



1 UNITED ACADEMICS PROPOSAL

2
3 ARTICLE 8
4 NON-DISCRIMINATION
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6 **Section 1.** In the application of provisions of this Agreement or university regulations
7 and policies affecting terms and conditions of employment, there shall be no
8 discrimination by the Administration against any member of the bargaining unit because
9 of race, creed, color, sex, religion, national origin, ancestry, marital status, domestic
10 partnership status, familial status, age, disability, veteran status, sexual orientation,
11 gender identity or expression, membership or non-membership in or activity on behalf of
12 or in opposition to the Union, or any other extraneous considerations not related to
13 effective performance.
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15 **Section 2.** Sexual harassment of any faculty member is prohibited by the Administration
16 and will not be tolerated. Sexual harassment is unwelcome sexual advances, requests for
17 sexual favors, and other verbal or physical conduct or communication of a sexual nature
18 under the following conditions:
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- 20 a). When submission to or rejection of the conduct or communication is used as a
21 factor in decisions affecting employment; or
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23 b). When the conduct or communication has the purpose or effect of substantially
24 interfering with employment, or creating an intimidating, hostile, or offensive
25 employment environment.
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27 **Section 3.** Neither the Administration nor the Union shall discriminate against,
28 intimidate, restrain, coerce, or interfere with any faculty member because of, or with
29 respect to, his or her lawful Union activities, including participation in a grievance, or
30 membership, or the right to refrain from such activities or membership. In addition, there
31 shall be no discrimination against any faculty member in the application of the terms of
32 this Agreement because of membership or non-membership in the Union.
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34 **Section 4.** Nothing in this Agreement shall be construed to prevent an employee who
35 alleges discrimination from exercising constitutional or statutory rights.
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37 **Section 5.** The Administration agrees that when the effects of employment practices,
38 regardless of their intent, disproportionately harm any persons or group of people on the
39 bases listed in Section 1 that specific positive and aggressive measures must be taken to
40 redress the effects of past discrimination, to eliminate present and future discrimination,
41 and to ensure equal opportunity in the areas of appointment, promotion, salary, and the
42 awarding of sabbatical leaves. Therefore, the parties acknowledge the need for positive
43 and vigorous affirmative action.