

## ARTICLE 25

### NON-DISCRIMINATION

#### Non-Discrimination

- 25.1 The CSU prohibits discrimination on the basis of Age, Ancestry, Color, Disability, Ethnicity, Gender, Gender Expression, Gender Identity, Genetic Information, Marital Status, Medical Condition, Military Status, Nationality, Pregnancy, Race, Religion, Religious Creed, Sex, Sexual Orientation, Sex Stereotype, and Veteran Status. These terms as used herein are consistent with the definitions provided in the Interim CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation (“Non-Discrimination Policy”) or its successors. The Non-Discrimination Policy is formerly known as Executive Order 1096.
- 25.2 An employee, who alleges discrimination in violation of a CSU systemwide non-discrimination or anti-harassment policy, shall file their complaint under the procedure described in the Non-Discrimination Policy or any successor policy, 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 their complaint under the procedure described in Complaint Procedures for Protected Disclosure of Improper Governmental Activities and/or Significant Threats to Health or Safety or its successors (formally known as Executive Order 929), or in any superseding procedure, if applicable.
- 25.4 An employee, who alleges that they suffered retaliation for making a protected disclosure of an improper governmental activity and/or a significant health or safety threat, shall file their complaint under the procedure described in Complaint Procedure for Allegations of Retaliation for Having Made a Protected Disclosure under the California Whistleblower Protection Act (formally known as Executive Order 1058), or its successors, if applicable.
- 25.5 The parties agree that CSUEU has the right to file a complaint under Non-Discrimination Policy or any successor 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 the policy or any successor.

25.7

It is understood that such discrimination complaints are not grievable under Article 7, Grievance Procedure, nor are they complainable under Article 8, Complaint Procedure.