

LGBTQ+ INCLUSIVE BATHROOMS

Bring
your whole self
to work

Why this consideration?

Bathrooms and changing rooms are essential public spaces that should meet the needs of the people that use them. The National Construction Code is Australia's primary set of technical design and construction provisions for buildings, which sets the minimum required level for the safety, health, amenity, accessibility and sustainability of certain buildings.

The Code provides guidance that public buildings should provide separate sanitary facilities for *males* and *females*, and that accessible *unisex* sanitary compartments must be provided.

These codes can prove restricting for LGBTQ+ populations for a number of reasons:

1. Using 'sex-based' language can be exclusionary for people with a transgender experience.

Trans people are protected against discrimination, harassment, and violence in many areas under state and federal law, and to restrict any person from using the bathroom that best affirms their gender may be unlawful. This includes trans people who have not legally affirmed their gender, or engaged in any surgical intervention.

However, bathroom access for transgender people has become a focal point of conversation and debate. In the USA, several states have introduced bills requiring all trans people to use public bathrooms that match the sex they were assigned at birth, rather than their gender, and this anti-trans rhetoric is increasingly heard in Australia.

Many transgender people and gender-nonconforming cisgender people experience 'policing' when they are trying to use the bathroom that aligns with their gender. Using language that assigns bathrooms based on gender identity rather than legal sex will help clarify the rights of people to use particular bathrooms, and is aligned with legal protections available in Australia.

2. Bathrooms that reinforce binary genders can be exclusionary for non-binary people.

Having bathrooms specifically for only men and only women provides nowhere for non-binary people.

The only facility that is labelled outside of the binary is the accessible, unisex facility. However, the term 'unisex' is defined as "designed to be suitable for both sexes", which is also exclusionary for non-binary people, reinforcing binary genders.

Having some bathrooms that are explicitly labelled as inclusive of non-binary people will break down the reinforcement, and give people with non-binary identities an option that may suit better.

3. Having the accessible bathroom as the only all gender facility can be problematic.

Often, organisations will have an accessible bathroom and prompt people that have issues using gendered stall-based facilities to use it. This can include binary and non-binary trans people, but also parents/carers, and other people not confident using communal bathrooms.

Research shows that “1 in 4 people need more space, time or privacy when using the bathroom, suggesting that many employees, shoppers, students and other visitors to buildings need more inclusive options and a greater choice when they use the loo.”¹

However, this can increase the demand for the accessible bathroom, which may impact on people with a disability, and the timeliness of their need.

Research

Annually, Pride in Diversity conducts a survey of our members' employees. In 2024, over 42,000 respondents completed the Australian Workplace Equality Index (AWEI) Employee Survey, from some 169 organisations across all sectors and a broad range of industries.

The AWEI Survey data shows a clear link between freedom to use toilets of choice, availability of all gender bathrooms, and workplace wellbeing, with respondents who agree to both questions having significantly better wellbeing scores.

The link between inclusive bathrooms and public safety has been studied in other research, which found²:

- Trans-inclusive bathroom policies are linked to lower assault rates against transgender students.
- Trans-inclusive bathroom policies are not linked to higher rates of assault against cisgender people.

The AWEI survey also asks all participants about their comfort with having all gender facilities in the workplace, as part of a mix of gendered, non-gendered, and accessible bathrooms. Additionally, trans and gender diverse respondents are asked about their freedom to use their bathroom of choice.

The survey records strong support for the availability of all gender bathrooms, with 78% of all respondents (LGBTQ+ and non-LGBTQ+) agreeing or strongly agreeing that they were comfortable with all gender facilities as part of the mix of sanitary facilities. However, only 46% of transgender and gender diverse respondents agreed or strongly agreed that they have the freedom to use a toilet of their choice, and only 38% transgender and gender diverse respondents agreed or strongly agreed that all gender toilets were available.

Recommendations

Pride in Diversity recommends that organisations review their bathrooms signage and iconography. The AWEI submission criteria states bathrooms should:

- be inclusive of all LGBTQ+ people.
- signal safety and inclusion to those who identify as trans, non-binary and/or gender diverse
- be inclusive of ALL employees, regardless of their gender identity or experience
- not reinforce the cisgender binary like 'unisex' terminology (unisex definition 'both genders')
- ideally would not be shared usage with a separate accessible/ambulant bathroom reducing availability to those who require accessible bathrooms.

Option 1

For new buildings, organisations may be able to specify the inclusion of some dedicated all gender facilities, alongside the men's, women's, and accessible facilities.

