dixon Interiors |
| CIOB | Morgan Sindall Investments | Womble Bond and Dickson |
| Civic Engineers | Mott Macdonald | Wood Plc |
| CMS Law | NHBC | WSP |
| Constructing Rainbows | Norman Disney & Young | |
| Construction Excellence | Overbury | |
| North East | Pick Everard | |
| Cundall | Randoll thorp | |
| Curtins | Ramboll | |
| Danny Osullivan | RICS | |
| Henry Boot | Ring Stones (Calico) | |
| Hilti | Scottish Government | |
| | Seddon | |

2

CONSULTATION EVALUATION

As construction, engineering and built environment professionals, we believe in removing barriers to equal participation and inclusion – this includes toilet provision. Through an interdisciplinary and inclusive design approach we can and are creating inclusive places which accommodate all non-conforming bodies – people of different ages, genders, races, faiths and disabilities. In order to lead this conversation effectively this consultation needs to be championed by architects, engineers, built environment professionals and subsequent specialist sub-contractors who design these spaces on a day-to-day basis.

We actively advocate the re-evaluation of norms which reinforce the gender binary and toilet provision is no exception. Instead, we propose multi-user design prototypes and guidelines that create safe and universal toilet provision for people of different ages, genders, races, faiths and disabilities. We feel that if the consultation is not led with inclusive design principles at the forefront of the reasoning for change, we may discourage gender-neutral and universal toilet provision and create a regulatory barrier going forward.





Building Equality share the government's position that there needs to be "a clear steer in buildings guidance". However, we welcome the extension of the conversation to help shape regulations that promote universal washrooms rather than focusing solely on a "provision of gender specific toilets".

As part of the 2010 Equality act it is against the law to discriminate against someone because of their protected characteristics. It is therefore crucial that this consultation tend to the needs of all those protected characteristics:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

We call for inclusive and available, universal toilet provision to address the imbalance of gendered toilets, as stated in this review.

The review states, as a means to support gendered toilets, that “The Equality Act provides that sex, age, disability and gender reassignment are protected characteristics” However, the Equality Act 2010 also serves to protect transgender, non-binary and gender diverse people and states the entitled use of spaces that align to their gender identity.

Therefore, we must consider the safety of our entire transgender, non-binary and gender diverse community, and take into account the barriers that gendered toilets pose. For example, gendered toilets are not at all welcoming or accommodating of non-binary individuals and any space with limited privacy is challenging for transgender people.

Gender-neutral and universal toilet provision provides the solution for this.

We therefore share this document to dispute the claims made in the consultation review and in turn provide technical evidence and context, identify opportunities, address challenges and share best practice design strategies that promote inclusivity for all.





“ Demand for universal washrooms and change rooms is growing, and they offer greater flexibility.

Designs that prioritize gender-designated spaces may require renovation as community needs continue to evolve.

”

- **Designing for Inclusivity: Strategies for Universal Washrooms and Change Rooms in Community and Recreation Facilities**

Evaluating the consultation

“Toilets, both in municipal and private sector locations, are an important facility for members of the public, in particular, women, those with children, older people and disabled people.”

“The government’s position is also of the view that there needs to be proper provision of gender-specific toilets for both men and women, with a clear steer in building standards guidance.”

The opening to the consultation implies that ‘women, those with children, older people and disabled people’ in particular are more important in the use of these facilities. We agree that toilets are an important facility for everyone but argue there is no greater importance to anyone. The consultation should not be about for whom toilets are more beneficial, but designing toilets that are equal and inclusive for everyone.

The UK’s Equality Act states that it is against the law to discriminate against someone because of a protected characteristic. It is therefore important that the provision of toilets tends to the needs of all noted demographic groups equally rather than focusing on the needs of specific members of the public.





“It is also desirable to avoid queues for toilets, and male toilets are typically able to allow for a quicker transition of customers. In addition to this, signage should be clear, and should not seek to avoid the use of gender-specific language unnecessarily as this causes public confusion.”

The driving factor behind the problems surrounding queues for toilets and unclear signage comes down to poor design. Within section 4.2 (Transforming Public Restrooms) a strong design case study named ‘Airport restroom’ leads with a diverse design methodology and doesn’t require the use of gender specific language. The designed spaces are a direct response to the needs of user groups categorised by age, gender, religion and disability. Driving factors of the precedent are guided by three strong design decisions.

- 1) A space encouraging physical and psychological well being that responds to subjective feelings about shame, privacy or confusion.
- 2) Strong, technical attention to design by incorporating interactive fixtures and technologies that preserve water and are easy to handle for those with manual disabilities.
- 3) Developing way finding that uses colour, texture and lighting in place of signage as devices to assist people with physical and sensory disabilities.

Similarly the issue of signage can easily be addressed by signs that focus on the function of space rather than the identity of users. Within section 4.1 (Visualizing Design Strategies) there is a demonstration of considered, inclusive design by implementing a signage strategy that emphasises function and is clear, inclusive and positive rather than focusing on the identity of the users.

Section 4.3 shows strong evidence in the case of gender-neutral bathrooms reducing waiting times noting, “that women experience substantial reductions in waiting times in a gender-neutral setting, even if we simply remove the urinals from the formerly male bathrooms.”

“The government wants to ensure dignity and respect for all. The Equality Act provides that sex, age, disability and gender reassignment are protected characteristics. This does not mean that gender-specific toilets should be replaced with gender-neutral toilets. But there should be balanced consideration of how the needs of all those with protected characteristics should be considered, based on the mix of the population and customer demand.”

We do not propose that gendered toilet provision be replaced by gender-neutral toilet provision or that gender-neutral toilets provision, without considered planning or design, is suitable in creating equitable toilet provision. Making WCs gender-neutral requires more than changing the signs on the door.





However, our call for universal toilet provision, whilst keeping a small proportion of segregated toilets intact, will address the imbalance as stated in this review. This is through equitable, well-planned and designed gender-neutral toilet provision, with floor to ceiling cubicle facilities which offers privacy for all. This includes providing sanitary bins, ensuring wheelchair accessibility and changing space for parents and children.

We have included a strong design precedent that provides dignity and respect for all users which is provided in Section 4.1 (Visualizing Design Strategies) where two studies show the benefits of universal single-user washrooms and universal multi-stall washrooms. The design specifically answers common concerns surrounding privacy, comfort, signage and safety.

3

CHANGING CULTURAL CONCEPTIONS

In order to look forward at how the design should evolve it is important to look back at the context surrounding the evolution of the design of washrooms and acknowledge that the universal washroom narrative is naturally the next step in this history. Some key moments are noted below that identify how some protected characteristics were previously marginalised, which has led us to modern washroom design principles.





“

Just as we ended the racial segregation of public toilets in the past, and expanded access for a wide range of physical abilities, so too can we design truly inclusive public restrooms that serve diversity and justice, safety and sanitation

”

- Stalled! Transforming Public Restrooms
Joel Sanders

1980

During the **HIV / AIDS Epidemic** mass hysteria led to discrimination based on fears of infection.

1992

The **1992 Guidance in the UK Building Regulations about accessibility** helped shape inclusive design for people with disabilities in our buildings

2000

Businesses are increasingly providing facilities for the physical wellbeing of their staff and promoting inclusivity is at the forefront of design ethos. It is seen as good design practice for employers to provide staff access to **prayer and multi-faith rooms** with suitable washing facilities.

2010

The rise in **Universal Washrooms**

4

DESIGN & TECHNICAL EVIDENCE





- 4.1 [Designing for Inclusivity Strategies for Universal Washrooms and Change Rooms in Community and Recreation Facilities](#) by HCMA Architecture & Design
- 4.2 [Stalled! Transforming Public Restrooms](#) by Architect Joel Sanders
- 4.3 [The gender-neutral bathroom: a new frame and some nudges](#) Article in Behavioural Public Policy (July 2020)

4.1 Designing for Inclusivity Strategies for Universal Washrooms and Change Rooms in Community and Recreation Facilities by HCMA Architecture & Design



A NOTE ON THE CREATION OF THIS DOCUMENT

Version 1.1, February 2018

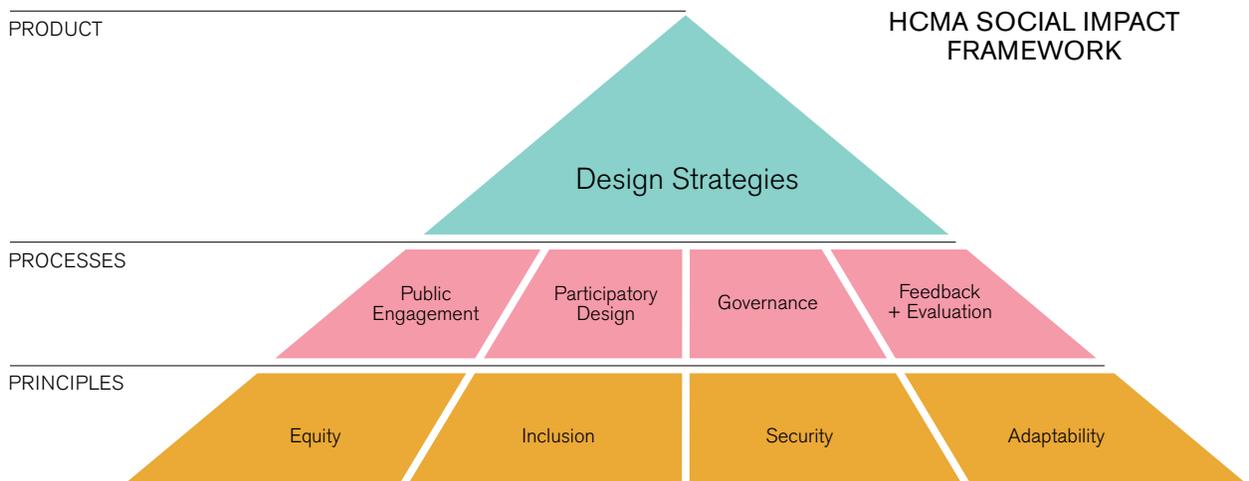
HCMA Architecture + Design created this document to help fill a gap in design knowledge around issues relating to universal washrooms and change rooms, and their provision in community and recreation facilities.

HCMA has been at the forefront of community-focused design in Canada for over two decades, and we continuously challenge ourselves to advance how we design for social impact (see below). Our experience creating community centres, aquatic centres, recreation centres, and libraries for diverse populations has informed this content.

This document, currently in its first version, is a contribution to ongoing and evolving discussions around designing for inclusivity. It shares core considerations rather than comprehensive suggestions for all groups.

We are grateful for the insight on gender diversity that TransFocus Consulting provided while advising on this content (see page 34). This focus is one of many to explore, and reinforces how strategies that reduce barriers to access for a vulnerable population ultimately improve access for everyone.

We would also like to thank the City of Surrey for contributing to, and supporting the development of this content.



Contents

1	Executive Summary	5
2	The Growing Case for Universal Washrooms and Change Rooms	7
	Background	
	Government of Canada Legislation	
	Timeline	
	Benefits	
	Challenges and Concerns	
	Notes on Building Regulations	
	Notes on Transgender and Non-Binary Inclusion	
3	Typologies and Precedents	15
	Universal Single-User Washrooms	
	Universal Multi-Stall Washrooms	
	Universal Change Rooms	
4	Design Strategies	21
	Strategy Descriptions	
	Notes on Improving Gender-Designated Washrooms and Change Rooms	
	Visualizing Strategies	
	Additional Resources	34
	Conclusion and Next Steps	35



“It is critical that we embrace the challenge to rethink even our most familiar spaces. We have a responsibility to use design to support basic rights for everyone and the evolving needs of our communities.”

Darryl Condon

Managing Principal

HCMA Architecture + Design

Executive Summary



Changing Area ←
Fitness ↑

FITNESS

Universal Washrooms and Change Rooms: Why Do They Matter?

This document explores the benefits of universal washrooms and change rooms and their provision in community and recreation facilities. It is intended to be a resource for designers, municipal staff, facility planners, building operators and managers, and anyone interested in understanding more about this topic and why they are increasingly part of evolving best practice considerations across project and building types. The objectives of this document are to provide context, identify opportunities and challenges, and share design strategies that promote inclusivity for a wide variety of users.

The Canadian Human Rights Act and Criminal Code, updated in June 2017, clarify the right of all people to use a washroom or change room that corresponds to their gender identity and support discussions around access and how spaces can be made more inclusive. While universal washrooms (single-user and multi-stall) and universal change rooms are common in Europe, they are gaining traction in North America as demand for them continues to increase. Gender-designated washrooms and change rooms lack privacy and accessibility for many users, including those who have personal health requirements or mobility challenges, those who are transgender or transitioning, and those who may require assistance from someone of a different gender—including children and the elderly. This document discusses how universal washrooms and change rooms promote:

- Inclusivity for people with disabilities
- Inclusivity for families
- Inclusivity for transgender and non-binary people
- Increased privacy and safety
- Increased efficiency
- Forward-thinking design

The design strategies in this report offer a guide to important considerations in the design of universal washrooms and change rooms. They encourage higher standards of privacy, accessibility, and comfort than are often found in gender-designated washrooms and change rooms. They also intend to help mitigate common concerns regarding safety and privacy for various users. The five strategies are:

- 1 Strive for **inclusivity** and **access for all**
- 2 Use **openness** to **enhance safety** through activity and shared monitoring
- 3 Create **privacy** where most needed to **enhance comfort**
- 4 Welcome everyone with **signage** that **emphasizes function** and is clear, inclusive, and positive
- 5 Ensure **supportive staff operations** and communications

The provision of universal washrooms and change rooms in public and private spaces—either alone or alongside gender-designated options—is an opportunity to embrace the evolution of our communities' needs, and to champion inclusivity and accessibility for all.

The Growing Case for Universal Washrooms and Change Rooms



BACKGROUND

Many designers and building operators are reconsidering how washrooms and change rooms are configured. They are typically gender-designated, built for men and women separately. This separation is part of a complex history of access and inclusion in our shared spaces, and their reflection of our evolving social values.

Regulations and guides such as building codes and accessibility handbooks help make spaces more accessible for those with disabilities. However, there is an increasing shift towards washrooms (single-user and multi-stall) and change rooms that are more inclusive for a wider range of users. They are often referred to as universal or all gender, with the term 'universal' emerging as best practice. Universal washrooms and change rooms are being provided alone and alongside gender-designated options across a wide range of private and public buildings, from recreation centres to schools to private businesses.

This shift has partly been sparked by families and people with disabilities asking for facilities that can better accommodate more users, including caregivers of all genders. There is also an increasing awareness that many people feel uncomfortable and unsafe using gender-designated washrooms and change rooms, including transgender and non-binary (TNB) people (see page 13).

“I felt as safe and secure as in any other public venue... Having been a dad taking his daughter to such places it’s nice to see something more inclusive and respectful of privacy at the same time.”

Universal Change Room User

Regent Park Aquatic Centre, Toronto
Yelp Review

GOVERNMENT OF CANADA LEGISLATION

Bill C-16 was passed in June 2017. It updates the Canadian Human Rights Act and hate-crime and hate-speech provisions in the Criminal Code, clarifying that it is illegal to discriminate on the basis of gender identity or expression (see page 13). The bill protects the right of TNB individuals to use a washroom or change room corresponding to their gender identity (which has been supported by 20 years of case law). It also continues to enhance discussions around designing for inclusivity.

1778

Gendered washrooms are first introduced at a Paris ball as spectacle
(see "Everyone Goes" in Additional Resources)

Context for Universal Washrooms

Early 1900s

Legislation requiring women's washrooms as women enter the workplace in greater numbers

Mid 1900s

Civil Rights Movement - abolishment of 'coloured' washrooms

2014

Document for Vancouver Park Board
Building a Path to Parks & Recreation for All: Reducing Barriers for Trans & Gender Variant Community Members*
(link to document in Additional Resources)

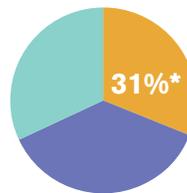
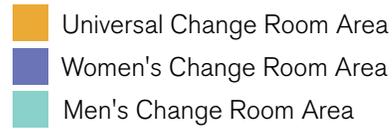
2017

Bill C-16 is passed in Canada, legally supporting individuals to use the washroom that corresponds to their self-determined gender identity
(see previous page)

2017

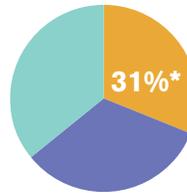
Changes to 2018 International Building Code include fixture calculations and signage suggestions for universal washrooms
(see page 12)

Evolution of Change Rooms in HCMA Projects



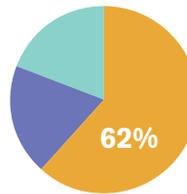
1993

Eileen Daily Pool and Fitness Centre
**family change area*



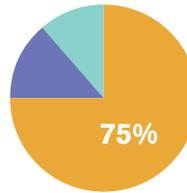
1999

Walnut Grove Community Centre
**family change area*



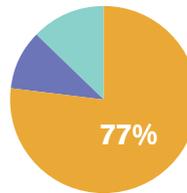
2006

Killarney Community Pool



2011

Hillcrest Centre

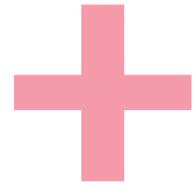


2016

Grandview Heights Aquatic Centre



Benefits of Universal Washrooms and Change Rooms



INCLUSIVITY FOR PEOPLE WITH DISABILITIES

Universal spaces accommodate people who use mobility aids such as wheelchairs, and those who have a caregiver of a different gender.

INCLUSIVITY FOR FAMILIES

Parents or caregivers can use the same change room or washroom as other family members (i.e. a grandfather can use a change room with his young granddaughter, or a woman with her elderly father).

