

USC → UAW
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USC FIRST PROPOSAL TO GSWOC-UAW

August 10, 2023



ARTICLE TBD

NON-DISCRIMINATION IN EMPLOYMENT

A. GENERAL PROVISIONS

1. **Protected Categories:** The University prohibits discrimination on the basis of actual or perceived race, color, ethnicity, religion (including religious dress and grooming practices), creed, sex, age (40 years and over in the employment context), marital status, national origin, citizenship status, employment status, income status, shared ancestry and ethnic characteristics, partnership status, medical condition (including cancer and genetic characteristics), pregnancy (including childbirth, breastfeeding, or related medical conditions), disability, political belief or affiliation, domestic violence victim status, military or veteran status, sexual orientation, gender, gender identity, gender expression, genetic information, and any other class of individuals protected from discrimination under federal, state, or local law, regulation, or ordinance in any of the University's educational or otherwise federally-funded programs and activities, and in the employment (including application for employment) and admissions (including application for admission) context, as required by: Title IX of the Education Amendments of 1972 and its implementing regulations, 20 U.S.C. § 1681 et seq.; Title III of the Americans with Disabilities Act of 1990, as amended in 2008; Section 504 of the Rehabilitation Act of 1973; Title VI and VII of the Civil Rights Act of 1964; the Age Discrimination Act of 1975; the Age Discrimination Act of 1967; the California Fair Employment and Housing Act; Section 1557 of the Affordable Care Act, 42 USCA § 18116, and other applicable federal, state, and local laws, regulations, or ordinances that prohibit discrimination, harassment, and/or retaliation.
2. The University prohibits unlawful discrimination or harassment of students, employees and third parties on the basis of any protected characteristic as identified above.
3. The University also prohibits retaliation against any individual for the purpose of interfering with any right or privilege secured by University policy or law, or because the individual makes a good faith report or formal complaint, testifies, assists, participates, or refuses to participate in any manner in an investigation,

USC RESERVES THE RIGHT TO ADD TO, DELETE, ALTER, OR MODIFY PROPOSALS AT ANY TIME UNTIL A FINAL AGREEMENT IS REACHED.

proceeding, or hearing under the University Policy on Prohibited Discrimination, Harassment, and Retaliation or this Agreement.

4. Workplace Behavior. The Employer and the Union agree that all employees should work in an environment that fosters mutual respect and professionalism. The parties agree that all employees should be free from everyday exchanges—including words and actions—that denigrate or exclude individuals based on their membership in a group or class.

B. PROHIBITED CONDUCT

In accordance with applicable University policy, prohibited misconduct includes but is not limited to the following:

1. Discrimination
 - a. Disparate Treatment Discrimination
 - b. Disparate Impact Discrimination
2. Hostile Environment Harassment
3. Quid Pro Quo Harassment
4. Title IX Sexual Harassment
5. Sexual Assault
6. Dating Violence
7. Domestic Violence
8. Stalking
9. Other forms of Sexual Misconduct
 - a. Sexual and Gender-Based Harassment
 - b. Nonconsensual Viewing, Recording, and Dissemination
 - c. Exposure
 - d. Other Forms of Dating and Domestic Violence
10. Retaliation
11. Complicity
12. Violation of a University Directive

The University may review and revise its policies during the term of this Agreement, including to ensure consistency with Title IX and other applicable law.

C. RESOLUTION PROCEDURES

1. Complaints. A discrimination or harassment complaint may be filed with the Equity, Equal Opportunity, and Title IX Office (EEO-TIX). Employees may also file discrimination complaints with appropriate federal or state agencies. The Grievance and Arbitration Procedure in this Agreement does not apply to this Article.

2. Timeline: There is no time limit for raising complaints or concerns under University Policy. The University encourages any concerns or complaints be raised as soon as possible so they can be investigated and addressed appropriately.
3. Investigation: Any complaints will be investigated pursuant to the applicable policies posted on the University website.
4. Interim Measures: When a complaint is filed, the University will implement appropriate interim measures, if any, and the Graduate Student Worker may provide input concerning appropriate supportive measures. Measures shall be designed to allow the GSW to continue learning and working in an environment free from discrimination.
5. Representation: GSWs shall have the right to be represented by an advisor of their choice, including a Union representative, in the University's process.

D. LACTATION SUPPORT

GSWs shall have access to spaces for the purpose of expressing and storing breast milk consistent with University policy.

E. BATHROOM EQUITY

The University shall provide that all GSWs have adequate access to all-gender bathrooms.