

**Article XX**

**PROTECTIONS AGAINST DISCRIMINATION, HARASSMENT, AND BULLYING**

**Section A.**

1. The University is committed to the principle of equal opportunity in education and employment and shall not discriminate against any Employee on the basis of the protected categories listed in the University Non-Discrimination Policy, which may be amended from time to time. This policy sets forth the associated procedures for individual community members to make an internal complaint of discrimination based on the protected categories identified therein. Claims of violations of the University Non-Discrimination Policy will not be subject to Article X, Grievance and Arbitration.
2. The University also prohibits sexual harassment and other sexual misconduct, as defined by the University's Interim Title IX Sexual Harassment Policy, Interim Other Sexual Misconduct Policy, and the Sexual and Gender Based Harassment Policy. The University policies addressing sexual harassment and other sexual misconduct may be amended from time to time and set forth the associated procedures for making an internal complaint of sexual harassment or other sexual misconduct. Claims of sexual harassment or discrimination and other sexual misconduct will not be subject to Article X, Grievance and Arbitration.
3. The University shall not discriminate on the basis of an Employee's disability, including by failing to reasonably accommodate a disability, as defined by the University Disability Resources Grievance Policy, which may be amended from time to time. This Policy sets forth the associated procedures for making an internal complaint of disability discrimination. Claims of violations of the University's Disability Resources Grievance Policy will not be subject to Article X, Grievance and Arbitration.
4. The University also prohibits bullying, hostile, and abusive behavior, as defined in the University's Anti-Bullying Policy, which may be amended from time to time. This policy sets forth the associated procedures for individual community members to make an internal complaint of the misconduct prohibited therein. Claims of violations of the University's Anti-Bullying Policy will not be subject to Article X, Grievance and Arbitration.
5. Additionally, the University shall not discriminate against any Employee because of their lawful union activity or membership. Claims of discrimination on the basis of union activity or membership shall be handled in accordance with Article X, Grievance and

Arbitration. A grievance alleging such discrimination may not include additional allegations of other forms of discrimination, harassment, or abusive behavior.

**Section B      Non-Retaliation.**

1. Filing an internal complaint of discrimination, harassment, or bullying and cooperating in such an investigation are protected activities. Retaliation against any Employee for initiating or otherwise participating in these protected activities is prohibited. Except for claims of retaliation relating to union activity, which shall be handled in accordance with Article X, Grievance and Arbitration, all other claims of retaliation shall be handled in accordance with the procedures applicable to the underlying complaint, as enumerated in Section A above, and/or the University's Non-Retaliation policy.
2. Knowingly or deliberately providing false or misleading information in any investigation is also prohibited.