

ARTICLE ____
NON-DISCRIMINATION IN EMPLOYMENT

A. NON-DISCRIMINATION

Within the limits imposed by law or University regulations, the University shall not discriminate or harass any Academic Researcher on the basis of race, color, religion, marital status, national origin, ancestry, sex, (including gender, pregnancy, childbirth, medical conditions related to pregnancy and childbirth, breastfeeding, and medical conditions related to breastfeeding), sexual orientation, gender expression, gender identity, physical or mental disability, medical condition, cancer-related condition or genetic characteristics, genetic information (including family medical history), HIV status, status as a covered veteran (special disabled veteran, recently separated veteran, Vietnam era veteran, or any other veteran who served on active duty during a war or in a campaign or expedition for which a campaign badge has been authorized), service in the uniformed services as defined by the Uniformed Services Employment and Reemployment Act of 1994, state military and naval service,) age, citizenship, political affiliation, or union activity.

B. SEXUAL HARASSMENT

Sexual Harassment is defined as unwelcome sexual advances, unwelcome requests for sexual favors, and other unwelcome verbal, nonverbal or physical contact of a sexual nature when:

1. Quid Pro Quo: A person's submission to or rejection of such conduct is implicitly or explicitly made the basis for employment decisions, academic evaluation, or advancement, or other decisions affecting participation in a University program; or
2. Hostile Environment: such conduct is sufficiently severe or pervasive that it unreasonably denies, adversely limits, or interferes with a person's participation in or benefit from the education, employment or other programs and services of the University and creates an environment that a reasonable person would find to be intimidating or offensive.

C. If the definitions in the Sexual Violence Sexual Harassment Policy ("SVSH") or University's Discrimination, Harassment, and Affirmative Action in the Workplace

Policy change, the new definitions will apply to this Article.

D. RESOLUTION PROCEDURES

1. If an Academic Researcher files a timely grievance that includes an alleged violation of this article, the University shall forward such a complaint to the campus office responsible for formally investigating allegations of discrimination and/or sexual harassment. The grievance shall be held in abeyance during the time the allegations are under review in accordance with the University's SVSH Policy and/or the University's Discrimination, Harassment, and Affirmative Action in the Workplace Policy.
2. At the conclusion of the review, the abeyance shall automatically terminate and the grievance procedure shall resume within fifteen (15) calendar days from the date from the conclusion of the review.

E. The Title IX Offices and the Offices of Equal Employment Opportunity responsible for investigations are listed in Appendix ___.

F. LACTATION SUPPORT

1. Where spaces exist for faculty or staff for the primary purpose of expressing breast milk, Academic Researchers shall have access to those spaces for the purpose of expressing and storing breast milk.
2. If no such space exists in reasonable proximity to an Academic Researcher's work location, the department will designate an appropriate temporary space, which is not open to the general public, for the purpose of expressing and storing breast milk.
3. The University will allow adequate time for an Academic Researcher to express breast milk.

G. ALL-GENDER RESTROOMS

1. The University and the Union recognize the importance of having safe and accessible campus restroom facilities.
2. Upon request, the University will provide the Academic Researcher with the location of the nearest all-gender restroom.