INCLUSIVITY FOR TRANSGENDER AND NON-BINARY PEOPLE

Universal washrooms and change rooms provide a safer and more welcoming space for TNB people, and can reduce feeling unsafe and instances of harassment and abuse.

INCREASED PRIVACY AND SAFETY

Universal washrooms and change rooms strive to create privacy and safety for all users. Increased privacy in toilet, change, and shower stalls promotes comfort, as well as discretion around individual health needs (for example, a diabetic needing to inject insulin and dispose of medical waste). Openness and connection in central areas promotes safety.

INCREASED EFFICIENCY

They can handle higher overall usage than washrooms and change rooms separated into women's and men's, and reduce the wait times and lines often experienced by those using women's washrooms during events or other high-use times. They also facilitate cleaning by staff of any gender.

FORWARD-THINKING DESIGN

Demand for universal washrooms and change rooms is growing, and they offer greater flexibility. Designs that prioritize gender-designated spaces may require renovation as community needs continue to evolve.

Challenges and Concerns



CONFUSION AROUND LANGUAGE AND ACCESS

Many people are unsure about what the terms 'universal washroom' and 'universal change room' mean and that they are for everyone—rather than solely for families or those with disabilities. In the past, universal change rooms have been called family change rooms with the expectation that families have priority use in them over individuals, especially during high traffic times. Universal spaces do not prioritize certain users over others.

CONFUSION AROUND USE

Some people are unsure or unaware of what behaviour is expected in universal spaces. For example, some people don't know whether they may undress in the open locker area of universal change rooms. This report describes universal change rooms as spaces where people change or shower nude only in private stalls. Signage and user education clarify that clothing or swimsuits are required in all the areas adjacent to those stalls.

CONFUSION AROUND DESIGN

As their design is not standardized, many people assume that universal washrooms and change rooms look the same as gender-designated ones. The design strategies in Part 4 promote key differences focused on privacy and comfort.

FEELING UNCOMFORTABLE

Some people express that sharing washrooms or change rooms with members of another sex or with transgender and non-binary people is uncomfortable or strange—it's different than what they're used to or may challenge cultural norms. Some people also express concern that gender-designated spaces are necessary for the safety of women and children.

The best design processes involve consultation with a variety of user and advisory groups in order to mitigate concerns, while design strategies (see Part 4) can help increase comfort for as many users as possible. Designing stalls to a higher standard of privacy than found in most gender-designated washrooms and change rooms helps achieve comfort, while creating openness in adjacent areas promotes safety and visibility.

Notes on Building Regulations

Major barriers to the widespread adoption of universal washrooms and change rooms include the language and calculation tables of regulations that govern our built environments. Opportunities and timelines for change vary due to the jurisdictional nature of these regulations.

NATIONAL BUILDING CODE OF CANADA

Canada's National Building Code (NBC) is a model code that is adopted or modified by various jurisdictions throughout the country (British Columbia, Alberta, Ontario, and Quebec have adopted provincial codes based on the NBC). The latest version was released in 2015. It is uncertain how changes made to the 2018 editions of the International Building and Plumbing Codes (IBC + IPC), which primarily govern codes used in the United States, may influence the next version of Canada's NBC. Changes to the IPC include new signage and toilet calculation provisions for universal washrooms, initially proposed by the American Institute of Architects.¹

The 2015 NBC clearly defines proportioning building users into male and female counts to determine toilet requirements for each, with the intention to provide parity in wait times—particularly for women. Universal single-user washrooms that meet accessibility requirements (including features such as grab bars and hooks) are recognized as 'universal washrooms,' updated from 'universal toilet rooms' in the 2010 NBC. Universal single-user washrooms count toward toilet requirements for small spaces such as cafes, but minimally contribute to requirements for large buildings. There is no recognition of toilets provided in universal multi-stall washrooms.

The NBC does not state that men's and women's washrooms must be physically separated. One strategy used to receive approval for universal multi-stall washrooms has been to indicate that total toilet counts are based on the assumed gender split of users—they are just co-located within a single shared space with no distinction or separation between users.

OTHER REGULATIONS

The City of Vancouver is one of the few municipalities in Canada to issue its own code. Of note is the recognition of universal multi-stall washrooms under article 3.7.2.11 of the 2014 Vancouver Building Bylaw, which refers to them as gender neutral washrooms with individual toilet stalls. Their requirements include full height stall doors and walls, locks that indicate vacancy, and entrances with no doors (or doors with grills or open transoms).

National and provincial health regulations also affect the design of facilities. For example, the BC Public Health Act establishes the amount of men's and women's change room space required for aquatic facilities, and allows for universal change rooms in addition to gender-designated ones.

¹ Spula, Ian. "An Unexpected Ally of Gender-Neutral Restrooms: Building Codes." *Architect Magazine* (September 2017). See link in Additional Resources.

Notes on Transgender and Non-Binary Inclusion

Visible adherence to conventional notions of gender is still commonly expected in public washrooms and change rooms, though all individuals are now protected by law to use a washroom or change room that corresponds to their gender identity (see page 8).

Gender-focused advocacy has significantly advanced how we design for inclusivity. The definitions and information on this page highlight important language and context relevant to discussions about universal washrooms and change rooms.

DEFINITIONS

Gender Identity: A person's innate sense of their own gender.

Gender Expression: How a person expresses and presents their unique relationship to femininity and masculinity through attire, hair, speech, mannerisms, etc.

Cisgender / cis (person): A person whose gender identity aligns with their sex assigned at birth.

Transgender / trans (person): A person whose gender identity does not align with their sex assigned at birth.

Non-binary (person): A person who does not identify as either woman or man. Other words people may use are gender variant, gender fluid, gender creative.

TNB people: A shorthand term for 'transgender and non-binary people.'

Two Spirit (person): An umbrella term sometimes used to refer to an Indigenous person who simultaneously manifests both a masculine and a feminine spirit, and assumes particular gender roles in traditional ceremonies and practices.

Universal: Term used to indicate spaces that can be used by people of all abilities and genders. This includes multiple users, families, caregivers, and people with disabilities. There is an emerging best practice to use the term 'universal' instead of 'gender neutral' and 'all gender.'

STATISTICS ON HEALTH AND SAFETY

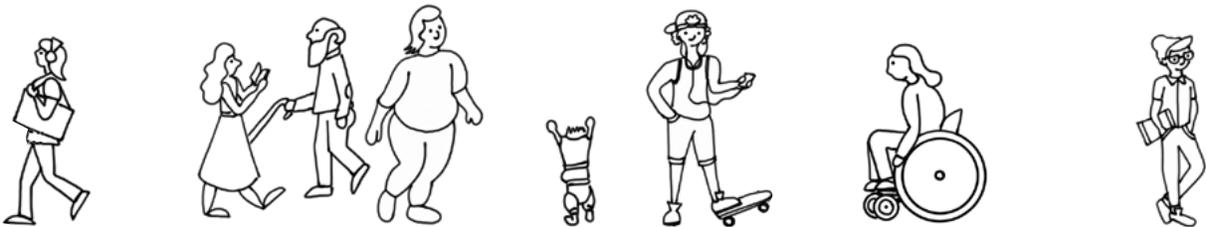
A 2015 study of over 27,000 transgender individuals in the U.S. found that 26% of all respondents were denied access to washrooms, had their presence in a washroom questioned, and/or were verbally harassed, physically attacked, or sexually assaulted in a washroom in the year prior to taking the survey.²

59% of respondents of the same study avoided using public washrooms. 32% avoided drinking or eating so that they would not need to use the washroom, and 8% reported having a urinary tract infection or kidney-related medical problem as a result of avoiding washrooms in the past year.²

A 2011 report of Canadian schools found that 52% of transgender youth feel unsafe in gender-designated washrooms and change rooms.³

² James, S. E., Herman, J. L., Rankin, S., Keisling, M., Mottet, L., & Anafi, M. *The Report of the 2015 U.S. Transgender Survey*. Washington, DC: National Center for Transgender Equality, 2016.

³ Taylor, Catherine & Tracey Peter. *Every Class in Every School: Final Report on the First National Climate Survey on Homophobia, Biphobia, and Transphobia in Canadian Schools*. Toronto: Egale Canada Human Rights Trust, 2011.



Typologies and Precedents



INTRODUCTION

Universal single-user washrooms, multi-stall washrooms, and change rooms are increasingly used in diverse building types across Canada.

A variety of design options are being implemented as alternatives to traditional gender-designated washrooms and change rooms. Some of the designs are fully universal, while others provide a combination of universal and gender-designated options.

While many examples of where typologies have been provided are located in British Columbia, others could be highlighted from across the country.

Below: Universal change area opening onto the pool deck of Grandview Heights Aquatic Centre, Surrey, BC.



Common Designs:

⑤ Universal Single-User Washrooms

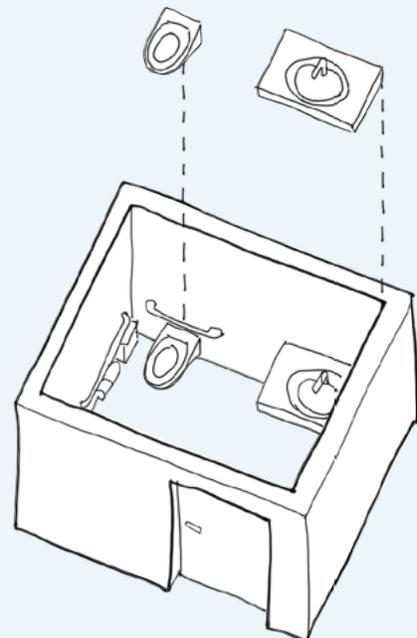
OVERVIEW

Universal single-user washrooms consist of a single toilet and sink enclosed with a locking door and designated with appropriate signage. They are the most prevalent type of universal washroom, and are frequently built to meet accessibility requirements (see page 12).

- They offer a higher degree of privacy than universal multi-stall washrooms.
- They are often provided individually or in pairs, but it is increasingly common to find several side-by-side.
- Occasionally, a row of them is provided where only one or two have been made accessible.
- While the physical typology itself is very common, many are labeled as men's and women's. They can be designated as universal by changing signage and ensuring that waste receptacles are provided.
- Yelp has added a 'gender neutral restrooms' category to listings for those who specifically seek them out.

EXAMPLES

Universal single-user washrooms are so common that often people do not notice or care that they are not gender-designated. Many businesses, workplaces, retail stores, restaurants, and cafes already provide universal single-user washrooms in order to meet basic accessibility requirements, or when only one toilet is available.



Common Designs:

M Universal Multi-Stall Washrooms

OVERVIEW

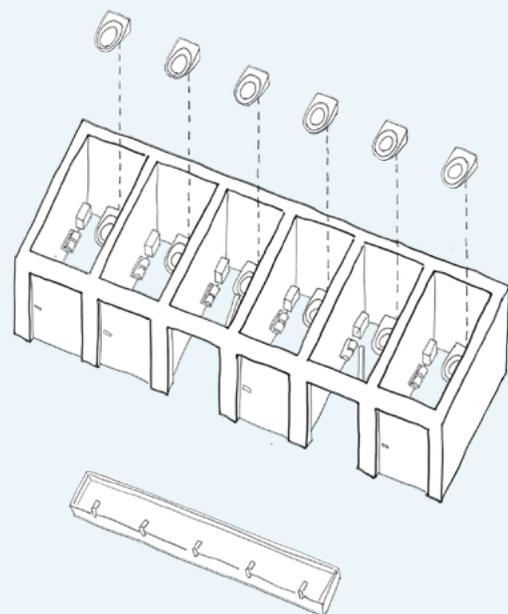
These washrooms look like common multi-stall washrooms with shared sinks, but are clearly marked as universal with appropriate signage. The key difference is that they strive for greater privacy than most gender-designated multi-stall washrooms by providing full-height enclosures for toilets, creating individual 'toilet rooms' as opposed to stalls separated by partial dividers.

- Select stalls can be made accessible and large enough to accommodate more than one person. This is important for those who are disabled or require assistance.
- Shared sinks can also be designed to be accessible to children and those in wheelchairs.
- Universal single-user washrooms can be included in multi-stall washrooms to provide users with more options.

EXAMPLES

Universal multi-stall washrooms are currently less common than universal single-user washrooms. However, they are gaining momentum, and many restaurants are adopting this design. Examples of places where they are provided include:

- North Delta Recreation Centre
- Gibsons Elementary School
- LOCAL Public Eatery, Gastown, Vancouver
- University of Victoria
- University of the Fraser Valley, Abbotsford
- The Royal Ontario Museum



Common Designs:

🌀 Universal Change Rooms

OVERVIEW

Universal change rooms are shared spaces for all users of a facility. Typically, a central open space includes lockers, benches, and sinks. Private single-user (and often multi-user) change and shower stalls are provided, and clothing or swimsuits are required in all areas outside of these stalls.

Universal change rooms are similar to family change rooms, yet explicitly welcome all users. Sometimes they are available alongside men's and women's designated change rooms. Designs differ depending on the types of activities occurring in the building and the presence of aquatic facilities.

- Universal change rooms are standard practice in many parts of Europe. They are increasingly common in Canada and are popular with a variety of users, including families, for the flexibility that they offer. Growing demand is apparent in the increase of area dedicated to them in HCMA projects (see page 9).
- They provide a more efficient use of space when both mixed and single-gender groups use the facilities (a girls' sports meet, for example).
- Some municipalities are moving toward incorporating universal change rooms in all new buildings and renovations.

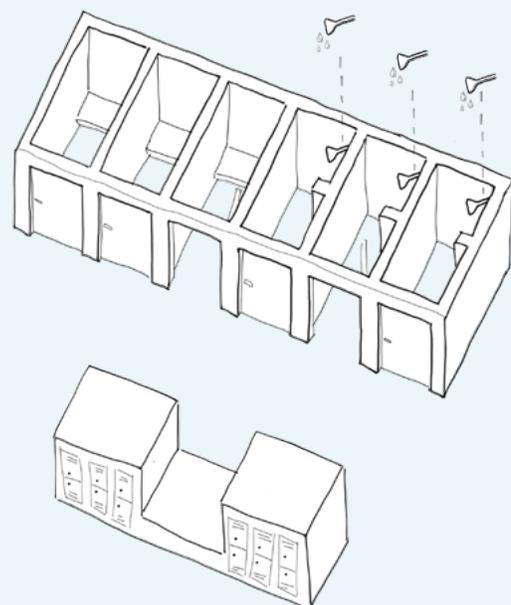
EXAMPLES

HCMA projects

- Hillcrest Centre, Vancouver
- Killarney Community Pool, Vancouver
- West Vancouver Aquatic Centre
- Grandview Heights Aquatic Centre, Surrey
- Minoru Centre for Active Living, Richmond
- Chimo Aquatic and Fitness Centre, Coquitlam
- Legends Centre, Oshawa
- Complexe Aquatique de Laval

Facilities that provide only universal change rooms

- The North Delta Recreation Centre
- Regent Park Aquatic Centre, Toronto
- Queen Elizabeth Pool, Edmonton
- Remington YMCA, Calgary





Design Strategies for Universal Washrooms and Change Rooms



HCMA HAS DEVELOPED FIVE STRATEGIES FOR DESIGNING UNIVERSAL WASHROOMS AND CHANGE ROOMS

These strategies demonstrate how good design mitigates barriers to realizing inclusivity, equity, security, and adaptability.

They offer teams involved in the design of washrooms and change rooms a guide to top considerations. These strategies are to be explored, adapted, balanced, and applied within the unique context of each project—including its challenges and opportunities.

Most of these strategies highlight considerations that are generally applicable. While others are more specific in their application, it is useful to understand them all.

Many of the design strategies have been illustrated and visualized with example washroom and change room layouts.

SYMBOLS

The following symbols indicate the relevance of points to the three common universal typologies:

- S** single-user washrooms
- M** multi-stall washrooms
- C** change rooms

1 Strive for **inclusivity** and **access for all**



Consider gender identity and expression, ability, age, culture, etc.



Provide stalls that accommodate more than one person to support those who are elderly, young, or disabled in receiving assistance from caregivers or parents of any gender.



Locate accessible amenities to enhance visibility and ease of use:

- Accessible stalls that are part of a multi-stall space should be located nearest to the entrance of the shared area.
- Accessible single-user washrooms should be prominently located within the building.



