

ARTICLE XX.
NON-RETALIATION

Section A. The University shall not discriminate or retaliate in the workplace against any Employee because of the lawful exercise of their rights under the National Labor Relations Act nor shall it restrain or coerce any Employee in the lawful exercise of their rights under Section 7 of the National Labor Relations Act. These rights shall include but are not limited to filing or otherwise pursuing a grievance or complaint or exercising a right under this Agreement.

~~Retaliation is adverse action taken against a bargaining unit member for exercising a right under this Agreement, or for reporting, raising concerns, expressing opposition to suspected or alleged prohibited conduct, being a member of the Union, participating in Union-related activities, participating in an informal problem-solving process, participating in any procedure as outlined in this Agreement, or being perceived to report or raise concerns about actual or possible violations of the terms of this Agreement, including but not limited to: reporting harassment, discrimination, intellectual property rights violations, or other prohibited conduct; participating in investigations of prohibited conduct; or otherwise seeking enforcement of any provisions of this Agreement.~~

~~**Section B.** An adverse action is conduct that would discourage a reasonable person from reporting or raising concerns about actual or possible violations of the terms of this Agreement. Adverse action includes but is not limited to threats, intimidation, harassment, discrimination, coercion, denial or threatened denial of appointment renewals or extensions, harmful change or threatened change in work assignments, or action that may endanger a bargaining unit member's visa status.~~

~~**Section C.** Retaliation also includes but is not limited to professional retaliation, such as changing the quality or nature of recommendation letters or grant applications, publication authorship credit, or the denial of some professional opportunity. This includes acts of professional retaliation against bargaining unit members for considering or seeking employment elsewhere (whether in a different role within the University or with a new employer) or leaving their positions, such as withholding or targeting recommendation letters.~~

~~**Section D.** Retaliation against bargaining unit members is strictly forbidden.~~

Section B E. Employees who allege experiencing retaliation for **union-related activity** as defined by this Article are able to pursue grievance procedures outlined in Article XX (Grievance and Arbitration) **claiming a violation of this Article. In interpreting Employee rights under this**

Article, arbitrators shall be guided by the case law developed by the National Labor Relations Board.