

**ARTICLE 23
NONDISCRIMINATION IN EMPLOYMENT**

A. GENERAL PROVISIONS

1. As required by law and University regulations, 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, 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), age, citizenship, union activity or affiliation.
2. General discrimination-related issues not related to any individual's specific complaint may be raised in the labor/management meetings defined in Article 15 - Labor-Management Meetings.

B. GRIEVABILITY/ARBITRABILITY

For discrimination complaints to be eligible for processing under the grievance procedure, the complaint must be eligible in accordance with Section B.1, 2, or 3, and 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.

1. Allegations of a violation of this Article alone are subject to the Grievance Procedure of this Agreement through Step 2 only.
2. 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.
3. 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. GRIEVANCES THAT ALLEGE SEXUAL HARASSMENT

The University is committed to creating and maintaining a community where all individuals who participate in University programs and activities can work and learn together in an atmosphere free of sexual violence and sexual harassment. The UC Davis Policy and Procedure Manual, Chapter 400, Section 20, contains the campus policy on Sexual Violence and Sexual Harassment. The campus policy supplements the UC Policy on Sexual Violence and Sexual Harassment promulgated through the Office of the President. These policies describe the University's actions to address complaints by those who believe they have been subject to sexual violence or sexual harassment.

With regard to alleged violations of the University's policies on sexual violence and sexual harassment, the University and IAFF agree that employees covered by this Agreement may elect, as a substitute and in lieu of Step 1 of Article 10 – Grievance Procedure, to use the campus sexual harassment resolution procedure. Use of the sexual harassment 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 10 - Grievance Procedure, Section F.1.a. In no circumstance shall sexual harassment grievances be eligible for appeal pursuant to Article 3 – Arbitration Procedure unless the grievance also alleges a violation of another arbitrable provision of this Agreement.