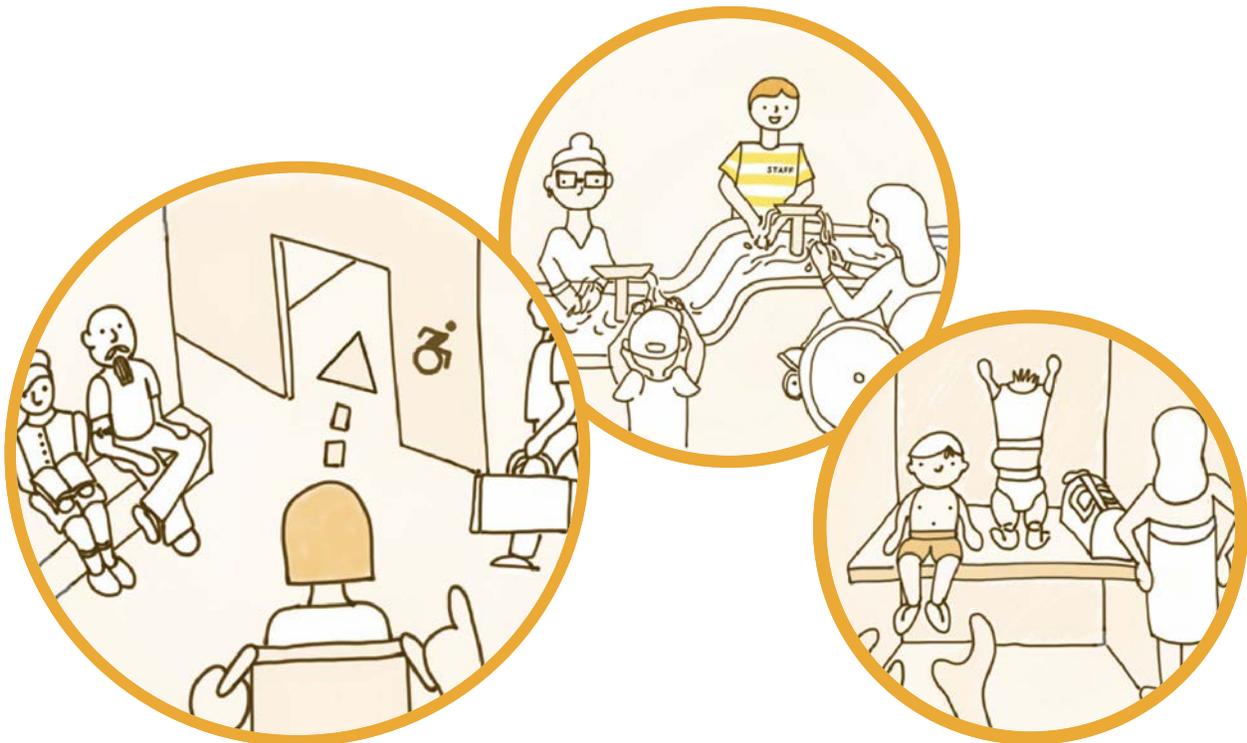
Design all sinks to meet code requirements for accessibility. Ensure that communal lockers, hand dryers, soap dispensers, and hair dryers accommodate different ages and abilities to integrate and normalize diverse needs.



Ensure access to infant and adult change tables.

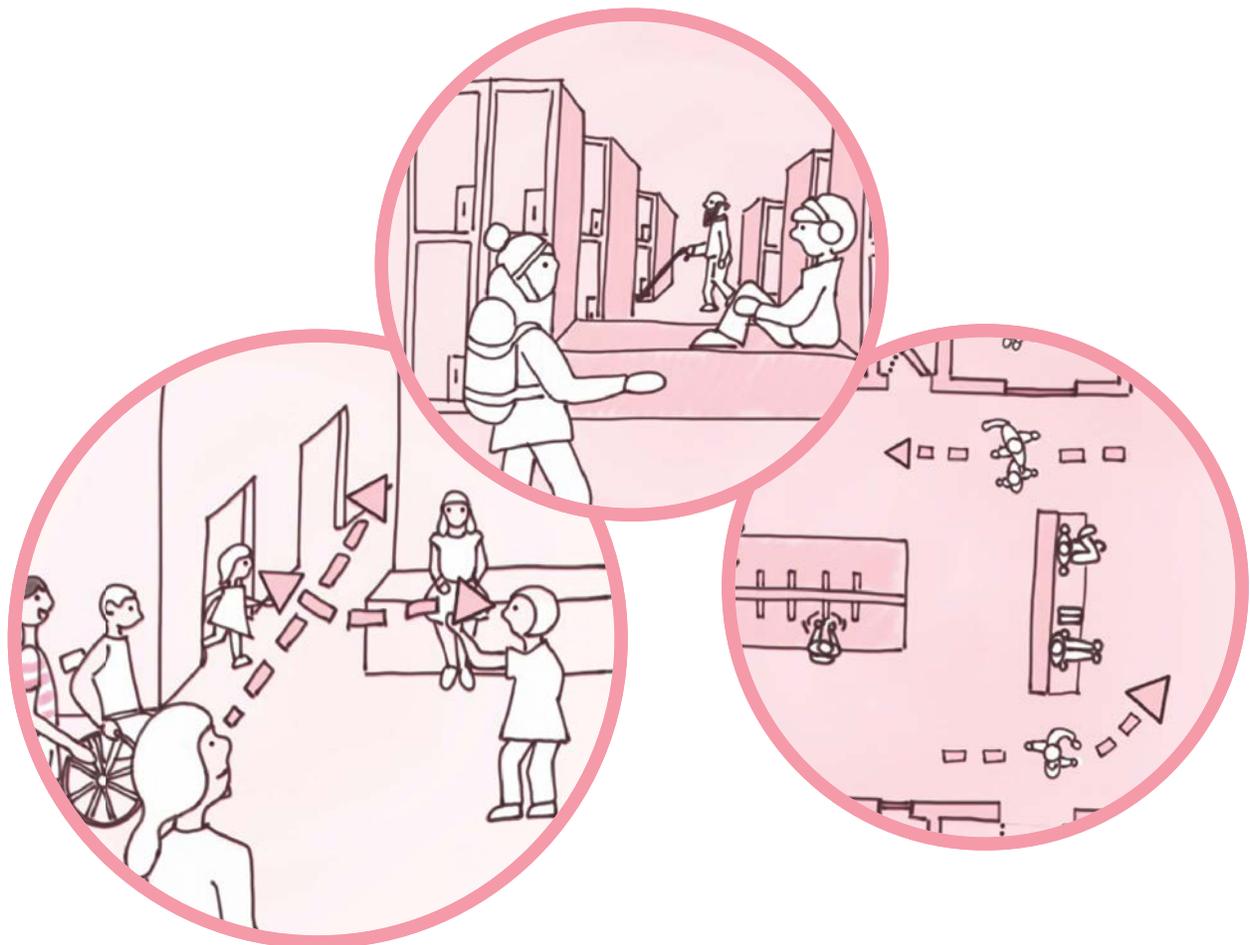


Provide adequate quantities of toilet, shower, and change stalls to increase efficient use of space and reduce wait times (to minimize feelings of vulnerability or exposure).



2 Use **openness** to **enhance safety** through activity and shared monitoring

- SMC** Locate washrooms and change rooms adjacent to high traffic and prominent areas (such as reception desks and main hallways). Use openness between spaces to increase passive and active monitoring with sight lines and acoustic connection.
- MC** Create openness in shared sink, shower, and locker areas within multi-stall washrooms and change rooms to encourage passive observation and a feeling of shared space.
- MC** Provide more than one entry/exit with open thresholds (no closed doors) to assist with circulation efficiency and ensure options for entering and leaving.
- MC** Ensure effective circulation flow through the entire space to enhance efficiency and user comfort.



3

Create **privacy** where most needed to **enhance comfort**

S M C

Use full-height enclosures and doors to create visual/acoustic/olfactory separation:

- Use solid walls for maximum privacy.
- Mitigate security concerns with design adjustments, such as translucent panels and small gaps under doors, that facilitate staff monitoring.
- If stall enclosures and doors are not full-height, ensure they are of adequate dimension to prevent looking under/over them (even when standing on in-stall benches).

M C

Create gradations of privacy and reduced-exposure areas (for vanity, baby change, etc) through the strategic placement of partial walls/dividers and screens.

S M C

Specify door lock fixtures that clearly indicate whether or not stalls are occupied to increase user comfort and facilitate staff monitoring.

M C

Provide waste receptacles in each toilet stall to ensure privacy around personal health and hygiene. Also consider providing sharps containers for discrete needle disposal.

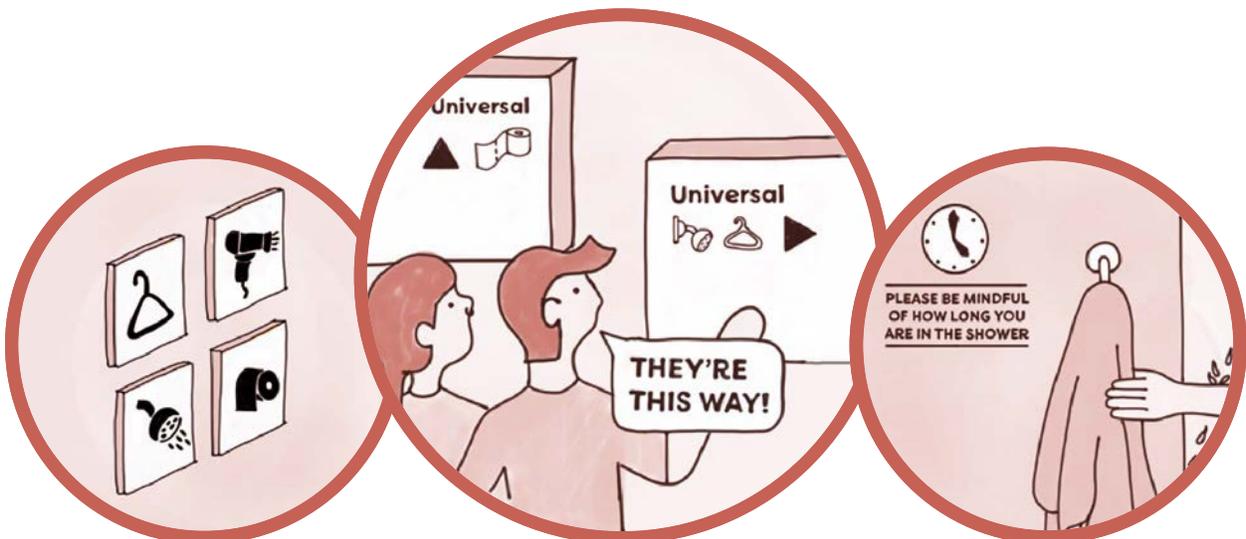
M C

Provide hooks in each toilet/shower/change stall to ensure clothing and personal items are within reach.



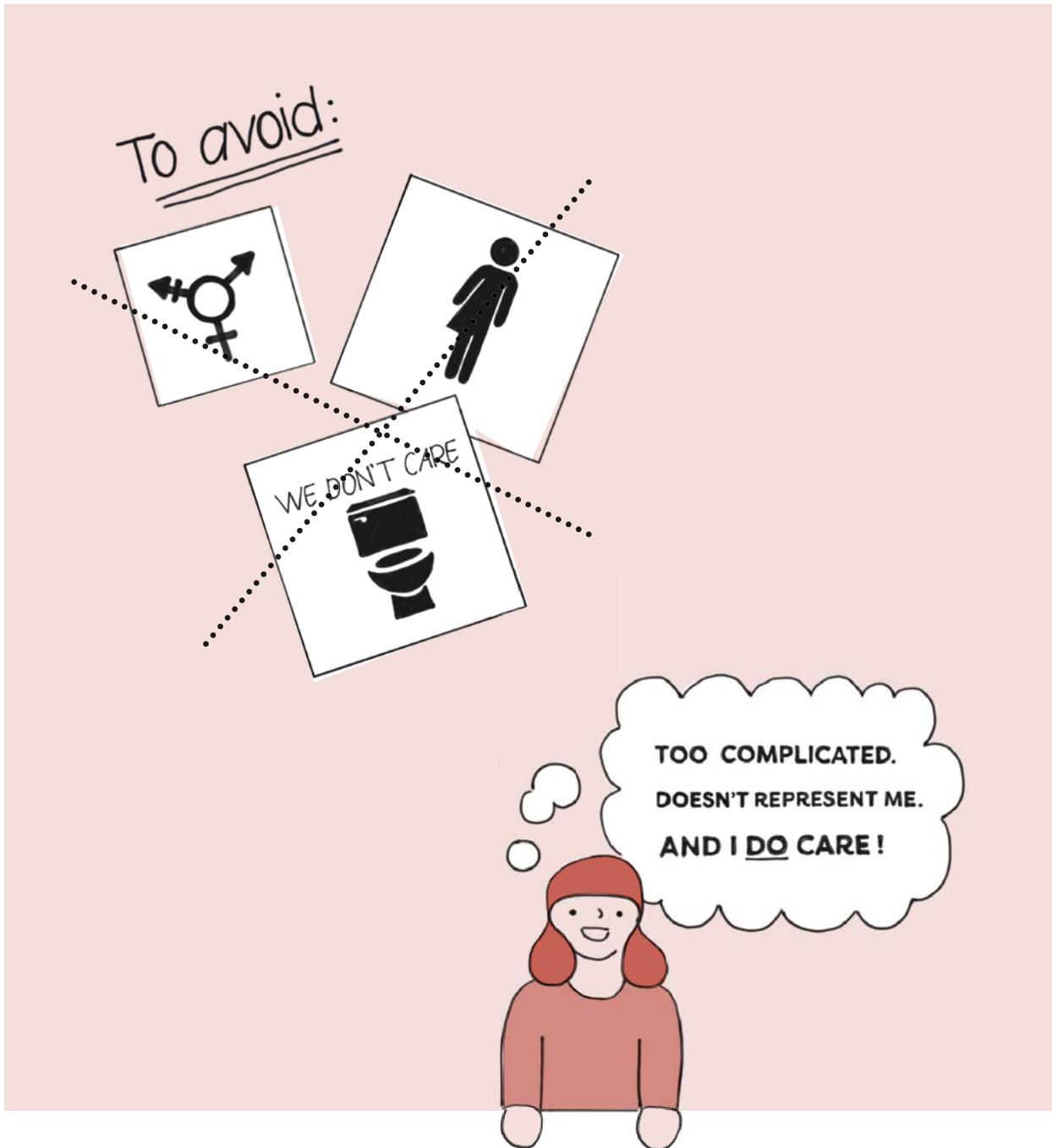
4 Welcome everyone with **signage** that **emphasizes function** and is clear, inclusive, and positive

- SMC** Emphasize function of space over identity of users.
- SMC** Use temporary signage to help educate users about new washrooms and change rooms.
- SMC** Ensure easy way-finding and understanding of universal washrooms and change rooms with clear signage, especially when gender-designated or inaccessible options are also available.
- SMC** Include signage near building entrance to help users identify which types of washrooms and change rooms are available and how to find them.
- SMC** Carefully consider terminology and keep it up-to-date as best practices evolve:
 - 'Universal' is the recommended term rather than 'all gender' or 'gender neutral.'
 - 'Shared' is a positive term that may be considered as an alternative to 'universal' (depending on context, it may not be as distinct or understandable).
- SMC** Include key messages in languages most prevalent in the local area.
- MC** Use signage to help clarify and reinforce appropriate use of shared space to (for example):
 - Indicate that clothing is required in locker areas.
 - Remind everyone to be mindful of how much time they are occupying stalls/showers.



ADDITIONAL SIGNAGE GUIDELINES FOR TRANSGENDER AND NON-BINARY INCLUSION:

- SMC** Use the term 'universal' instead of 'family' for washrooms and change rooms, and support single users in these spaces, even during times of high traffic.
- SMC** Consider including 'Trans people welcome' on signage for all washrooms and change rooms when gender-designated spaces are provided.
- SMC** Work with transgender-informed translators to avoid problematic terms in other languages.



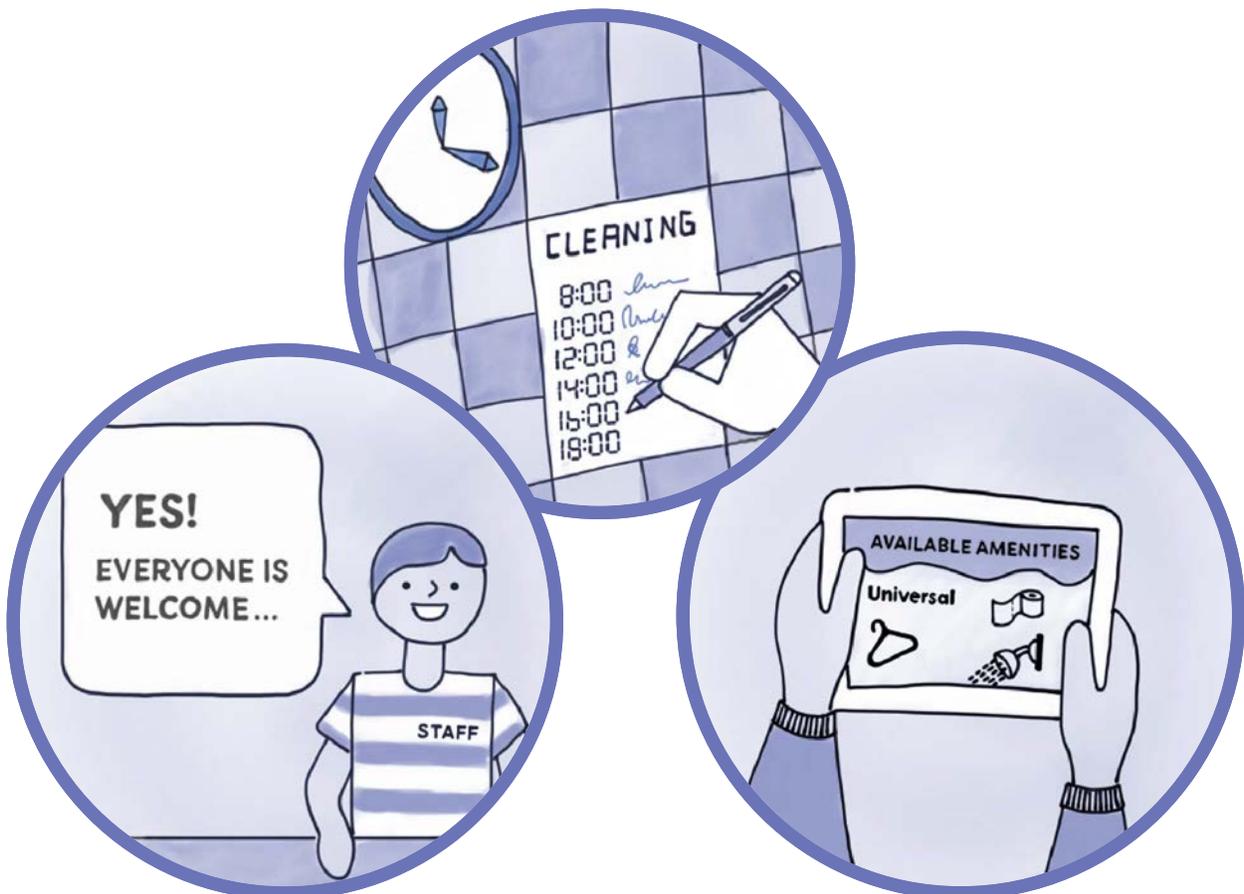
5 Ensure **supportive** staff **operations** and communications

SMC Provide staff with education and awareness training to equip them with the best practices, tools, and strategies to orient users, champion conversations around inclusivity, and mitigate potential conflicts.