For existing buildings with multiple floors / multiple bathroom locations, organisations may be able to re-purpose some of the gendered facilities to be dedicated all gender facilities, alongside the men's and women's facilities.



It is good practice to have clear signage, showing icons of the facilities within the room (not icons showing gendered people, which can reinforce gender binaries, or position non-binary as a third gender). If the toilets are located at different places within the building, it is good practice to have navigational signage to let users know of the availability of other facilities, and where they may be found. Organisations should consider including information about their facilities in their policy and building handbooks / WHS manual / orientation pack / intranet, etc.

Option 2

For buildings where there are limited bathrooms, floors shared with other organisations, etc., organisations may be able to sign the existing gendered bathrooms to be more inclusive.

This could include explicit signage labelling the toilets for ALL women (shorthand for inclusive of trans women) and ALL men (shorthand for inclusive of trans men), plus non-binary people (used as an umbrella term for all people with non-binary identities, aligned with leading-practice data collection).

Some organisations make just one of the gendered toilets inclusive for non-binary people, however non-binary people can be more masculine presenting or more feminine presenting, and therefore may feel more

comfortable in either men’s or women’s spaces, so having both gendered toilets explicitly available for all people with non-binary identities provides spaces for everyone.

Additionally, extra signage explicitly stating the organisation supports people to use the toilet they are most comfortable with can aid in supporting a culture of inclusivity, as can navigational signage, and including information about their facilities in policy and building handbooks / WHS manual / orientation pack / intranet, etc.



**ALL WOMEN &
NON-BINARY
PEOPLE**

You are welcome to use the bathroom that best aligns with your gender identity



**ALL MEN &
NON-BINARY
PEOPLE**

You are welcome to use the bathroom that best aligns with your gender identity



**All Gender
Bathroom LH**

You are welcome to use the bathroom that best aligns with your gender identity

INCLUSIVE BATHROOM

We welcome diversity and inclusion, and support all employees to use the bathroom they are most comfortable in.

If you would feel more comfortable using a single-stall, all gender, accessible bathroom, there is one located xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx

Option 3

The least favoured option would be to have the accessible toilet available to anyone who does not wish to use a gendered facility. In this scenario, organisations should update the language used to describe the facility from ‘unisex’ to ‘all gender’. As previously mentioned, this is not an ideal solution, since it can increase the demand for the accessible bathroom, which may impact on people with a disability who need to use this bathroom in a timely manner.

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Other considerations for ALL bathrooms

Leading practice	Don't do
Use the term 'All Gender'.	Don't use the term 'Unisex' or 'Whatever!'.
Use pictograms that identify the facilities inside (see example below). 	Don't use other icons or stick figures. 
Include sanitary facilities in all bathrooms, including all gender facilities and those designated as 'men's'. Including a sign on the door of those toilets with sanitary facilities will help people find them.	Don't assume only women menstruate. Sanitary facilities are also critical for men and non-binary people who menstruate, and people with incontinence.
Let people know they can use facilities that best affirms their gender.	Don't tell people which toilet they should use.
Give directions on gendered toilet doors to the nearest all gender toilets and vice versa.	Don't expect trans binary and non-binary people to only use accessible toilets.

Create individual, fully-enclosed cubicles with basin and hand dryer, wherever possible, for everyone's privacy and safety	Don't only create banks of gendered toilets
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Appendices

1. Policy / Building Handbook suggested wording:

As an inclusive organisation our team's comfort and happiness is incredibly important to us. We believe everyone should be able to access restrooms aligned to their gender identity, without facing any discrimination or fear.

As a result, all of our bathrooms may be used by any person who is able and feels comfortable in these spaces.

We also have private accessible bathrooms located throughout the building, should you require more privacy or feel more comfortable in a non-collective space. Again, anyone can access these rooms.

Some reasons someone may need or like to use these private rooms:

- You simply feel more comfortable.
- You may have religious beliefs or requirements.
- You may have medical or physical needs.
- You may want complete privacy.
- You may not feel at ease in a collective bathroom.

It is completely up to you, as an individual, which bathroom you use.

We are an inclusive organisation; we will continue to create safe spaces for all people. Any attempt to question people's gender, or remove someone's access to the bathroom of their choosing will not be tolerated.

1. [Inc-Loo-Sion Project — \(interbuild.online\)](#)
2. [The Science of Trans-Inclusive Bathroom Bills | Psychology Today South Africa](#)