

Setting up of all gender toilets at Otto von Guericke University Magdeburg

1. Objectives

Universities are places of learning and personal development in which a multitude of people with differing backgrounds and identities come together. It is therefore important to ensure that all students, employees and visitors to the university feel welcome and supported.

The setting-up of toilets for all genders has the aim of ensuring non-discriminatory access and creating a safe and non-violent space for everyone. All gender toilets can be used by all individuals, irrespective of their gender expression or gender identity. The aim is to make a comprehensive service available and to take this into account in the physical infrastructure, linguistic and graphic labeling and with transparent communication. This does not mean that trans*, intersex* and non-binary* people cannot continue to opt to use toilets for women or men, if they identify as a woman or man, respectively. The long-term aim is to offer a range of toilet facilities that may be used by all individuals in an accessible and non-discriminatory way.

2. Terminology and labeling

Toilets for all genders can also be called all gender toilets, gender neutral toilets or unisex toilets. OVGU recommends the name “all gender toilets” as the most inclusive form. A standard form should be chosen for labeling and signage.

It must be ensured that toilets for all genders as an additional option to toilets separated along gender lines are visible and accessible. This means that there will still be separate toilets for women and men as safe spaces, and this will be enhanced by the option of toilets for all genders. Toilets will be labeled legibly and clearly, e.g. with a written label or possibly pictograms (the relevant template for signage is available from the Equal Opportunity and Diversity Officer in the Rector's Office) from which the facilities will be clearly identifiable. An overview of the locations of the all gender toilets will be provided on the OVGU website.

3. Facilities

The all gender toilets are generally equipped with the necessary items found in a conventional toilet (toilet and sink, toilet paper, soap, water, hand towels). There should also be a sanitary bin for disposing of waste. Urinals are/should be separated from one another with partition walls. In the best case scenario, all cubicle walls should be flush with floor and ceiling in order to ensure users can neither be seen nor heard. Where there are multiple cubicles, it must/should be possible to lock the individual toilet / toilet cubicle. If there is sufficient space, it is recommended to install a baby changing table.

Additional structural requirements should also be implemented to ensure comprehensive accessibility (DIN 18040). In addition to several small cubicles in a multi-cubicle bathroom, a large cubicle could offer integrated accessibility. Toilets for individuals with disabilities must also continue to be reserved for them.

4. Implementation options / practical arrangements

The installation of all gender toilets differs according to the structural condition of the building, i.e. depending on whether the toilets are existing toilets, toilets in buildings undergoing refurbishment or toilets in renovated or new buildings. The toilets should not be located in remote areas. Moreover, it is not recommended to rededicate wheelchair accessible toilets, as this may result in new barriers, for example due to the use of a Euro key, and people with disabilities may be

deprived of the use of their own spaces or they may no longer be able to use them in a timely manner.

In the case of existing toilets, equal numbers of women's and men's toilets should be converted, relative to the total proportion of employees. The proportion of single-sex toilets will remain the same as a result and due consideration given to the requirements of the law. One person toilets can be converted with little cost or effort, whilst in the case of multi-person toilets, the number of toilets must be adequate for the number of employees in accordance with the provisions of the [Workplaces Ordinance](#) (ArbStättV).

In the case of building renovations, a possible reorganization or modification of toilets should be considered, e.g. by installation of room-height partition walls or provision of wash basins and sanitary bins in single rooms in multi-cubicle toilets.

In the case of building modification or new building, OVGU recommends planning for the inclusion of all gender toilets from the start. This includes the ability to lock single person toilets or individual cubicles with the possibility of separate use.

5. Procedure for applying for / modifying an all gender toilet

- Submission of a building application (e.g. demolition or modification) to K4
- Checking of the legal basis by K4, modifications require a building permit, case-by-case decisions will be checked (prospective application for planned modification works and costs to the Ministry of Science, Energy, Climate Protection and the Environment (MWU) with reasons for the necessity and application for costs for the requested modification works to the Ministry of Finance (MF).
- Installation of a lock on existing individual cubicles is possible without great cost or effort after consideration

6. Contact person for questions concerning the setting up of an all gender toilet

- Equal Opportunity and Diversity Officer: Dr. Anne Teller, Tel.: +49 (0)391 675 8020, anne.teller@ovgu.de
- Office for Equal Opportunities and Families: Central Equality Officer, Tel. +49 (0)391 675 8944 (office) , gleichstellungsbeauftragte@ovgu.de
- Occupational Health & Safety and Environmental Protection Department (K43) (Questions regarding testing, modifications - partitions, cubicles etc.) k43@ovgu.de
- Facilities Services (K51) k51@ovgu.de, (e.g. questions on facilities - waste bins, sanitary bags etc.)
- Disability Representative (SBS): sbv@ovgu.de

7. Legal framework conditions

- Article 3, paragraph 3 of the Basic Constitutional Law of Germany (GG) "Nobody may be disadvantaged or favored on the basis of their gender," which according to European and national jurisprudence also applies to transgender and intersex individuals
- § 5 General Act on Equal Treatment (AGG): by taking positive measures, an existing disadvantage may be compensated for, and an imminent disadvantage may also be prevented
- 4.1. General requirements of the Workplaces Ordinance (ArbStättV): "bathrooms [are] to be set up both for men and women separately [...] or separate use must be facilitated.

Bathrooms must be provided with lockable accesses and an adequate number of toilets and hand washing facilities.”

- Technical Rules for Workplaces (ASR) set the minimum number of toilets depending on the number of employees in accordance with 5.2 Provision and 5.4 Facilities
The distances to bathrooms should be no greater than 50 meters and may not exceed 100 meters. The bathrooms must be in the same building and may be no more than one story away from permanent workplaces.
- DIN 18040 State Building Regulations: accessibility is defined technically and functionally here