

**ARTICLE 22  
NONDISCRIMINATION IN EMPLOYMENT**

**A. GENERAL PROVISIONS**

Within the limits imposed by law or University policies, the University shall not discriminate against or harass employees on the basis of race, color, religion, marital status, national origin, ancestry, sex, sexual orientation, gender identity, physical or mental disability, medical condition, (cancer-related or genetic characteristics) covered veterans status as defined by the Vietnam Era Veterans Readjustment Act (VEVRA), age, citizenship, or union activity or affiliation. For the purposes of this Article only, medical condition means any health impairment related to or associated with a diagnosis of cancer, for which a person has been rehabilitated or cured based on competent medical evidence.

General discrimination-related issues not related to any individual's specific complaint may be raised in the labor/management meetings defined in Article 46 - Workplace Committees, Section A or B.

**B. GRIEVANCES**

1. For discrimination complaints to be eligible for processing under the grievance procedure:
  - a. The complaint must be eligible in accordance with Section B.2., 3., or 4., below, and
  - b. The employee or her/his representative must file a grievance at Step 1 within thirty (30) calendar days of the date the employee knew or should have known of the alleged discrimination.
2. Allegations of a violation of this Article alone are subject to the Article 8-Grievance Procedure of this Agreement through Step 2 only.
3. An alleged violation of this Article and a non-arbitrable Article shall be subject to the grievance procedure insofar as the other Article is grievable, although it shall not be subject to Arbitration.
4. Allegations of a violation of this Article, when made in connection with a provision of another Article that is grievable beyond Step 2, shall be eligible for appeal to the same degree that the contract provisions to which the grievance is connected is grievable and/or arbitrable.

**C. SEXUAL HARASSMENT COMPLAINT RESOLUTION PROCEDURE**

With regard to grievances alleging sexual harassment, an employee who has timely filed a grievance may elect to substitute the campus/hospital/laboratory Sexual Harassment Complaint Resolution procedure for Step 1 of the Grievance Procedure. Use of the Sexual Harassment Complaint Resolution procedure shall toll the time limits for Step 1 of the Grievance Procedure only if a grievance has been timely filed, pursuant to Article 8, Grievance Procedure, Section F. At any

time, an employee may elect to resume the regular grievance procedure in place of the alternate procedure by written notice to the University. The University's Step 1 Grievance response will be issued within fifteen (15) calendar days after such notice to return to Step 1 of the Grievance Procedure is received by the designated campus/hospital/laboratory official.