

ARTICLE 2

NON-DISCRIMINATION/SEXUAL HARASSMENT/COERCION AND INTIMIDATION

2.1 NON-DISCRIMINATION AND SEXUAL HARASSMENT

- A. **Nondiscrimination:** Neither the University nor the Union will discriminate against any employee covered under this Agreement in a manner precluded by law.
1. Upon request by the Union, the University will furnish a copy of the University's affirmative action plan, performance report, and affirmative action information.
 2. The University will provide a work environment free from discrimination due to Union activities and beliefs.
- B. **Sexual Harassment:** Sexual harassment is a form of unlawful sex discrimination and is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when, 1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, 2) submission to or rejection of such conduct is used as the basis for employment decisions, or 3) such conduct has the purpose or effect of unreasonably interfering with an individual's work or performance or creating an intimidating, hostile or offensive environment.
1. The University and the Union agree that sexual harassment will not be tolerated.
 2. When the University becomes aware of incidents of sexual harassment, the University will take steps to terminate the harassment.
 3. The University will maintain and enforce procedures to deal with allegations of sexual harassment.
- C. **Complaints:** Nothing herein will interfere with an Employee's right to file a grievance under Article 29, Grievance and Arbitration or pursue a discrimination or sexual harassment complaint before the Equal Employment Opportunity Commission, the Human Rights Commission, or in a judicial or other forum. No employee will be penalized or retaliated against in any way by any member of the University community for initiation or participation in a complaint procedure.

2.2 COERCION AND INTIMIDATION

The University and the Union agree that there will be no coercion or intimidation regarding the right of employees working in positions covered by this Agreement to become or not become members of the Union.