SMC Prioritize cleanliness with adequate cleaning operations to promote user adoption and respect towards washrooms and change rooms.

SMC Use of universal washrooms and change rooms by staff promotes their normalization and active monitoring.

SMC Provide information on the website and all event/advertising materials so that users are aware of available amenities or are able to look them up.



Notes on Improving Gender-Designated Washrooms and Change Rooms

Design strategies for universal washrooms and change rooms are an important part of the evolution of facilities and their best practice considerations. Improving the design of gender-designated washrooms and change rooms is also important due to their prevalence and familiarity, and the fact that their provision alongside universal options may continue to be the best choice for many spaces.

The Vancouver Park Board Trans* and Gender Variant Inclusion Working Group developed recommendations to improve the design of existing or new gender-designated washrooms and change rooms.⁴ They aim to increase privacy within gender-designated multi-stall washrooms and change rooms—to the benefit of all users. The following strategies were informed by these recommendations, and many reiterate ones previously described for the design of universal washrooms and change rooms:

- Consider including 'Trans people welcome' on signage. Universal washrooms and change rooms can create stigma for TNB people if presented as their only option when gender-designated spaces are also available.
- Increase the number of private toilet, shower, and change stalls, paying special attention to men's washrooms or change rooms where private spaces are typically omitted.
- Provide waste receptacles in each toilet stall to ensure privacy around personal health and hygiene. Also consider providing sharps containers for discrete needle disposal.
- Incorporate door locks that clearly indicate vacancy.
- Extend stall doors and walls from floor to ceiling.
- Extend privacy dividers between urinals further out from the wall and increase their height.

4 See "Building a Path to Parks & Recreation for All" in Additional Resources.

Visualizing Design Strategies

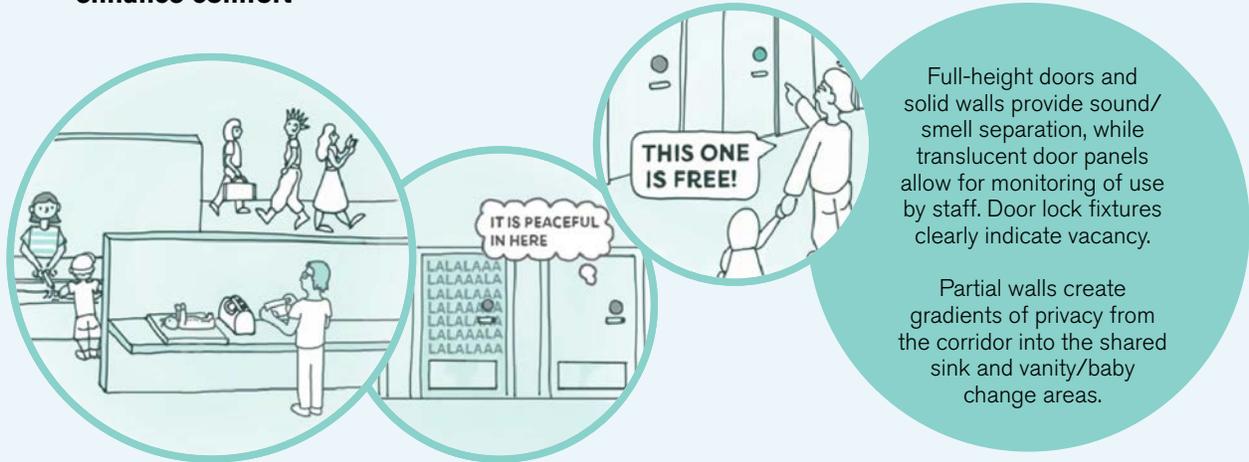
S Universal Single-User Washrooms

M Universal Multi-Stall Washrooms

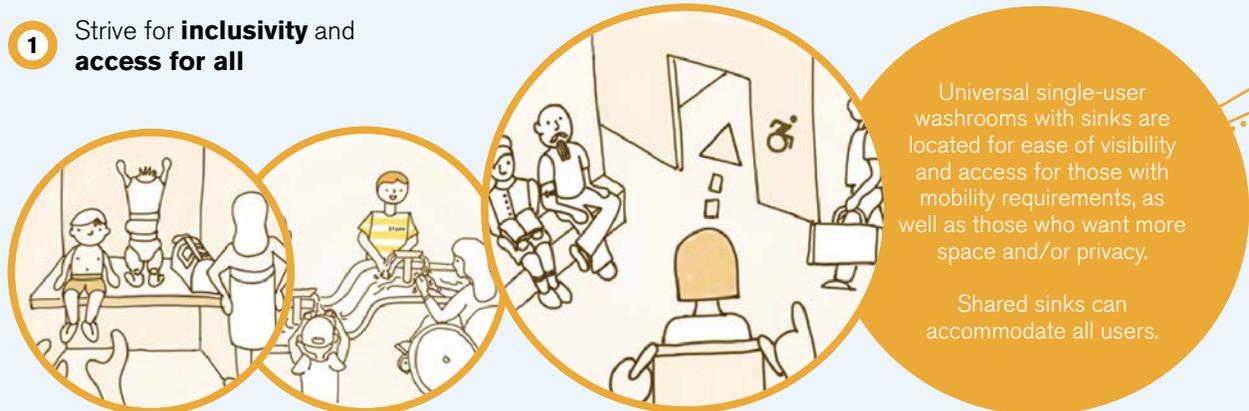
- 5 Ensure **supportive** staff operations and communications



- 3 Create **privacy** where most needed to enhance comfort



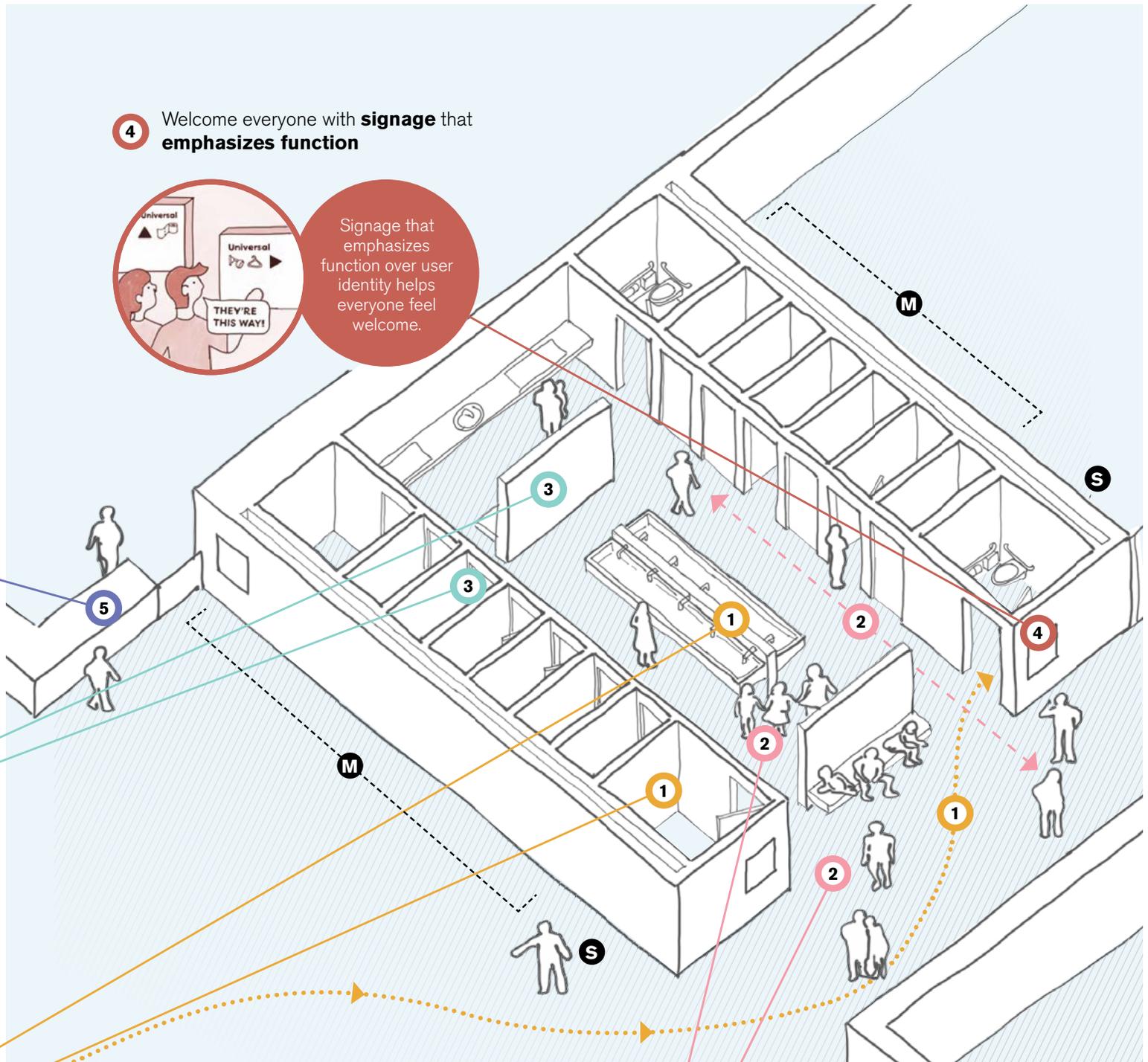
- 1 Strive for **inclusivity** and access for all



4 Welcome everyone with **signage** that **emphasizes function**



Signage that emphasizes function over user identity helps everyone feel welcome.



2 Use **openness** to **enhance safety** through activity and shared monitoring



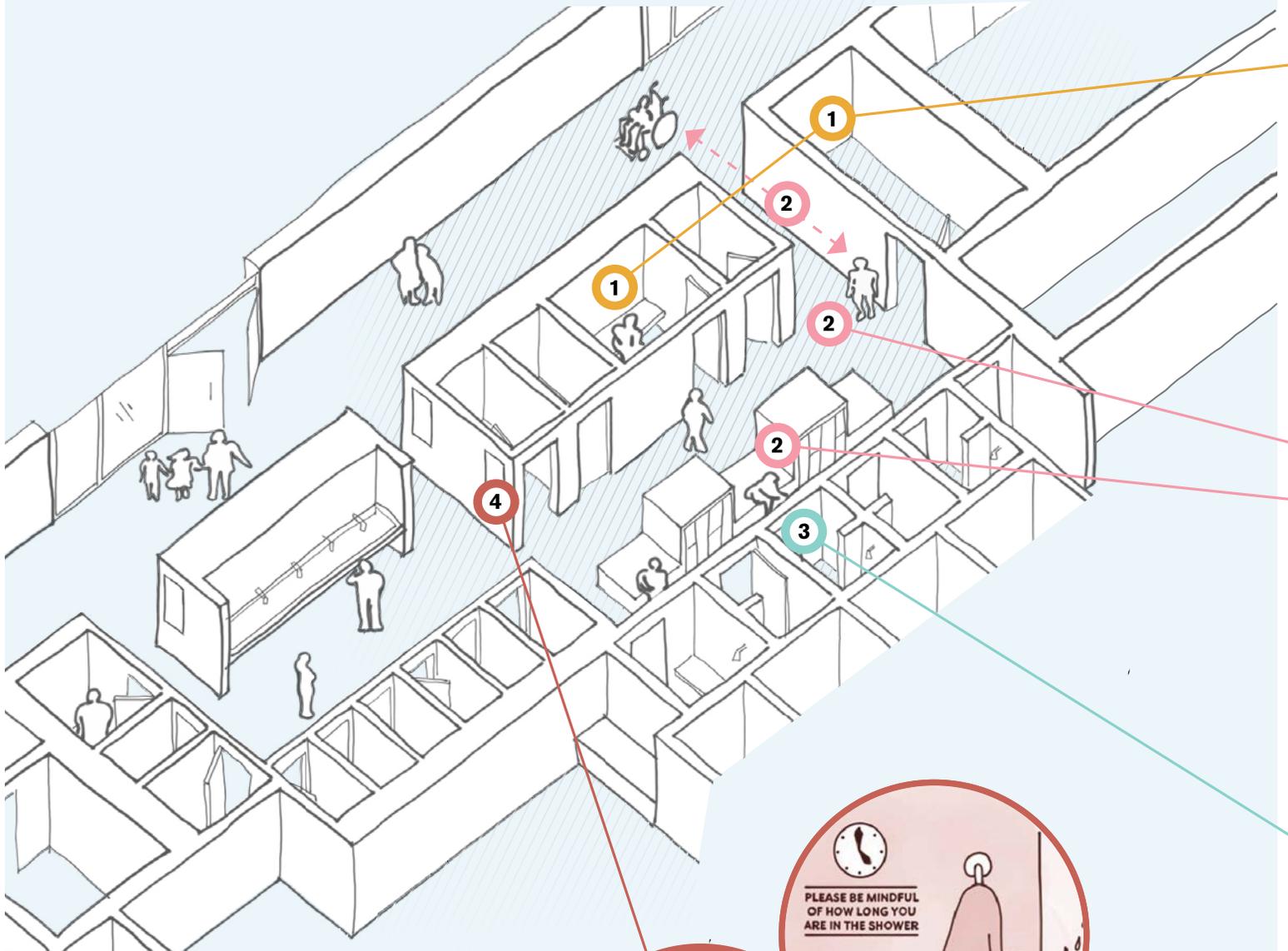
Main circulation and lobby areas are adjacent to the two open entrances/exits. This promotes passive monitoring and options for entering and leaving the space.

Openness in the central shared area also promotes active and passive monitoring.



Visualizing Design Strategies

© Universal Change Rooms



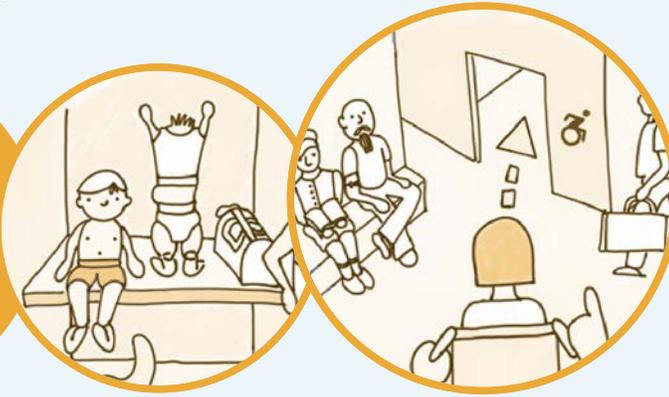
4 Welcome everyone with **signage** that **emphasizes function**

Signage can designate clothing as required in the central area, encourage efficient use of showers, and emphasize function over user identity to help everyone feel welcome.



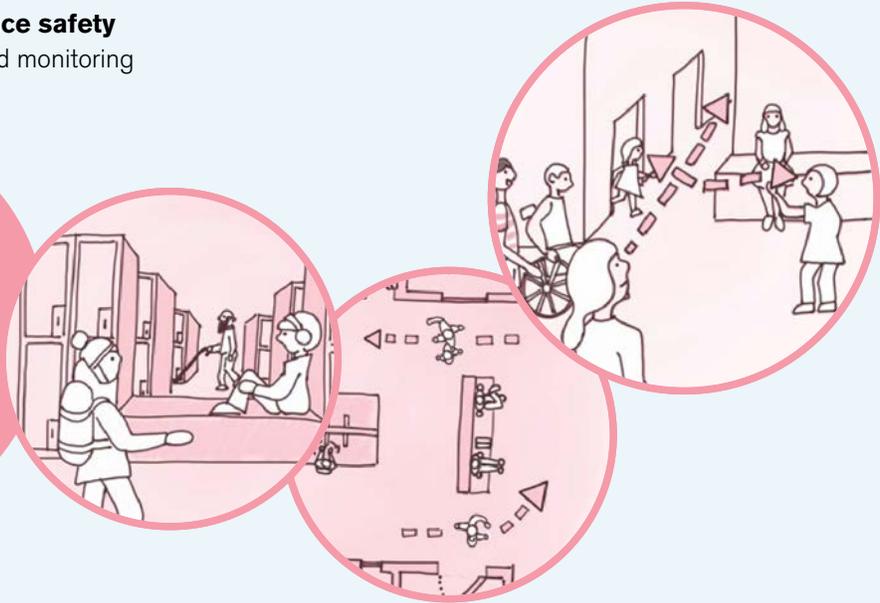
1 Strive for **inclusivity** and **access for all**

Larger shower/
change stalls increase
accessibility and
provide spaces that
accommodate
multiple users.



2 Use **openness** to **enhance safety**
through activity and shared monitoring

Openness in the central
shared area and multiple
open entrances/exits
adjacent to main circulation
areas promote activity,
passive monitoring, and
options for entering
and leaving.



3 Create **privacy** where most needed
to **enhance comfort**

Change/shower stalls with
full-height doors and solid
walls provide maximum
privacy, while translucent
door panels allow for
monitoring of use by staff.
Door lock fixtures will
clearly indicate vacancy.



