

ARTICLE 35. NON-DISCRIMINATION

35A. Philosophy

~~The District shall not discriminate against any unit member on the basis of race, color, ethnic group identification, national origin, religion, gender, age, marital status, handicapped conditions, medical conditions, sexual orientation, political views, or veteran status.~~

The parties shall not discriminate on the basis of race, color, creed, ethnic group identification, national origin, ancestry, gender, sexual orientation, marital status, family status, parenthood, pregnancy, custody of a minor child, age, physical or mental disability, medical condition, religion, political views, or veteran status.

35B. Anti-Discrimination/Sexual Harassment Training

~~The District and the Faculty Association shall endeavor to increase training and awareness with respect to issues of discrimination and sexual harassment in the District.~~

The District shall periodically offer in-service training opportunities to faculty as part of scheduled Flex Days, which includes information and practical guidance regarding federal and state laws concerning the prevention and correction of sexual harassment, and other forms of illegal harassment, and the remedies available to individuals subjected to illegal harassment. Attendance, or lack of attendance by faculty, shall not be relied upon by the District to discipline faculty, or to establish notice to any faculty member as to impermissible conduct.

35C. Protections and Processing of Complaints

Unit members are protected, and complaints processed, in accordance with State and Federal law. Unit members alleging discrimination will notify the District Director of Human Resources in writing. Upon receipt of the complaint, ~~the~~ Director of Human Resources Services will identify a process to investigate the complaint. The process will be shared with the filing unit member and the President of the Faculty Association within fifteen (15) working days after receipt. The Faculty Association may assign a participating observer to assist the affected unit member. It is understood that a violation of this Article is not subject to the grievance procedures of Article 7, but instead shall be processed in accordance with State and Federal law. It is recognized that a unit member can also file a complaint independently with the EEOC and DFEH.