

THE CALIFORNIA STATE UNIVERSITY  
Office of the Chancellor  
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**Date:** July 5, 2005

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**To:** CSU Presidents

**Supersedes:** HR/EEO 2002-01

**From:** Jackie R. McClain  
Vice Chancellor  
Human Resources



**Subject:** **Discrimination/Harassment/Retaliation Complaint Processing**

CSU does not tolerate unlawful discrimination or harassment based on race, color, religion, national origin, ancestry, age, sex, sexual orientation, marital status, covered veteran status, physical disability, mental disability, or medical condition. CSU also does not tolerate retaliation because an employee has reported or participated in an investigation of such conduct.

It is CSU policy that allegations by employees of unlawful discrimination, harassment and retaliation are responded to in a timely and appropriate manner. It makes no difference whether or not these allegations are filed as a formal complaint. They must be taken seriously and addressed. It is the responsibility of the campuses to designate individuals responsible for receiving and investigating complaints of discrimination, harassment and retaliation and to publicize the job titles, phone numbers and addresses of these individuals.

Represented employees who wish to report discrimination, harassment or retaliation shall utilize the provisions in their respective labor contracts that cover allegations of discrimination, if such provisions exist. E.O. 928, or any superseding executive order, shall be utilized for 1) Unrepresented employees; 2) Employees, whose labor contract does not have a complaint or grievance procedure for discrimination allegations; or 3) Employees whose labor contract incorporates the systemwide complaint procedure.

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**Distribution:**

Human Resources Directors  
Equal Employment Opportunity Directors  
Vice Presidents, Academic Affairs  
Vice Presidents, Administration

Employee Relations has developed a table setting forth the procedures available to process and investigate employees' allegations of discrimination, harassment, and retaliation. The table displays the procedures by bargaining unit and provides the timelines for each procedure. It is important to read this table in conjunction with the applicable labor contract provisions and executive orders. The table can be found at <http://www.calstate.edu/HR/ComplaintTimeline.pdf>.

The procedures set forth in the table shall be the only procedures available to CSU employees for raising allegations of discrimination, harassment and retaliation. Campuses may not develop other procedures. In rare instances, campuses have been pressed by the U.S. Office of Civil Rights to adopt an integrated civil rights complaint procedure for employees and students. In those instances, the campus should include a statement in the procedure that it does not supersede procedures contained in the applicable collective bargaining agreements or other systemwide procedures.

Campuses should already have in place separate procedures for civil rights allegations of students, applicants and independent contractors, as there is no systemwide procedure.

If you have any questions, please call Employee Relations at (562) 951-4425 or consult with your University Counsel. This technical letter is also available on the Human Resources Administration's website at <http://www.calstate.edu/HRAdm/memos.shtml>.

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