Additional Resources

GENERAL MATERIAL

Everyone Goes: Why It's time to reimagine sex-segregated washrooms
Erin Anderssen, Globe and Mail, March 2016

<https://www.theglobeandmail.com/life/home-and-garden/design/potty-parity-public-bathroom-redesigns-aim-to-flush-old-gender-norms/article29100856/>

The Politics of Bathrooms

Joshua Rothman, The New Yorker, May 2016

<http://www.newyorker.com/news/news-desk/the-politics-of-bathrooms>

Building a Path to Parks & Recreation for All: Reducing Barriers for Trans & Gender Variant Community Members*

The Trans* and Gender Variant Inclusion Working Group, for the Vancouver Board of Parks and Recreation, April 2014

<https://transgendervariant.files.wordpress.com/2014/05/building-a-path-to-parks-recreation-for-all-2.pdf>

DESIGN-FOCUSED MATERIAL

Architects Propose Design Solutions for Equitable Restrooms

Anna Fixsen, Architectural Record, June 2016

<http://www.architecturalrecord.com/articles/11749-architects-propose-design-solutions-for-equitable-restrooms>

The Simple Design Solutions That Can Make Bathrooms Better—For All Genders

Lisa Selin Davis, Quartz, March 2017

<https://qz.com/933704/how-to-design-transgender-friendly-bathrooms-that-make-people-of-all-genders-feel-safe/>

Why Architects Must Rethink Restroom Design in Schools

JoAnn Hindmarsh Wilcox & Kurt Haapala, Metropolis Magazine, November 2016

<http://www.metropolismag.com/architecture/educational-architecture/why-architects-must-rethink-restroom-design-in-schools/>

An Unexpected Ally of Gender-Neutral Restrooms: Building Codes

Ian Spula, Architect Magazine, September 2017

http://www.architectmagazine.com/practice/an-unexpected-ally-in-gender-neutral-restrooms-building-codes_o

TRANSGENDER INCLUSION ASSESSMENT MATRIX FOR FACILITIES DESIGN

TransFocus Consulting is a firm that provides practical transgender inclusion measures to organizations in five key areas, including facilities design, gender data, human resources, communications, and products and services.

TransFocus has a tool to quantify the level of transgender inclusion and safety as a way to highlight strengths and opportunities for improvements to washrooms and change rooms (whether existing or planned).

TransFocus' assessment criteria informed the design strategies in Part 4 of this report. TransFocus offers additional details about the unique considerations and variables that collectively ensure smoother experiences for transgender people with benefit for people of all genders.

Request the tool on the TransFocus website:

www.TransFocus.ca

Conclusion and Next Steps

Developing solutions for universal washrooms and change rooms is a single yet important aspect of a broader strategy for improving community and recreation facilities to better serve the widest range of users—as is improving the design of gender-designated spaces, which was only touched upon in this document.

Our commitment to design for equity, inclusion, security, and adaptability requires ongoing engagement with diverse users, stakeholders, and collaborators. We will continue to ask, listen, and learn in order to develop and refine tangible strategies that promote design as a tool for social impact. We welcome your thoughts and experiences that could help shape those recommendations in the future. Please get in touch with us at office@hcma.ca.

Design matters, and even the most common spaces are sites of potential impact for many members of our communities.



4.2 Stalled! Transforming Public Restrooms by Architect Joel Sanders

Position

Stalled! Transforming Public Restrooms

Joel Sanders

At different moments in American history the public bathroom has been a crucible that has registered social anxieties triggered by the threat of a series of marginalised groups entering into mainstream society. Historical milestones include debates sparked by the introduction of the 'ladies' room to accommodate women entering the workplace in the early twentieth century, the fight to abolish segregated 'coloured' bathrooms by the Civil Rights Movement during the 1950s and 60s, the fear of contamination posed by gay men using public lavatories during the AIDS crisis in the 1980s, and the pressure to make bathrooms accessible to people with disabilities tied to the passing of the Americans with Disabilities Act (ADA) in 1990. In each instance, the public restroom transforms an abstract concern into a tangible peril by virtue of it being a physical space. It has the power to conjure nightmarish scenarios that compel 'normal' citizens to physically interact with 'abnormal' people whom society has preferred to render invisible.

In the United States, public restrooms are again a contested site; this time sparked by the spectre of allowing a new constituency – transgender individuals – access to the public restroom belonging to the gender with which they identify. A long-simmering moral panic over the presence of transgender people in sex-segregated public toilets began escalating in the spring of 2015, as an unprecedented wave of mass culture visibility for trans issues. It intersected with recent changes in the federal government's interpretation of existing civil rights protections against sex-based discrimination. Two high-profile examples have been the Campaign for Houston to repeal HERO, an equal rights ordinance, and North Carolina's House Bill 2. They resulted in the boycott of the state by numerous corporations and organisations. Currently, more than two dozen similar bills attempting to restrict gender-appropriate public toilet access for transgender people have been introduced in statehouses across the United States. And the Trump administration has retreated from transgender-supportive interpretations of existing laws put forth by the Obama administration.

Both sides of the debate pose this issue as one of safety. Advocates cite high rates of violence faced by trans people, and in particular trans women of color. Naysayers claim that transgender women pose a threat to cis-gender women, by portraying trans women as predatory men masquerading in dresses to stalk sexual prey in the ladies' room. Lurking beneath this unsubstantiated fear are longstanding societal anxieties about human embodiment that bathrooms have historically harboured: they include abjection, misogyny, homophobia, and disability. Yet a new, and perhaps even deeper threat provoked by society's newfound awareness of transgender people is the notion of gender ambiguity: trans people call into question the presumption that anatomy is destiny, demonstrating that there are multiple ways of expressing one's gender identity independently from one's biological sex. This increasingly calls into question the way in which bathroom design perpetuates – through spatial segregation – an outdated binary conception of sex (a conception that besides posing a problem for trans people, also excludes intersex people, and those who identify as non-binary or genderqueer).

Stalled!, an interdisciplinary design research project spearheaded by architecture professor Joel Sanders, gender studies professor Susan Stryker, and law professor Terry Kogan aims to shift the terms of the debate in three fundamental ways. First, while all-gender restrooms have received considerable media attention, few cover it from an architectural perspective. We need to regard public restrooms as a social justice issue with design consequences that can be solved with innovative architectural solutions. Secondly, we can no longer accept sex/gender segregated restrooms as a given that answers to the ostensibly objective needs of privacy based on anatomical difference. History teaches us that the first sex segregated bathrooms were instituted in the 1880s in response to women entering the workplace. A product of prurient Victorian values, 'ladies rooms' were invented as havens to protect women whose mentally and physically vulnerable bodies threatened to corrupt men. Thirdly, we need to expand our purview to create inclusive restrooms that not only meet the needs of the trans community, but encompass the needs of all embodied subjects of different ages, genders and abilities.

There are two prevailing design approaches to gender neutral bathrooms – the single unit and multi-stall solution. The single unit solution is the generally accepted code-compliant solution that retains sex segregated bathrooms and supplements them with a single-occupancy room re-labeled/designated as Gender Neutral. But this single-occupancy solution spatially isolates and excludes: it stigmatises non-conforming individuals, not only trans but also the disabled, from mixing with other people.

Respectively, we advocate a de-segregated multi-stall solution that has received support from many trans activists. This alternative treats the public restroom as one single open space equipped with European style, fully enclosed floor-to-ceiling doors that ensure visual privacy. This solution has a number of advantages. No longer will gender non-conforming people who don't fit the binary need to choose between two unacceptable spatial options that don't align with their identities. By consolidating a greater number of people in one rather than two rooms, there are more eyes to monitor, reducing risk. Most importantly, multi-stall responds not only to the needs of the trans community, but also accommodates the rising needs of a wider range of differently embodied subjects of varying ages, genders, and abilities. For example, in this way a father can accompany his young daughter, or a woman can take her elderly male friend to the restroom.

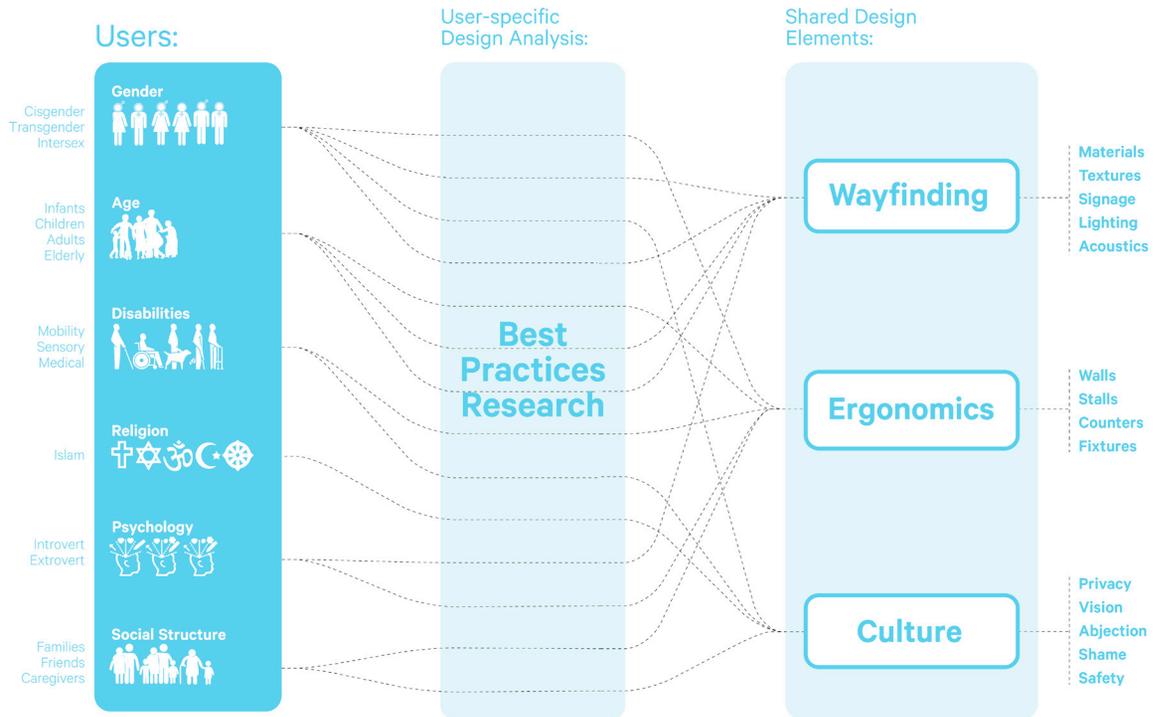
Just as we ended the racial segregation of public toilets in the past, and expanded access for a wide range of physical abilities, so too can we design truly inclusive public restrooms that serve diversity and justice, safety and sanitation. But implementing inclusive desegregated bathrooms is not without challenges. To begin with, it requires changing existing legislation and building codes. Desegregated restrooms require a complicated variance. Hence, Stalled! includes an initiative to amend the International Plumbing Code (IPC), the model code that governs most construction in the United States, to allow for multi-user, all-gender restrooms in new and existing buildings. Next, it requires changing deeply ingrained social attitudes about spatial practices related to three activities – grooming, washing and eliminating – that people consider natural, universal and inevitable. We would need to recognise instead the socially constructed nature of bathrooms, as historically contingent sites of social exchange where social, psychological, technological and ecological forces converge.

While important in their own right, bathrooms are only a point of departure to generate a larger conversation about the relationship between environmental design, the human body and social equity. The controversies surrounding transgender bathrooms are just one example of how the civil liberties of non-compliant bodies – women, blacks, Muslims, immigrants and the LBGTQ community to name a few – are imperiled both in this country and around the world by denying people access to public and private space. In other words, these are political issues with architectural ramifications. Architects and designers must step up to the plate and explore the design consequences of these urgent social justice issues. First, we need to become aware of our own complicity by not turning a blind eye to the way the seemingly innocent conventions of architecture reproduce problematic cultural assumptions about ‘normal’ bodies. Then designers, working in collaboration with activists, lawyers, code experts, engineers and graphic designers need to form coalitions to develop a new design approach that enables a broad range of differently embodied people of different ages, genders, religions and disabilities to productively interact with one another in public and private space. In the process of discovering creative design solutions that include the needs of diverse human bodies, we can change social awareness: accessible public spaces that foster mixing will breed tolerance and respect for human dignity and difference.

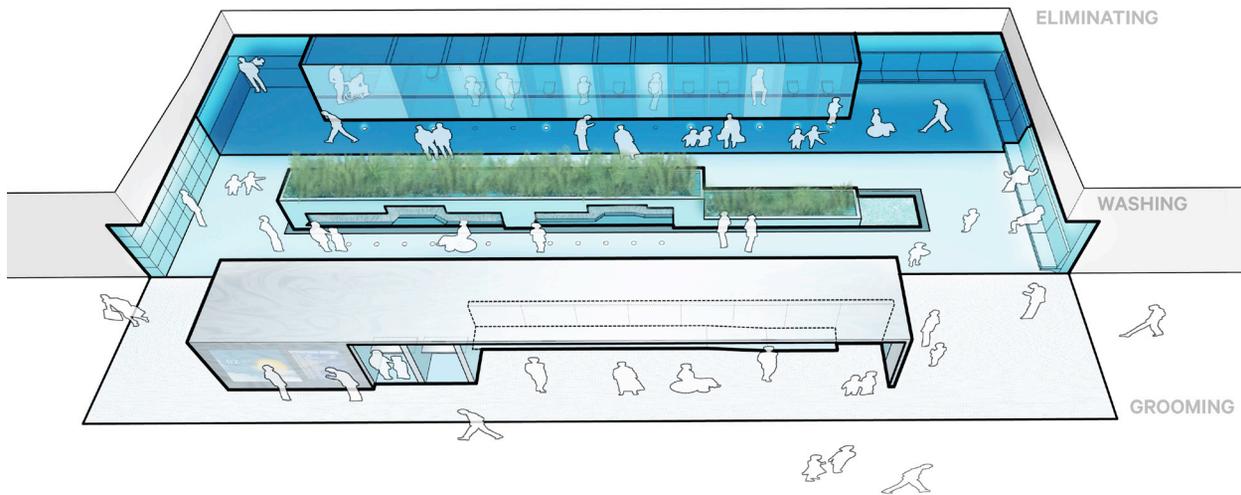
Airport restroom case study

Stalled! is developing restroom prototypes that can be implemented in a variety of generic sites, from smaller footprints in institutional buildings to high volume facilities in airport concourses. We chose an airport as a case study because it is a high volume, mixed-use public space where a diverse constituency spends extended periods of time, catering to their mental and physical needs while they wait – checking social media, eating and going to the bathroom.

Our scheme for the airport restroom takes as its point of departure the standard dimensions of a typical gender-segregated airport restroom. Our goal was to explore different ways that a wide range of embodied subjects could mix together in public space, based on the understanding that the seemingly commonplace and universal activities that we perform in restrooms are shaped by the convergence of biological, cultural and psychological factors.

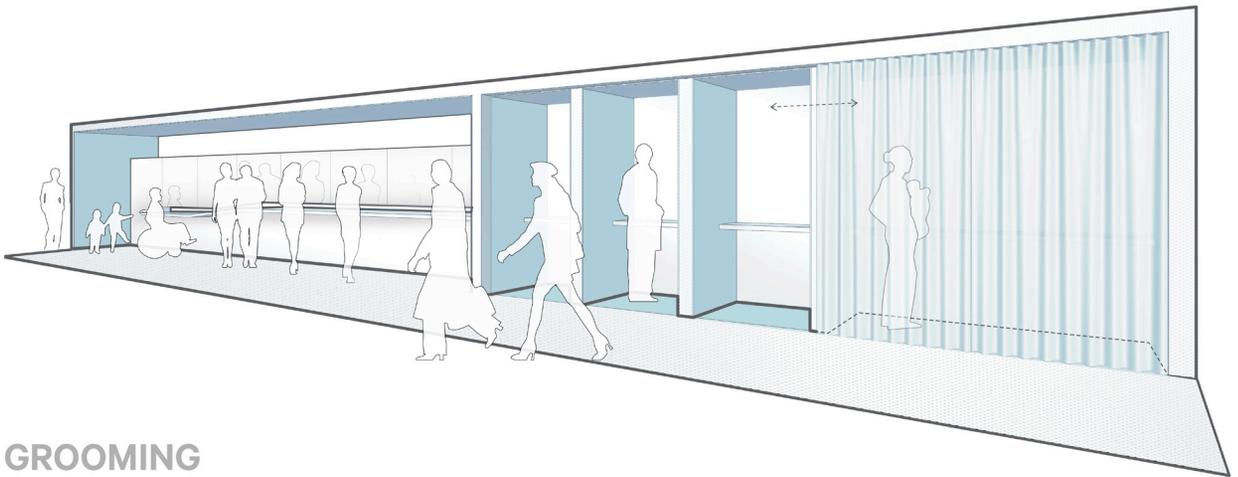


Diversity design methodology: Our design methodology involves researching the design consequences of the specific needs of user groups categorised by age, gender, religion and disability, and then finding creative solutions that could be shared between them. Three factors guided our design decisions. 1) Creating a space that would promote physical and psychological well-being to counteract the subjective feelings about abjection, shame, privacy and propriety that bathrooms evoke in users. 2) Integrating interactive fixtures and technologies that conserve water and are easy to handle for those with manual disabilities. 3) Devising way-finding that uses color, texture, and dramatic lighting in lieu of signage as devices to assist people with physical and sensory disabilities to navigate through public space.



