

## Memorandum of Understanding

### Amendment to Non-discrimination Provisions (26.21 through and including 26.25)

Through this Memorandum of Understanding (MOU), the Union of American Physicians and Dentists and the California State University (UAPD and CSU, the "parties") agree to amend the following Nondiscrimination provisions (21.21 26.22, 26.23, 26.24, and 26.25) of the current collective bargaining agreement between the parties and add the follow provisions 26.26 to 26.27 as follows:

#### Non-discrimination

26.21 - The CSU prohibits Discrimination, including Harassment, because of any Protected Status: i.e., Age, Disability (physical or mental), Gender (or sex), Gender Identity (including transgender), Gender Expression, Genetic Information, Marital Status, Medical Condition, Nationality, Race or Ethnicity (including color or ancestry), Religion (or Religious Creed), Sexual Orientation, sex stereotype, and Veteran or Military Status. All terms used herein are consistent with the definitions provided in Executive Order 1096 (Revised).

26.22 - An employee, who alleges discrimination in violation of a CSU systemwide nondiscrimination or anti-harassment policy, shall file his/her complaint under the procedure described in Executive Order 1096 (Revised), or in any superseding Executive Order, 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

26.23 - An employee, who wishes to file a disclosure of an improper governmental activity and/or a significant health or safety threat, shall file his/her complaint under the procedure described in Executive Order 929, or in any superseding executive order, if applicable.

26.24- An employee, who alleges that he/she suffered retaliation for making a protected disclosure of an improper governmental activity and/or a significant health or safety threat, shall file his/her complaint under the procedure described in Executive Order 1058, or in any superseding executive order, if applicable.


26.25- The parties agree that UAPD has the right to file a complaint under Executive Order 1096 (or any superseding Executive Order) alleging discrimination or sexual harassment against more than one UAPD -represented employee. The UAPD agrees to identify the employees/grievants when so requested and to identify the alleged harm to those employees/grievants.

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26.26- UAPD and CSU agree that the intent of Article 26.22, is that employees who allege discrimination in violation of CSU's systemwide nondiscrimination policy shall file complaint(s) under the procedure set forth in Executive Order 1096(Revised), or any succeeding Executive Order.

26.27- It is understood that such discrimination complaints are not grievable under Article 8, Grievance Procedure.

For the CSU:

 10/18/16  
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Rene Castro  
Assistant Vice Chancellor, Labor Relations

For UAPD:

 10-17-16  
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Jake Baxter  
Senior Representative