

1                   **NON-DISCRIMINATION, ANTI-HARASSMENT, AND ANTI-BULLYING**

2   **Section 1.** The University affirms its dedication to the principles of equal opportunity and  
3 freedom from discrimination; the University will not discriminate nor tolerate discrimination or  
4 harassment as defined by University policy, federal and state laws. As such, the University will  
5 not discriminate nor tolerate discrimination against any person because of their real or  
6 perceived "protected characteristic" on the basis of race, color, creed, ethnicity, ancestry,  
7 religion, caste, gender, gender identity, gender expression, sex, age, national origin, citizenship,  
8 marital status, sexual orientation, physical or mental disability (including HIV antibody status),  
9 domestic partnership status, familial status (including parental status), pregnancy (including  
10 pregnancy-related conditions), veteran status, services in the uniformed services, expunged  
11 juvenile record, membership or non-membership in, or activity on behalf of or in opposition to,  
12 the Union, or any other extraneous considerations, not directly and substantially related to  
13 effective performance and/or the use of leave protected by state or federal law. Unlawful  
14 discrimination includes sexual harassment.  
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16   **Section 2.** Within ten (10) business days of notice of discrimination, discriminatory harassment,  
17 or bullying the University shall take appropriate steps in response to any of the forms of  
18 discrimination described in this Article in accordance with federal and state law, University  
19 policy, and other provisions of this Collective Bargaining Agreement.  
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21   **Section 3.** The University shall respect a student's decision to choose to discuss their own  
22 sexual orientation, gender identity, or gender expression openly, or to keep that information  
23 private. Upon request from the student, the University will work to update aspects of a student's  
24 current employment and student documentation to reflect a change in name or gender in  
25 university information systems (university email, Canvas, DuckWeb,) and any name tags that  
26 are required. The University will maintain a website with a description of the administrative  
27 processes and options for name changes. No student worker will be required to wear a name  
28 tag that has their last name on it.  
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30   **Section 4.** Direct supervisors of student workers shall make reasonable efforts to respect  
31 student worker-reported information related to name change, gender identity, pronouns, and  
32 honorifics. Persistent, ongoing refusal or failure by supervising university employees to respect  
33 a student worker's reported gendered language is prohibited under Section 1 of this article.  
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35   **Section 5.** Standard personnel documents and forms related to student workers will use gender  
36 inclusive language. This provision will not apply where mandatory State or Federal forms are  
37 not available with gender-inclusive terminology.  
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39   **Section 6.** The identity of the claimant will not be disclosed except for as required by law  
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41   **Section 7.** When a grievance or complaint is filed, the University will implement interim  
42 measures as appropriate. Such measures shall be designed to allow the student worker to learn  
43 and work in an environment free from discrimination. The University shall implement appropriate  
44 remedies if a complaint and/or grievance is sustained. Such remedies/measures shall be

45 designed to allow the ASE to continue learning and working in an environment free from  
46 discrimination. Management will report the harassing behavior to Human Resources; failure to  
47 do so in a timely manner will result in a report of the lack of action in accordance with **Article X**  
48 (Grievance and Arbitration). If any University administrator or supervisor has a complaint  
49 against them for bullying and/or harassing behavior, they shall attend training on bullying and  
50 harassing within two (2) weeks of the complaint.

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52 A. For purposes of this Article, harassment and bullying include psychological  
53 harassment in the form of repeated or hostile or unwanted conduct, verbal comments, actions or  
54 gestures that affect a student worker's dignity or psychological or physical integrity and that  
55 results in a harmful work environment for the student worker. For greater certainty, harassment  
56 includes such behavior in the form of such verbal comments, actions or gestures of a sexual  
57 nature.

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59 **Section 8.** No student worker shall experience retaliation for claims or grievances under this  
60 agreement, including but not limited to being given less favorable hours or terms and conditions  
61 of work.

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63 **Section 9.** The University shall have a plan in place for all student workers who work with  
64 customers if the customer engages in acts of harassment or bullying behavior. This plan must  
65 include the ability of the student worker to avoid the customer, refuse service, or leave the area.  
66 The plan shall also include the ability of the student worker to get immediate support from a  
67 supervisor to help with such a customer.

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