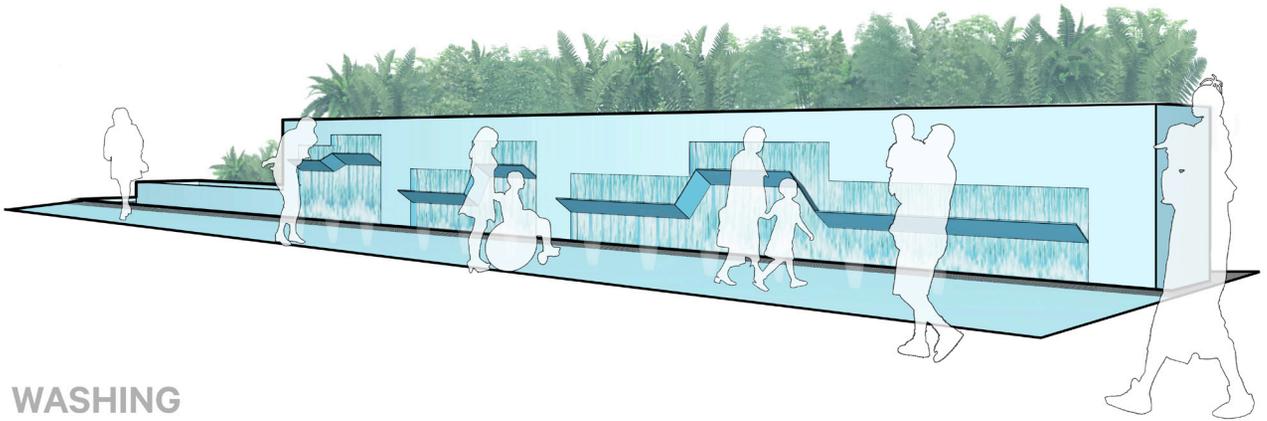
Activity zones: Treating the toilet stall as a privacy unit allows us to eliminate the barrier that typically divides adjacent men’s and women’s rooms as well as the wall that separates them from the concourse and instead reconceive of the public restroom as a semi-open agora-like precinct that is animated by three parallel activity zones, each dedicated to grooming, washing, and eliminating.

Slip-resistant sheets of diamond plate, tile, and rubber differentiate each of the three activity zones painted a different shade of blue for the visually impaired. After debating the merits of different color options, we finally chose blue because research indicates that it is soothing, associated with water, health, and hygiene, and a complementary background color for deaf signing because it contrasts with skin tones.



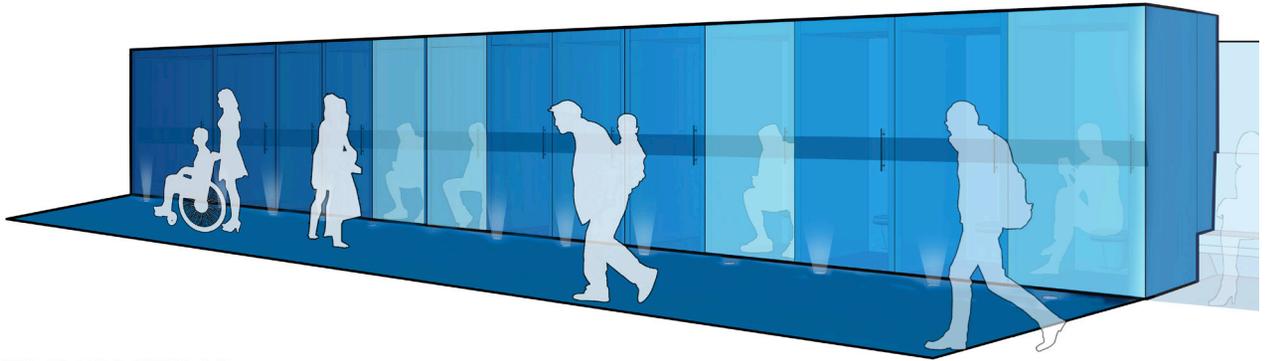
GROOMING

Grooming station: Immediately adjacent to the concourse, the grooming station features a smart mirror that disseminates information (flight arrival and departure times, weather, and retail) while they groom at a multi-level counter that serves people of different heights and abilities. Those who want privacy can retreat into curtained alcoves for breastfeeding, administering medical procedures such as insulin injections, meditation, and prayer.



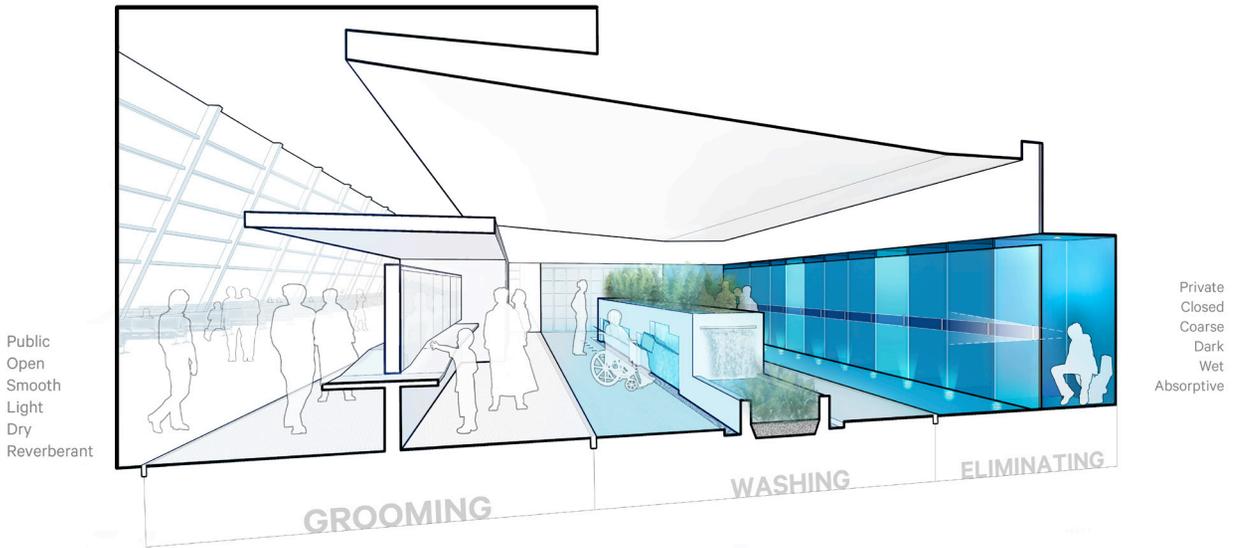
WASHING

Washing station: The communal washing station meets the needs of adults, children, people in wheel chairs, and religious people who use public restrooms to perform ritual ablutions for cleansing face, hands, arms, and feet. Inset floor lights indicate the location of motion-activated faucets inset into the wall that allows water to flow into an inclined splash plane placed at different ergonomic heights that is then collected and cleaned in a remediating planter before being recycled. The scent of plants and the ambient sounds of flowing water masks bodily sounds and odors.



ELIMINATING

Elimination station: Located at the back of the facility, the elimination station consolidates rows of bathroom stalls that offer acoustic and visual privacy. Unoccupied stalls are indicated by recessed floor lights; when entered, they turn off and the now occupied stall glows from within. From the inside of each stall, users can surveil their surrounding by looking through a band of blue one-way mirror located at seated eye-level. Stalls contain low flush composting toilets that treat human waste through aerobic decomposition.



Section: As users circulate from one station to the next, passing from the outermost grooming station to the innermost toilet wall, they experience a multi-sensory gradient that takes them from public to private, open to closed, smooth to coarse, dry to wet, acoustically reverberant to sound absorptive, ambient to spot lighting.

Biography

Joel Sanders is the Principal of his New York based studio JSA and a Professor of Architecture at Yale University. JSA projects have been featured in international exhibitions including MoMA, SF MoMA, the Art Institute of Chicago and the Carnegie Museum of Art. The firm has received numerous awards, including six New York Chapter AIA Awards, two New York State AIA Awards, an Interior Design Best of Year Award, and two Design Citations from Progressive Architecture. Editor of *Stud: Architectures of Masculinity* and *Groundwork: Between Landscape and Architecture* (with Diana Balmori), Sanders's writings and practice have explored the complex relationship between culture and social space, looking at the impact that evolving cultural forces (such as gender identity and the body, technology and new media, and the nature/culture dualism) have on the designed environment.

4.3 The gender-neutral bathroom:
a new frame and some nudges Article in
Behavioural Public Policy (July 2020)



See discussions, stats, and author profiles for this publication at: <https://www.researchgate.net/publication/343082440>

The gender-neutral bathroom: a new frame and some nudges

Article in *Behavioural Public Policy* · July 2020

DOI: 10.1017/bpp.2020.23

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SEE PROFILE

The gender-neutral bathroom: a new frame and some nudges

LUC BOVENS

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ALEXANDRU MARCOCI *

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Abstract: Gender-neutral bathrooms are usually framed as an accommodation for trans and other gender-nonconforming individuals. In this paper, we show that the benefits of gender-neutral bathrooms are much broader. First, our simulations show that gender-neutral bathrooms reduce average waiting times: while waiting times for women go down invariably, waiting times for men either go down or slightly increase depending on usage intensity, occupancy-time differentials and the presence of urinals. Second, our result can be turned on its head: firms have an opportunity to reduce the number of facilities and cut costs by making them all gender-neutral without increasing waiting times. These observations can be used to reframe the gender-neutral bathrooms debate so that they appeal to a larger constituency, cutting across the usual dividing lines in the ‘bathroom wars’. Finally, there are improved designs and behavioural strategies that can help overcome resistance. We explore what strategies can be invoked to mitigate the objections that gender-neutral bathrooms (1) are unsafe, (2) elicit discomfort and (3) are unhygienic.

Trans and other gender-nonconforming people (including nonbinary) are being harassed and attacked in gender-separated bathrooms (Beemyn *et al.*, 2005; Seelman *et al.*, 2012; Herman, 2013; Seelman, 2014; James *et al.*, 2016; Kosciw *et al.*, 2016). According to the largest survey of the experiences of trans people in the USA to date (James *et al.*, 2016), 59% of respondents sometimes refrained from using a bathroom outside of their home in the previous year. The main rationale was fear of confrontation. The same survey also found that 24% were asked at least once in the previous year whether they were in the right bathroom and 9% were denied or stopped from using one. Finally, 12% of respondents were “verbally harassed, physically attacked, and/or sexual assaulted when accessing or while using a bathroom in the

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past year” (James *et al.*, 2016, p. 225), 32% refrained from drinking or eating to avoid bathroom use and 8% developed a urinary tract infection or other kidney-related problems due to refraining from using the bathroom. The situation is even worse for some subgroups (Seelman, 2014).

In order to address these issues and create a more inclusive, equal and safe environment for trans and other gender-nonconforming people, activists and academics have advocated for the introduction of (at least some) gender-neutral bathrooms (see, e.g., Beemyn *et al.*, 2005, and references therein; Chapman, 2016; Seelman, 2016; Porta *et al.*, 2017; Vargas, 2017; Weinhardt *et al.*, 2017; Murchison *et al.*, 2019). The intuition behind this move is that in spaces open to everyone, one’s gender identity or expression would be less salient and the most common rationale for denying access to bathrooms – whether one ‘belongs’ there – would become moot (see also Seelman, 2016).

Gender-neutral bathrooms, however, have been met with resistance. Just consider the case of HB2 (2016). In February 2016, the city of Charlotte, North Carolina, passed Ordinance §7056, which extended the list of protected characteristics to include gender identity and expression, and brought bathrooms, showers and changing facilities under the scope of anti-discrimination legislation. Ordinance §7056 thus in effect guaranteed trans people the right to go into the bathroom of the gender that they identify with. The state legislature responded with HB2 in March 2016, the so-called ‘bathroom bill’, which voided the Charlotte ordinance and stipulated that bathroom access is restricted by the sex indicated on one’s birth certificate. This led to a massive boycott of North Carolina by businesses and organizations, most notoriously by the National Basketball Association. In response, Charlotte rescinded its ordinance in December 2016 and the state legislature repealed HB2 and replaced it with HB142 (2017) in March 2017. The boycott is off, but HB142 remains controversial for the following reasons. First, it prohibits any local municipalities or government entities in the state from extending civil rights legislation to various protected characteristics including gender identity and expression until 2020. Second, it pre-empts them from regulating multi-stall bathrooms, showers and changing facilities for the indefinite future. This pre-emption would remain in place even if gender identity and expression were to become protected characteristics after 2020 at some level of local government. In other words, HB2 is gone, but so is the freedom of local governance to influence the scope of anti-discrimination legislation that existed before Ordinance §7056.

State legislatures in Texas and Washington, among others (Esseks, 2016), have considered bathroom bills that are similar to HB2 (SB6 (2017) and HB1011 (2017), respectively). The Washington bill stipulates that people should go to the bathroom of the sex indicated on their birth certificates, but it does include an exemption for people who require assistance inside a

bathroom and for children under the age of ten, allowing them to use the bathroom that matches the gender of their caretaker or parent. No such bathroom bills have become law so far, but there remains widespread resistance to gender-neutral (especially multi-stall) bathrooms on both sides of the Atlantic (Pasha-Robinson, 2016; Suk Gersen, 2016; Burgess, 2017).

The issue that motivates many activists and academics to advocate for the introduction of (at least some) gender-neutral bathrooms is that trans and other gender-nonconforming people experience violence and harassment when using public facilities. There are, of course, other reasons for calling for the (partial) introduction of gender-neutral facilities. For instance, gender-separated bathrooms limit the gender expression autonomy of non-binary (Richards *et al.*, 2016; Matsuno & Budge, 2017) and intersex (Seelman, 2016) individuals for whom no existing option reflects their identity. They also limit the gender expression autonomy of some cis people. The vast majority of personal care attendants are female, whereas there are roughly as many men as women who require a personal assistant (Corbitt, 2016; Sager, 2017). Furthermore, gender-separated bathrooms also pose ‘anxious dilemmas’ (Case, 2010, 218) for parents who have to decide what to do when their young children want to use a public bathroom. Gender-neutral bathrooms would eliminate such dilemmas and offer more individuals in society a way of expressing their gender identity.

That being said, in this paper, we will mostly focus on the argument for gender-neutral bathrooms from the reduction of violence and harassment against trans and gender-nonconforming individuals, as this is the most common one in public debates. In response to this argument, one could ask: Are gender-neutral bathrooms the appropriate policy response to the violence and harassment? Might it not be better to offer trans people access to the bathroom of their choice and focus policy interventions on reducing the underlying prejudice that leads to violence and harassment? Policy interventions aimed at eliminating the existing prejudice against trans and other gender-nonconforming people are normatively required but unlikely to produce effects in the short run. Justice also demands interventions that produce beneficial consequences for people who are currently experiencing violence and harassment. And this is what gender-neutral bathrooms are intended to provide.

A behavioural approach to gender-neutral bathrooms

If the introduction of (at least some) gender-neutral bathrooms is normatively required, the question is what can be done to facilitate that. There are behavioural strategies that could overcome the resistance to gender-neutral bathrooms and increase the likelihood of their (partial) adoption. First, gender-neutral

bathrooms have been poorly framed as being exclusively an accommodation for trans and gender-nonconforming individuals. They should be reframed as having much broader societal benefits. Second, there are several issues raised by critics of gender-neutral bathrooms, such as the safety of women and children, modesty and hygiene. These concerns can be addressed by various behavioural strategies.

The way a public policy issue is framed is known to influence how people respond to it. Framing taps into background information and pulls emotional triggers (Schuman & Presser, 1996; Nelson & Oxley, 1999; Chong & Druckman, 2007). The importance of framing has also been observed with regards to policies related to LGBTQ+ rights. For instance, Johnson (2012) finds that framing in media coverage of same-sex marriage as a moral issue (i.e., an issue of the moral acceptability of gay and lesbian relationships) increased the public's opposition to it, whereas framing it as an equality issue (i.e., an issue of the equality between heterosexual and same-sex couples) explains the increase in support over the period from 2004 to 2011 (see also Wilcox & Wolpert, 1996, 2000; Brewer, 2003). Moreover, McCabe and Heerwig (2012) found that, among older Americans, the opposition to marriage equality is subject to framing: they are more strongly opposed when the issue is framed in terms of 'homosexual couples' and 'same-sex couples' than in terms of 'gay and lesbian couples'.

Public policies affecting the trans community are framed in one of two ways: trans and allies frame trans-inclusive policies as bringing about more *safety* and *equality*, whereas opponents emphasize concerns about *safety* and *modesty* (Tadlock, 2014; Taylor & Haider-Markel, 2014; Taylor *et al.*, 2014). In an interview with the *Boston Globe* about an executive order banning discrimination against transgender workers in state government that was pending before the Massachusetts General Court, a trans woman said: "I want people to know we're no different than anyone else. We have families. We have jobs. We contribute in meaningful, lasting ways, and we need protection" (quoted in Tadlock, 2014, p. 25). And the *Boston Globe* stated in an editorial that "passing the bill would continue this Commonwealth's long tradition of equal rights; to do otherwise would be a deeply ungenerous act toward people who are far more exposed to bias than many other groups protected by anti-discrimination statutes" ('A Matter of Simple Justice', 2011). On the other hand, a representative of the Massachusetts Family Institute warned that the same piece of legislation would make (gender-separated) bathrooms and locker rooms accessible to "anyone who simply says they feel like that gender ... the bottom line is we want safety, privacy and modesty ..." ('A Matter of Simple Justice', 2011), and that it would "directly impact vulnerable children, as well as the safety, modesty, and decorum of all citizens" (Levenson, 2011).

