



Equal Access Consistent with a Person's Gender Identity FAQ

Chicago has amended its Human Rights Ordinance to protect residents in accessing facilities on the basis of gender identity. As of **June 22, 2016**, Chicago's Human Rights Ordinance prohibits public accommodations from requiring patrons to show government issued identification upon request to access facilities that are private in nature- such as restrooms- based on a person's biological category, his or her gender identity, or both.

1. What is meant by public accommodations?

Public accommodations means a place, business, establishment, or agency that sells, leases, provides, or offers any product, facility, or service to the general public, regardless of ownership or operation (i) by a public body or agency; (ii) for or without regard to profit; or (iii) for a fee or not for a fee. Examples of public accommodations include stores, restaurants and health clubs.

2. What are facilities that are considered "private in nature?"

Facilities considered private in nature include, but are not limited to, restrooms, locker rooms, and changing rooms.

3. What is meant by "gender identity?"

"Gender identity" means the actual or perceived appearance, expression, identity, or behavior of a person as being male or female, whether or not that appearance, expression, identity, or behavior is different from that traditionally associated with the person's designated sex at birth.

4. What does this new amendment mean for my business/establishment?

The amendment means that owners and staff must allow patrons to choose the restroom or other private facility of their choice, without being asked to present identification or prove their gender. Although some individuals may be perceived to be of a certain gender, that does not mean that is the gender with which they identify. Owners and staff should keep this in mind when patrons are accessing restrooms and other private facilities that are open to the public. The purpose of this amendment is to expand protections to all Chicago residents so they can comfortably use restrooms and other private facilities without interference.

5. Does this amendment require that single stall restrooms in public accommodations be gender neutral?

No. While public accommodations in Chicago may choose to have gender neutral, single stall restrooms, they are currently not required to do so. However, the new amendment does prohibit asking patrons to show government issued identification in order to access restrooms and other facilities that are private in nature.

6. Who enforces this law?

The Chicago Commission on Human Relations (CCHR) is charged with enforcing this law.

7. How can a person file a complaint under this law?

Within 180 days of the alleged discrimination, individuals claiming discrimination based on this, or any other recognized basis may appear in person between the hours of 9 a.m. and 3 p.m. at the Commission on Human Relations (740 N. Sedgwick, 4th Floor) to have a neutral staff member assist with the filing of a complaint. Alternatively, complaints may be filed by mail, fax or e-mail. For more information, see

http://www.cityofchicago.org/city/en/depts/cchr/supp_info/file_a_discriminationcomplaint.html.

8. What are the penalties for violating this law?

Any person who violates any of the provisions of the Chicago Human Rights Ordinance may be fined not less than \$100 and not more than \$1,000 for each offense. Additionally, violations of the law may result in damages awarded to the successful complainant, payment of complainant's attorney fees and costs, injunctive relief, as well as business license discipline for the respondent in question.