

**EXECUTIVE ORDER ALLOWING ACCESS TO SINGLE-SEX CITY FACILITIES
CONSISTENT WITH GENDER IDENTITY AND EXPRESSION**

EFFECTIVE DATE: June 14, 2017

NUMBER: 10

WHEREAS, it is the policy of the City of Hoboken to ensure that transgender and gender non-conforming people of the City live with dignity, free from violence and discrimination, and be treated with equity; and,

WHEREAS, the City of Hoboken prohibits discrimination on the basis of gender identity or expression; and,

WHEREAS, it is necessary that transgender and gender non-conforming people be able to access single-sex facilities consistent with their gender identity and gender expression as a matter of safety and public health; and,

WHEREAS, it is the policy of the City of Hoboken that transgender and gender non-conforming people be assured of their right to access single-sex facilities controlled by the City so that they enjoy equal treatment in the terms and conditions of City employment and the ability to access City services.

NOW THEREFORE, by the power vested in me as the Mayor of Hoboken, it is hereby ordered:

Section 1.

Definitions.

“Gender” includes an individual’s actual or perceived: sex, gender identity, self-image, appearance, behavior, or expression, whether or not that gender identity, self-image, appearance, behavior or expression is different from that traditionally associated with the sex assigned at birth.

“Gender expression” means the representation of gender as expressed through, for example, one’s name, choice of pronoun, clothing, haircut, behavior, voice, or body characteristics. Gender expressions may not be distinctively male or female and may not conform to gender based stereotypes society assigns to specific gender identities.

“Gender identity” is one’s internal deeply-held sense of one’s gender, which may be the same or different from one’s sex assigned at birth.

“Gender non-conforming” is an adjective used to describe someone whose gender expression differs from conventional expectations.

“Single-sex facility” means any facility which has separate designated spaces on the basis of sex or gender, which includes, but is not limited to: bathrooms, locker rooms, waiting areas, pools, saunas, lounges, or living spaces.

“Transgender” is an adjective used to describe an individual whose gender identity or expression is not typically associated with the sex identified at birth.

Section 2. Single-Sex Facility Policy. All employees of the City of Hoboken and all members of the public using City services must be allowed to use the single-sex facility within facilities owned or operated by the City that most closely aligns with their gender identity or expression without being required to show identification, medical documentation, or any other form of proof or verification of gender.

Section 3. Implementation. All City facilities shall post the Single-Sex Facility Policy in conspicuous locations within one month of the Effective Date of this Order. All Directors shall have available the Single-Sex Facility Policy for any staff members or members of the public. The Single-Sex Facility Policy shall be posted in conspicuous locations to personnel and members of the public using City services within one month of the Effective Date of this Order.

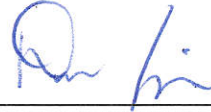
Section 4. Training. All City employees shall receive training on transgender diversity and inclusion, including the requirements of this Executive Order, as part of the annual diversity training that is mandatory for all City employees.

Section 5. Nothing in this Order shall be construed to prevent any City department or employee from complying with existing state or federal law or regulations.

Section 6. Effective Date. This Order shall take effect immediately.

OFFICE OF THE MAYOR

APPROVED:



DAWN ZIMMER
MAYOR

Dated: June 14, 2017

AS TO FORM:



BRIAN ALOIA
CORPORATION COUNSEL

Dated: June 14, 2017

ATTESTED TO AND RECORDED BY:



JAMES J. FARINA
CITY CLERK

Dated: June 14, 2017

This Executive Order shall remain in the custody of the City Clerk. Certified copies are available upon request.