To sum up, the current media coverage of gender-neutral bathrooms emphasizes the trade-off between the safety and equality benefits for trans and other gender-nonconforming individuals versus the safety and modesty burdens for cis individuals. We believe that there is another way of framing this policy issue, viz. in terms of the reduction in waiting times gender-neutral bathrooms bring about, which benefits both trans and cis individuals.

To make the case for this change in the way gender-neutral bathrooms are framed, a number of questions have to be answered. How would a policy of transforming gender-separated into gender-neutral bathrooms affect access to facilities? In particular, how would it affect waiting times given various architectural changes that one might implement? Clearly, it would equalize waiting times between women and men. Lines in front of the women's bathroom, especially in entertainment venues, are unfortunately a familiar sight, and potty parity – that is, parity between genders in access to bathrooms – has long been on the public agenda (Anthony & Dufresne, 2007). But what would parity imply? Would it bring women's waiting times closer to men's current waiting times? Or would it bring men's waiting times closer to women's current waiting times? Or will both men and women gain? In the next section, we show by means of simulations that gender-neutral bathrooms reduce waiting times and offer significant benefits to women. Moreover, we also demonstrate their potential for reducing overhead costs in firms willing to introduce them.

Second, concerns regarding gender-neutral bathrooms can be mitigated through behavioural strategies. They convey societal benefits, but a shift in attitudes is required. This is where nudging comes in. In fact, bathrooms have already attracted attention from behavioural economists: Bar-Hillel and Sunstein (2017) address ergonomic aspects of hotel bathrooms, and Blackwell *et al.* (2018) experiment with techniques to increase handwashing. In the last section of the paper, we outline changes in the (choice and physical) architecture of gender-neutral bathrooms that would mitigate the objections that they are unsafe, elicit discomfort and are unhygienic.

Simulating gender-neutral bathroom usage

The model

The focus of our simulations will be the workplace.¹ We can reduce waiting times by making existing gender-separated facilities gender-neutral. We will also turn the reasoning on its head. A particular expected waiting time can

¹ The simulation was run in *Wolfram Mathematica 11.3.0.0* on a Mac OS X x86 (32-bit, 64-bit Kernel). Please contact the authors for the code.

be attained with fewer facilities under a gender-neutral policy than under a gender-separated policy. So, gender-neutral facilities allow for saving overhead costs. These are two respects in which the shift to gender-neutral facilities is more efficient and appeals to a larger constituency than just trans and gender-nonconforming individuals.

Table 1 provides the minimum number of gender-separated facilities that an employer must provide, given the number of people of each gender that a firm employs as laid out by the US Department of Labor’s Occupational Safety and Health Administration (2011). We assume that firms have the same number of male and female employees and that they try to keep overheads down and install the minimum numbers of stalls according to federal legislation. (States, local municipalities and particular employers may have stricter requirements, but we will ignore this here.)

For men’s bathrooms, there are special provisions allowing firms to substitute urinals for toilets, but they have to retain a minimum of two-thirds of the required toilets. Hence, for 36–55 male employees, the firm can comply with the law by providing two stalls and one urinal. For firms with fewer than 35 male employees, urinals cannot replace toilets, hence we will assume (only) two stalls will be provided. In what follows, we first assume that there are no urinals and that a firm is providing the minimal number of facilities solely in terms of stalls. Later, we will bring urinals into the model.

With regards to gender-neutral facilities, the Occupational Safety and Health Administration stipulated that “[t]he employer does not have to provide separate toilet facilities for each sex when they will not be occupied by more than one employee at a time, can be locked from the inside, and contain at least one toilet” (1915.88(d)(1)(ii)(B)). However, the federal regulations remain silent on multi-user gender-neutral bathrooms, and most often decisions on facilities are dictated by state and municipal building codes. Indeed, “[c]onventional interpretations of building codes are among the greatest barriers to building the gender-neutral bathrooms of the future” (Hendricks, 2018, p. 77). Most building codes are modelled on international guidelines such as the International Plumbing Code, the Uniform Building Code and the International Building Code. For instance, the latter stipulates: “Separate Facilities – Where plumbing fixtures are required, separate facilities shall be provided for each sex” (§2902.2, 2015 edition; see Kogan, n.d.). Such language adopted in state and local guidelines makes gender-neutral bathrooms impossible to build in certain jurisdictions. For this reason, academics and activists have been recently focusing on changing these international guidelines. And as a result of a campaign led by Stalled!, the 2021 edition of the International Plumbing Code will contain explicit directions for all single-user bathrooms to be made available for all genders and will allow for the

Table 1. Minimum number of toilets per sex under US federal legislation.

Number of employees of each sex	Minimum number of toilets per sex
1–15	1
16–35	2
36–55	3
56–80	4
81–110	5
111–150	6
Over 150	1 additional toilet for each block of 40 employees

introduction of multi-user gender-neutral facilities in public buildings (Luckel, 2019). The hope is that this change will in the future trickle down to states and municipalities that will amend their own regulations accordingly. In this paper, we take this for granted and assess the benefits in waiting times that would result from such a change.

We assume one ‘call of nature’ for each employee per 120 minutes at first. This is based on data that people tend to make six to seven visits to the bathroom per day (‘Urinary Frequency’, n.d.). If we also assume 16 waking hours and restrict bathroom usage to waking hours, then one bathroom visit per two hours seems reasonable.

What is the average time that men and women spend in the bathroom on a single visit? The small empirical literature on bathroom usage (e.g., Kyra, 1976; Rawls, 1988; Anthony & Dufresne, 2007) offers widely diverging estimates. In this paper, we will follow the most recent study by Baillie (2009), who tracked 120 college students using public bathrooms in a library and found that women take on average 178.9 seconds while men take 118.4 seconds. We round these values to three minutes for women and two minutes for men.

For the simulations, we use the following algorithm. Suppose that we have n people requiring k bathrooms, with k being the minimum number of bathrooms for n employees according to Table 1. These n people all hear the ‘call of nature’ once at a particular time point that is indicated by a random number from 0 to 120 under a uniform distribution. Women occupy the bathroom for three minutes and men for two minutes. As a person arrives, they may find a free bathroom – in this case, there will be no waiting time – or they may have to queue. The number of minutes of waiting time in the queue is tallied. We run this simulation 10,000 times to secure robustness and calculate the average waiting times per employee for $n = 1, 2, \dots, 150$ male employees and $n = 1, 2, \dots, 150$ female employees

for separated bathrooms and for $n = 2, 4, \dots, 300$ employees for gender-neutral bathrooms.²

We will address the following questions by means of our model: (1) How much waiting time could be saved overall by making facilities gender-neutral? (2) How do low- versus high-occupancy environments affect the distribution of waiting-time costs and savings between men and women? (3) If we strive to keep waiting times fixed, could a firm cut down overhead costs by reducing the number of facilities?

Results

Gender-neutral bathrooms reduce expected waiting times

In [Figure 1](#), we plot the expected waiting times per employee as a function of the number of employees for both gender-separated and gender-neutral facilities. The waiting time increases as the number of employees goes up. When it reaches a threshold (15, 35, 55, 80, 110 and 150 employees of each gender; see [Table 1](#)) at which a new stall is put in, the waiting time drops drastically and starts growing again as we add more employees.

[Figure 1](#) also differentiates between the effects on expected waiting times for women on the one hand and men on the other. It indicates how waiting times differ for women and men with the parameter values that we noted above, viz. one call of nature every two hours and women occupying the bathroom for three minutes and men for two minutes. What is surprising is that there are substantial differences in waiting time even though women only take 50% longer in expected bathroom occupancy time. At 30 employees (15 male and 15 female), the waiting time is about 2.5 times longer for women than for men. At 300 employees (150 males and 150 females), it is about nine times longer (see also [Tables 2 & 3](#)).

What happens when we move to gender-neutral bathrooms? There are two effects at work. First, there is a *vacancy* effect. With gender-separated bathrooms, one may be waiting for a bathroom of one's own gender while the bathroom of the other gender is free. This waiting time is averted with gender-neutral bathrooms. Second, there is a *pooling* effect. The waiting time will be determined by the average occupancy time of the members in the pool of users for a particular bathroom.

For women, both effects push in the same direction. They can take advantage of a vacant bathroom that used to be male-only when the bathrooms that used

² Rogiest and Van Hautezem (2017) analyse the change in waiting times brought about by different gender-neutral bathroom layouts using the Erlang-C call centre model. A comparison of their assumptions, methodology and results with ours is beyond the scope of this paper.

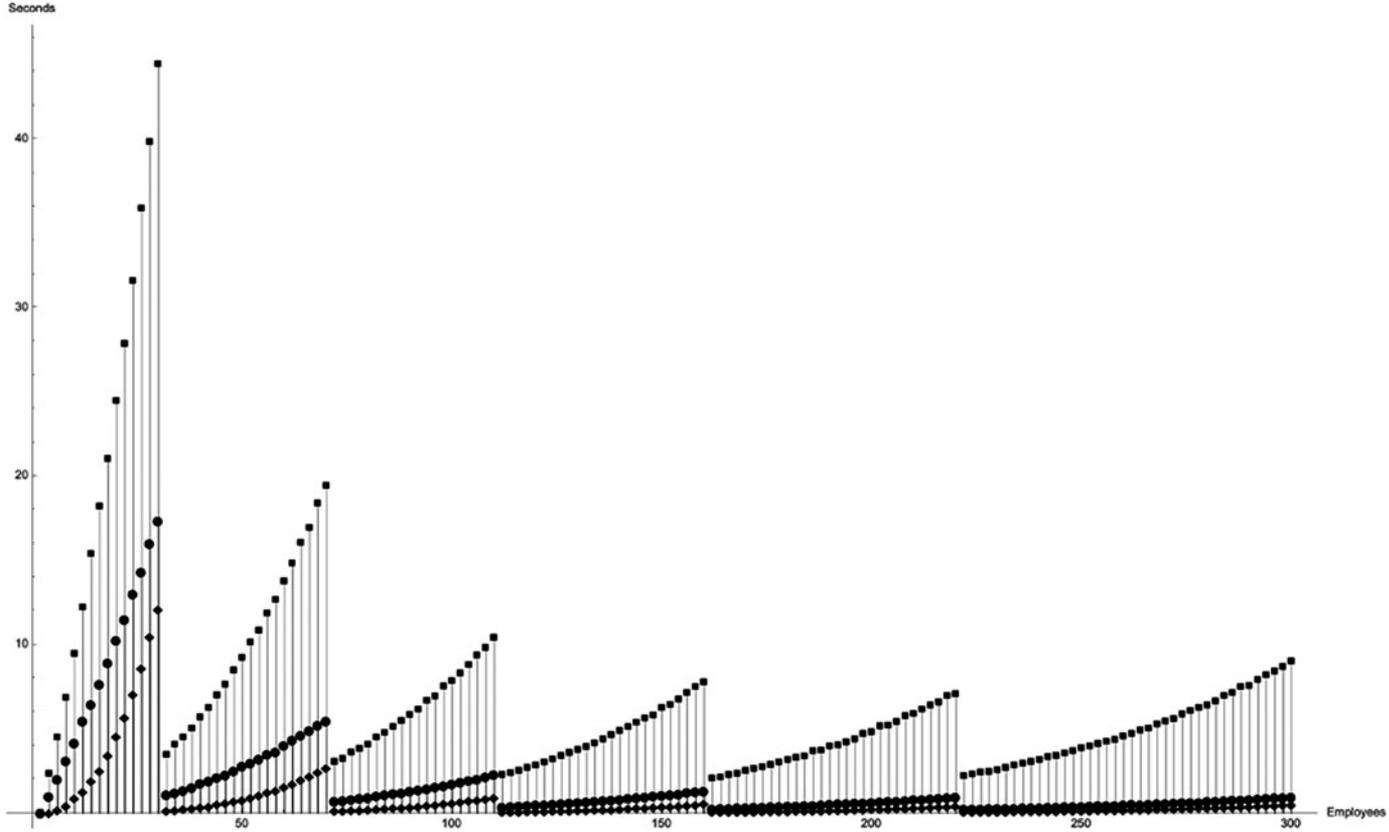


Figure 1. Expected waiting times per employee as a function of the number of employees for 1–150 women (squares) and 1–150 men (circles) in gender-separated bathrooms and for 2–300 women and men (diamonds) in gender-neutral bathrooms.

Table 2. Expected waiting times in seconds for men and women in gender-separated and in gender-neutral bathrooms in different usages (low: two-hour versus high: one-hour intervals) and occupancy-time differentials (small: 2 and 3 minutes versus large: 2 and 4 minutes) in small firms.

30 employees (15 men and 15 women)		Waiting times (seconds)		
Usage	Occupancy-time differential	Separated women	Separated men	Neutral
Low	Small	44	17	12
High	Small	130	45	63
Low	Large	89	17	25
High	Large	294	45	131

Table 3. Expected waiting times in seconds for men and women in gender-separated and in gender-neutral in different usage (low: two-hour versus high: one-hour intervals) and occupancy-time differentials (small: 2 and 3 minutes versus large: 2 and 4 minutes) in large firms.

300 employees (150 men and 150 women)		Waiting times (seconds)		
Usage	Occupancy-time differential	Separated women	Separated men	Neutral
Low	Small	9	1	0
High	Small	364	26	34
Low	Large	52	1	2
High	Large	689	26	53

to be female-only are all taken. Second, by merging the pool of male and female bathroom users, the women join a pool of bathroom users who have shorter occupancy times on average. So, both the vacancy effect and the pooling effect reduce the waiting times for women.

For men, the situation is more complicated. On the one hand, they can take advantage of a vacant bathroom that used to be female-only when the bathrooms that used to be male-only are all taken. So, the vacancy effect reduces their waiting time. On the other hand, by merging, the men join a pool of bathroom users who have longer occupancy times on average. So, the pooling effect increases their waiting time. Hence, the effects pull in opposite directions. If the vacancy effect wins out, then men will incur shorter waiting times. If the

pooling effect wins out, then they will incur a cost of longer waiting times. What determines which effect will win out?

The vacancy effect has traction when bathrooms actually have periods of vacancy. In high-usage environments, vacancies are minimal, and the pooling effect will win out: men will lose. In low-usage environments, vacancies do occur, and the vacancy effect will win out: men will gain.

The pooling effect has traction when there is a substantial difference between occupancy times between men and women. In an environment of large occupancy-time differentials, the pooling effect will win out and men will lose. In an environment with small occupancy-time differentials, the vacancy effect will win out and men will gain.

So, how are women and men affected if we actually use the parameter values that we find in the literature? [Figure 1](#) shows that men gain in a relatively low-usage environment with small occupancy-time differentials between the two sexes. As we move to a high-usage environment or to a large-occupancy-time differential environment, we will notice that men start to lose. For a high-usage environment, we assume one call of nature per hour (rather than per two hours), and for a large-occupancy-time differential environment, we assume occupancy times of two minutes for men and four minutes (rather than three) for women. We will just focus on a firm with 30 employees and a firm with 300 employees (see [Tables 2](#) and [3](#)).

What we learn is that men indeed start to lose in high-usage environments and in large-occupancy-time differential environments. But the losses of men are negligible, considering: (1) that women gain so much more in waiting-time reduction than what men lose in waiting-time increase; (2) that the advantage in waiting times men benefit from in the current setup violates parity; and (3) that the waiting time each employee experiences when using the bathroom adds up to lost hours throughout the day. Assuming a 9 to 5 workday under a gender-separated setup, a firm with 30 employees (15 men and 15 women) will lose approximately 1 hour of productivity (61.7 minutes), whereas a firm with 300 employees will lose over 1.5 hours of productivity (99 minutes) per day. In a gender-neutral setup, the small firm would only lose 6 minutes, whereas the large firm would lose 2.5 minutes. For larger firms, losses due to waiting times are bound to be longer when bathrooms are dispersed, as we argue below. What is important is the relative losses due to waiting times as we move from a gender-separated to a gender-neutral setup.

Gender-neutral bathrooms reduce overhead costs

Some firms may consider the status quo of bathroom waiting times to be acceptable with respect to both public health and productivity costs. If this is so, then they can service more employees with the same number of facilities

Table 4. The number of employees that could be serviced with the existing facilities while not exceeding the thresholds of the current expected waiting times for male employees.

Number of toilets	Number of employees serviced in separated setting	Maximally acceptable expected waiting time (or waiting time per male employee) in seconds	Number of employees serviced within bounds of maximally acceptable expected waiting time in gender-neutral setting
2	2–30	17	2–43
4	31–70	6	44–94
6	71–110	2	95–145
8	111–160	1	146–206
10	161–220	1	207–275
12	221–300	1	276–362

by making bathrooms gender-neutral. So, what kind of gains can be secured following this reasoning? How many more employees can be serviced with the same number of facilities while keeping waiting times fixed?

To address this question, we need to ask: What current waiting times do firms consider to be acceptable – the times for the men or the times for the women? We propose that they consider the times for the men to be acceptable. If we consider the times for the women to be acceptable, then we could service many more employees with the same facilities, but we would be levelling down. Clearly, we should level up – that is, we should provide gender-neutral facilities on the more employee-friendly standards in the current arrangements, viz. the standards for the men.

The algorithm driving our simulation is as follows. For each threshold value that is such that, above this value, a new stall would have to be installed – that is, for 15, 35, 55, 80, 110 and 150 employees – we calculate the expected waiting time per male employee on the model with one call of nature per two hours. We then ask: How many more employees could we add if we were to move to gender-neutral facilities before we exceed these acceptable expected waiting times? We have listed these numbers in [Table 4](#).

With these new minimal standards in a gender-neutral setting, nobody loses. Men face the same waiting times, the waiting times for women are equal to the men's and much shorter and the firm reduces overheads by creating space for facilities and procures a gain in productivity due to lower average expected waiting times for (male or female) employees.

