

CSUEU
Andrea Breyer
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ARTICLE 25

NON-DISCRIMINATION

6/25/14

Non-Discrimination

- 25.1 The CSU prohibits discrimination on the basis of race, religion, ancestry, color, sex, sexual orientation, gender identity, gender expression, genetic information, age (40 and older), disability, veteran status, marital status, pregnancy, medical condition and/or national origin. "Disability" and "medical condition" and "genetic information" as used herein are consistent with the definitions provided in Executive Order 883 1096, Technical Letters HR 2004-12, HR EEO 2011-02 or its successors.
- 25.2 An employee, who alleges discrimination in violation of a CSU systemwide non-discrimination or anti-harassment policy, shall file his/her complaint under the procedure described in Executive Order 9281096, or in any superseding executive order, if applicable. An employee may, at any time, file a complaint regarding the same incident with the Equal Employment Opportunity Commission and/or the Department of Fair Employment and Housing.

Whistleblowing

- 25.3 An employee, who wishes to file a disclosure of an improper governmental activity and/or a significant health or safety threat, shall file his/her complaint under the procedure described in Executive Order 929, or in any superseding executive order, if applicable.
- 25.4 An employee, who alleges that he/she suffered retaliation for making a protected disclosure of an improper governmental activity and/or a significant health or safety threat, shall file his/her complaint under the procedure described in Executive Order 1058, or in any superseding executive order, if applicable.
- 25.5 The parties agree that CSUEU has the right to file a complaint under Executive Order 9281096 (or any superseding Executive Order) alleging discrimination or sexual harassment against more than one CSUEU-represented employee. The CSUEU agrees to identify the employees/grievants when so requested and to identify the alleged harm to those employees/grievants.
- 25.6 CSUEU and CSU agree that the intent of Article 25, Section 25.2, is that employees who allege discrimination in violation of CSU's systemwide non-discrimination policy shall file complaint(s) under the procedure set forth in Executive Order 9281096, or any succeeding Executive Order.
- 25.7 It is understood that such discrimination complaints are not grievable under Article 7, nor are they complainable under Article 8, Complaint Procedure.
- ~~25.8 If, however, there is a violation, misinterpretation or misapplication of a campus procedure implementing the systemwide non-discrimination policy, an employee, a group of employees, or the union may file a complaint, under Article 8, of such a violation, misinterpretation or misapplication of the campus policy/procedure, but may not file a complaint concerning the outcome of the discrimination investigation.~~