

DOES THE LAW PROHIBIT GENDER-SEGREGATED RESTROOMS?

No. It is still legal in Iowa for businesses to maintain gender-segregated restrooms. The new law does require, however, that individuals are permitted to access those restrooms in accordance with their gender identity, rather than their assigned sex at birth. And, just as non-transgender individuals are entitled to use a restroom appropriate to their gender identity without having to provide documentation or respond to invasive requests, transgender individuals must also be allowed to use a gender-identity appropriate restroom without being harassed or questioned.

DOES THE LAW PROHIBIT SEX -SEGREGATED LOCKER ROOMS AND LIVING FACILITIES?

No. Iowa law does not prohibit places of public accommodation from maintaining separate facilities for the different sexes, so long as they are comparable. The new law does require, however, that individuals are permitted to access those facilities in accordance with their gender identity, rather than their assigned sex at birth, without being harassed or questioned.

DOES THIS LAW APPLY TO CHURCHES?

Sometimes. Iowa law provides that these protections do not apply to religious institutions with respect to any religion-based qualifications when such qualifications are related to a bona fide religious purpose. Where qualifications are not related to a bona fide religious purpose, churches are still subject to the law's provisions. (e.g. a child care facility operated at a church or a church service open to the public).



Iowa Civil Rights
Commission

For Additional Information:

Iowa Civil Rights Commission
Grimes State Office Building
400 E. 14th Street
Des Moines, IA 50319

Phone: (515) 281-4121
(800) 457-4416
Fax: (515) 242-5840

www.state.ia.us/government/crc

For more information regarding these new protections, please see our website.

Iowa Civil Rights Commission

SEXUAL ORIENTATION & GENDER IDENTITY

A Public Accommodations Provider's Guide to Iowa Law



The mission of the Civil Rights Commission is enforcing civil rights through compliance, mediation, advocacy, and education as we support safe, just, and inclusive communities.

Iowa Law

Effective July 1, 2007, the Iowa Civil Rights Act (Iowa Code Chapter 216) was expanded to add sexual orientation and gender identity to the list of protected classes. It is now ILLEGAL in Iowa to discriminate against a person because of his/her sexual orientation or gender identity.

What do these new terms mean?

“Sexual Orientation” means actual or perceived heterosexuality, homosexuality, or bisexuality.

“Gender Identity” means a gender-related identity of a person, regardless of the person’s assigned sex at birth.

What is a Public Accommodation?

- ◆ Any place that offers goods or services to the public for a price.
(Retail Stores, Restaurants, Bars, Night Clubs, Movie Theaters, Banks, Sporting Events, Fitness Centers, Hospitals etc.)
- ◆ Any place offering free services if that place receives governmental support or subsidy (Food Banks, Shelters, Disaster Relief, Civic Festivals, etc)
- ◆ Any state, local, or governmental unit that receives tax support (Police Departments, Schools, Mass Transit, Libraries, etc)



The Iowa Code may be found at www.legis.state.ia.us/iowaLaw.html

WHAT IS NOT A PUBLIC ACCOMMODATION?

Any private club or other place which is distinctly private by its nature. However, if it offers some services, facilities, or goods to the general public, it will be treated as a public accommodation for those services.

WHAT IS ILLEGAL DISCRIMINATION?

- ◆ Refusal or denial of any accommodations, advantages, facilities, services, or privileges on the basis of sexual orientation or gender identity. Also any discrimination in providing such services.
- ◆ Directly or indirectly advertising or publicizing that the patronage of persons of any particular sexual orientation or gender identity is unwelcome, objectionable, not acceptable, or not solicited.

SOME EXAMPLES OF ILLEGAL DISCRIMINATION

- ◆ Providing false information about the availability of seating, tickets, or the availability of services
- ◆ Refusal to allow an individual to use all the facilities or services of the public accommodation
- ◆ Providing the service in a separate location or at separate times from that offered to others
- ◆ Harassment, intimidation, or other demonstration of hostility



Questions?
Contact the ICRC for more information:
(515) 281-4121

WHAT TYPES OF ACTIONS COULD BE ILLEGAL HARASSMENT?

- ◆ verbal, physical, or written conduct,
- ◆ conduct of a sexually inappropriate nature,
- ◆ physical or psychological abuse,
- ◆ repeated remarks of a demeaning nature,
- ◆ implied or explicit threats,
- ◆ demeaning jokes, stories, or activities, and
- ◆ intentional use of names and pronouns inconsistent with a person’s presented gender.



These new provisions took effect as of July 1, 2007.

A public accommodation provider is not generally liable for actions of patrons. However, a public accommodation provider can be held liable for allowing an employee to harass a customer or for failing to intervene in sufficiently severe conduct by another patron.

In determining if your own conduct might be unwelcome to others, consider these questions: "Would my behavior change if someone from my family was present?" "Would I want my spouse or child to be treated this way?"

WHAT SHOULD I DO IF I BELIEVE I HAVE BEEN DISCRIMINATED AGAINST?

You may file a complaint with the ICRC within **300 days** of the alleged discriminatory incident. Call (515) 281-4121, or for more information on discrimination in public accommodations, housing, education, credit, or employment, see our website at:

www.state.ia.us/government/crc.

This guidance document is designed for general educational purposes only and is not intended, nor should it be construed as or relied upon, as legal advice.