Table 5. Expected waiting times in seconds for men and women in gender-separated (with urinals) and in gender-neutral (with urinals removed) facilities in different usages (low: two-hour versus high: one-hour intervals) and occupancy-time differentials (small: 2 and 3 minutes versus large: 2 and 4 minutes) in large firms.

300 employees (150 men and 150 women)		Waiting times (seconds)		
Usage	Occupancy-times differential	Separated women	Separated men	Neutral with urinals removed
Low	Small	9	1	3
High	Small	364	26	161
Low	Large	52	1	7
High	Large	689	26	240

The removal of urinals

An oft-heard objection regarding the gains in efficiency under a gender-neutral policy is that most male public bathrooms have urinals, which are time, space and water efficient. It is contentious whether one can retain urinals in gender-neutral multi-stall bathrooms. Architects take it as a challenge to design gender-neutral multi-stall bathrooms that include a section for urinals that provides the requisite privacy and that make both genders comfortable (Sanders & Stryker, 2016; Davis, 2017), but it is not clear that this challenge can be met.

What happens to waiting times when we just remove urinals from the male bathrooms before turning them over into gender-neutral bathrooms? Small firms with at most 35 male employees that abide by minimal standards cannot put in urinals, as we indicated above. So, let us look at a large firm with 150 male and 150 female employees. If the male gender-separated bathroom respects minimal standards, then it will have four stalls and two urinals, while the female gender-separated bathroom will have six stalls. We take out the two urinals and make both bathrooms gender-neutral. On the one hand, making the bathrooms gender-neutral reduces waiting times, while, on the other hand, removing two facilities increases waiting times. So how does this all add up?

In Table 5, we see that women experience substantial reductions in waiting times in a gender-neutral setting, even if we simply remove the urinals from the formerly male bathrooms. Men do, however, pay a price: their loss of two facilities and opening up access to women brings about an increase in waiting times. This is more significant in high-usage or large-occupancy-time differential environments.

Discussion

We have shown by means of simulations that gender-neutral bathrooms reduce expected waiting times and that under certain conditions either men gain or they only incur a reasonable increase in waiting time as compared to a gender-separate setting.

There are, of course, many respects in which our model is not quite truthful to reality. First, in our simulations, waiting times went down to negligible numbers for larger firms. But this does not quite reflect what is happening in the real world. For 30 employees, we have two toilets. For 300 employees, we have 12 toilets. Our simulations assume, in the case of 300 employees, that these facilities are all located in two centrally placed bathrooms each with six toilets that are originally gender-separated and then become gender-neutral. In this case, average waiting times go down as the firm increases in size.

However, in actual firms, these 300 employees are more likely to be spatially dispersed. Suppose that the 300 employees are spread out over six floors, with two toilets on each floor. If the employees would rather wait than travel between floors, then they would have waiting times for six groups of 50 employees, with each group waiting for two toilets. Then waiting times will be longer (rather than shorter) than for 30 employees waiting for two toilets.

The reality is somewhere in between: in large firms, bathrooms are to some extent spatially dispersed and employees are somewhat resistant to travelling between bathrooms to find a vacant one. Waiting times will be longer than what [Figure 1](#) indicates for 300 employees. But they will not be as long as the waiting times for 50 employees with two toilets. Hence, in the end, waiting times will be comparable to the ones that we find in smaller firms.

What is more, larger firms have the option of turning only some of their existing gender-separated facilities into gender-neutral ones. This is indeed what has happened at the Home Office headquarters in the UK, where only about 50% of bathrooms were redesigned to accommodate all genders ([Odling, 2018](#)). In theory, the outcome of such an accommodation is easy to predict: waiting times will improve compared to the status quo, but they will not reach the level of a full gender-neutral setup. However, this simple observation can be complicated by people's reactions. Indeed, at the Home Office ([Odling, 2018](#)), female employees refused to use the new gender-neutral facilities. Just like in the case of the Barbican Centre (see below), this led to much longer waiting times for women and an improvement for men.

Second, we have assumed that the call of nature may come at random under a uniform distribution, but this is unrealistic as well. There is more pressure on the bathrooms at particular times of day (e.g., after a meeting, when people arrive in the morning after a long commute, after breaks that involve beverages

etc.). The impact of this is predictable: waiting times will go up and, in generating a more high-usage environment, men will lose.

The results in this section point to a way of reframing gender-neutral bathrooms that will soften resistance. It is no longer an arrangement in which trans people benefit and cis people pay the price. By bringing waiting times into focus, we learn that women's waiting times drastically go down, while men's waiting times either go down or increase negligibly. Firms are able to save on overheads, and potty parity comes for free. Granted, this can also be achieved by setting the ratio of women's to men's facilities at two to one, as was done in the city of New York's 2005 Women's Bathroom Equity Act (Local Law §57, https://www1.nyc.gov/assets/buildings/local_laws/ll_5705.pdf). But this is at best costly and at worst impossible when one is dealing with listed buildings. Framed in this manner, gender-neutral bathrooms become a ticket that is much easier to sell.

Nudging towards greater acceptance

There are many critics of gender-neutral bathrooms. We will categorize their objections under three entries: gender-neutral bathrooms (1) are a threat to safety, (2) elicit discomfort and (3) are unhygienic. Each of these objections is multifaceted. We do not pretend we are able to bypass each objection. However, we will suggest various behavioural interventions that aim to mitigate these objections and assess how far they can reach.

Safety

To what extent do gender-neutral bathrooms pose a risk to women and girls? In a recent study, Barnett *et al.* (2018) have found one instance of a transgender person who allegedly committed a sex crime in a changing room; one case where a cisgender man claimed to identify as a woman and allegedly committed a sex crime in a women's locker room; 13 cases in the USA since 2004 and five overseas cases where cisgender men dressed up as women and entered bathrooms or changing rooms to commit crimes. This is a relatively small number of cases over 15 years, which appears to vindicate the view of several authors who construe the panic around access to bathrooms as being a moral panic – a panic about morality being under siege – rather than a real concern over safety (e.g., Westbrook & Schilt, 2014, p. 48; Brubaker, 2016, pp. 79–80; Sanders & Stryker, 2016, p. 779). However, the absence of evidence is not evidence of absence: gender-neutral bathrooms are still quite rare both in the USA and around the world (perhaps with the exception of Sweden), and assaults often go unreported. Indeed, in the USA in 2018, it is

estimated that only approximately a quarter of rapes and sexual assaults were reported to police (Morgan & Oudekerk, 2019).

Second, the scope of bathroom safety is broader than violent crimes. Gender-neutral bathrooms may prove to be unsafe for women because of harassment and intimidation. For instance, Women's Voices Wales has recently raised concerns about girls refusing to go to school in order to avoid period-shaming in gender-neutral facilities (Petter, 2019).

There are architectural choices that can reduce the risk of both violent crimes and harassment in multi-stall bathrooms. Gender-neutral facilities could be designed as open-plan spaces without an outer door and with stall doors that are floor to ceiling.³ Reimagined in this way, multi-stall bathrooms will come to resemble single-stall bathrooms from the perspective of users. Gender-neutral single-stall bathrooms are already more acceptable and have become the norm in many places. This new design for bathrooms has actually been proposed as a way of combating bullying in schools as well as a way of reducing violence in public restrooms ('Publicly Available Toilets', 2010; Lumby, 2017). This intervention requires us to do away with the old architectural impulse of providing safety through erecting walls (Sanders & Stryker, 2016, pp. 783–784) and instead relies on informal social control ('more eyes on the street') to police wrongful activity: people walking down the corridors outside the bathroom space will have direct visual access to what is happening inside.

Furthermore, any changes in bathroom design should be gradual, starting in low-risk environments. A low-risk environment might be a theatre venue that has low alcohol consumption and high usage. Indeed, "by consolidating a greater number of people in one room rather than two, the ... gender-neutral bathroom provides safety in numbers: increasing bathroom occupancy reduces risks of predation associated with being alone and out of sight" (Sanders & Stryker, 2016, p. 783). This has the added advantage that it is a venue where potty parity is a pressing issue. Or it could be a progressive establishment, say an art institute, in which there is a will to make gender-neutral facilities work. Indeed, the Arts Centre in Camden (London, UK) has recently introduced gender-neutral facilities. We can carefully monitor safety issues in these venues and expand gradually from there to other locations.

That being said, even in these low-risk environments, attention should be given to how gender-neutral bathrooms are designed. A cautionary tale is that of the

³ A range of open-space gender-neutral bathroom designs are available at <https://www.stalled.online/design>. They include models of bathrooms for universities and airports and are inspired by the urban street and square (Sanders & Stryker, 2016). Moreover, their aim is to provide a barrier-free space that recognizes gender (and human) diversity and enables all individuals to express their gender.

Barbican Centre in London, where facilities were made gender-neutral by changing the signs on the old gender-separated bathrooms to ‘bathrooms with urinals’ (and stalls, but this was only implied) and ‘bathrooms with stalls’. As a result, women avoided using the former male-only bathrooms, whereas men started using the former women-only bathrooms, thereby aggravating the problem of potty parity rather than resolving it (Grafton-Green, 2017).

Third, gender-neutral bathrooms take away safe spaces for women. The concern in this case is not so much assault or harassment inside, but outside the bathroom. Unfortunately, gender harassment remains a significant (and underreported) problem in the workplace (Ilies *et al.*, 2003; Leskinen *et al.*, 2011; Feldblum & Lipnic, 2016) and in entertainment venues (e.g., Graham *et al.*, 2017; Mellgren *et al.*, 2018). To avoid harassment, women at times require an environment where men cannot follow them. Even the best design of a gender-neutral multi-stall bathroom cannot provide the safety of gender-separated women-only bathrooms.

Discomfort

Both men and women object to gender-neutral bathrooms on grounds of discomfort. This discomfort is a notion that needs unpacking.

Discomfort may be sheer queasiness. If this is what stands in the way of social change, then a nudge may be the answer. Gender-neutral facilities could be centrally placed, while some gender-separated facilities could be provided within walking distance. The hope is that people will progressively use the closer facilities more often and their queasiness will wear off.

Second, discomfort may be grounded in a medical condition. There are about 20 million people in the USA who suffer from paruresis or shy bladder syndrome – that is, the inability to urinate in the vicinity of other people (‘5 Facts about Paruresis’, *n.d.*). It is not known whether and to what extent their problems are compounded in gender-neutral settings. More research is required, but this may well be a condition that is beyond nudging.

Third, discomfort may be grounded in modesty or demureness. This type of discomfort is grounded in placing a moral value on privacy concerning human excretion functions. It may be nudgeable, but if the discomfort is based on such a moral value, then nudging becomes objectionable. In nudging away the discomfort, we are destroying a particular moral sensitivity. This would make the nudge illiberal, favouring one conception of the good over another.

In short, when opponents mention discomfort, we need to be careful before invoking nudging strategies. If discomfort is based on queasiness, then nudging is an appropriate response. If it is based on a medical condition, nudging is in vain and we should make sure that there are appropriate alternative options. If it is based on modesty or demureness, then nudging would be illiberal.

Hygiene

Some opponents of gender-neutral bathrooms object to them on hygienic grounds. One of the most common arguments against gender-neutral bathrooms involves the fact that men urinate standing up and as a consequence toilet seats and bathroom floors are unhygienic.

To begin with, urinating standing up is not a fact of male anatomy, but of culture. In Montaigne's *Essays*, originally published in 1580, he presents as an example of cultural relativity that women urinate standing up and men urinate squatting in some places (1978, ch. 23, p. 115). Indeed, urinating standing up is as much a function of early socialization as it is a function of the current ergonomic design of fixtures in bathrooms (Sanders & Styker, 2016, pp. 784–785).

Behavioural policies could address this issue by nudging men to sit down on the toilet seat. This can be done by appealing to social norms. According to a 2007 poll of married couples in Japan, almost half of the husbands sit down (McCurry, 2007). *Australian Men's Health* also claims that 42% of married men sit down (but does not offer any references) and speculates that this number has surpassed the 50% mark by now (Adams, n.d.). These kinds of articles in men's magazines can contribute to shifting social norms, irrespective of the accuracy of their claims.

Or, one could appeal to self-interest by underlining the health benefits of sitting down. The evidence is contested for men in general, but sitting down has been shown to be beneficial for patients with lower urinary tract symptoms (de Jong *et al.*, 2014). This research has also been covered in popular blogs (see, e.g., Vinopal, 2018).

Finally, pictographs could be placed inside stalls encouraging sitting down (see, e.g., 'immi.de – im Sitzen pinkeln', n.d.). Some toilets in Germany have also been outfitted with a device called *Spuk* (or ghost). If one tries to raise the toilet seat, *Spuk* starts scolding: "Excuse me, but there's a penalty for peeing while standing in this house, you'd better not risk any problems and sit down!" (Connolly, 2004).

To sum up, behavioural strategies exist that could in principle address concerns raised by opponents to gender-neutral bathrooms. Their success and legitimacy, however, depend on the root of the objections. Moving forward, more public discussion and careful experimentation of different designs is required.

Conclusion

What our simulations purport to show is that gender-neutral bathrooms offer advantages that multiple groups can agree on. In low-usage and small-

occupancy-time differential environments, expected waiting times for both men and women decrease. If we move to high-usage or large-occupancy-time differentials environments, expected waiting times for women substantially decrease, while for men they slightly increase. Assuming that we take expected waiting times for men to be a standard for maximally expected waiting times, we can reduce the number of toilets *and* achieve a reduction in the expected waiting times for (male or female) employees. If we take the current waiting times for men to be acceptable, then firms can reduce overhead costs by shifting to gender-neutral bathrooms. If we start from the more realistic assumption that urinals will need to be removed in gender-neutral bathrooms, then expected waiting times for men will increase, but expected waiting times for (male or female) employees will still decrease.

Our results permit us to reframe the debate. Gender-neutral bathrooms are not a zero-sum game between trans and other gender-nonconforming individuals versus cis individuals. Rather, they are win-win, or at least close to a win-win. They reduce waiting times for women (thereby securing potty parity) and either reduce (or, at worst, minimally increase) waiting times for men, and they permit firms to save on overhead costs. This new frame should make them more attractive to everyone.

Opponents mention safety concerns, discomfort and issues of hygiene. Architectural design can improve safety issues, but even well-designed gender-neutral multi-stall bathrooms may come at the cost of safe spaces for women. Discomfort is multifaceted and can be grounded in queasiness, fear, medical conditions or modesty. Nudging can address some types of discomfort, but not all. As to hygiene, social norms surrounding men's urination habits are being explored in the popular press, leading to cleaner stalls. In short, new architectural designs and behavioural strategies can increase the acceptability of gender-neutral multi-stall bathrooms, but they do have limitations, and resistance may remain unyielding.

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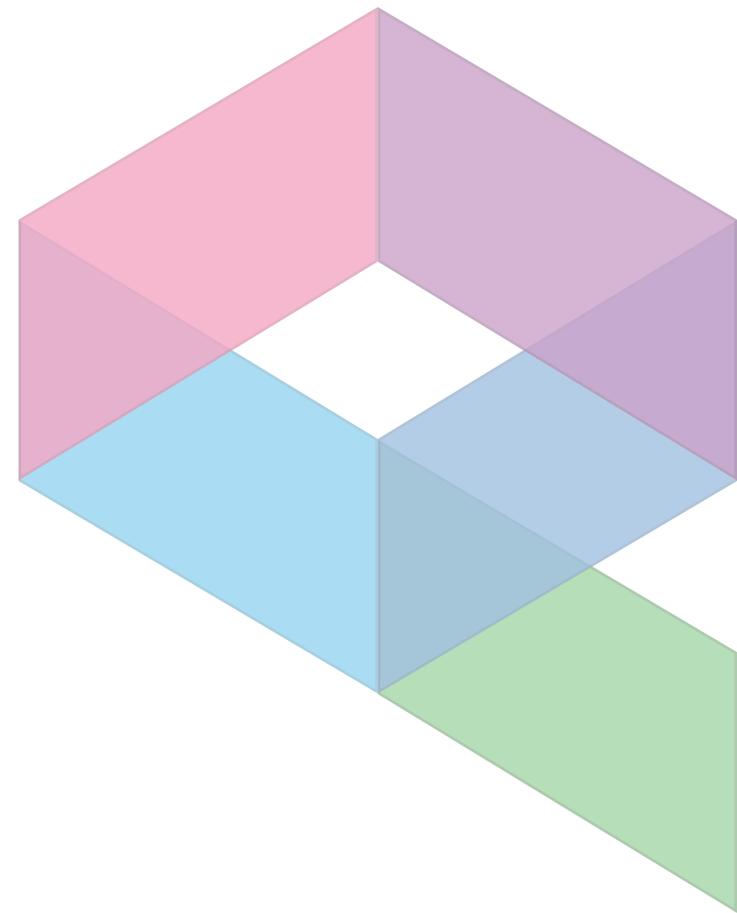
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5

RESOURCES & REFERENCES





<https://www.stalled.online/> an open-source website including lectures and workshops, writings and interviews, design guidelines and prototypes that identifies best design practice and technical evidence.

<https://www.youtube.com/watch?v=LPLfvajdWXU&feature=youtu.be> Stalled Online Informative Video

<https://core.ac.uk/download/pdf/268414464.pdf> Stalled! Transforming Public Restrooms by Joel Sanders

<https://www.legislation.gov.uk/ukxi/1992/3004/contents/made> Workplace (Health, Safety and Welfare) Regulations 1992

https://www.researchgate.net/publication/41137857_Do_Women_Spend_More_Time_in_the_Restroom_than_Men#:~:text=In%20this%20paper%2C%20we%20will,minutes%20for%20men.%20 Do Women Spend More Time in the Restroom than Men?

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