California Academy of Sciences and

Cal Academy Workers United

Management Counter-Proposal

January 21, 2025

Article 3 - No Discrimination

Section 1. Equal Opportunity

The Union, the employees, and the Employer agree that conduct which constitutes unlawful harassment or discrimination on the basis of race, ethnicity, AIDS/HIV status, religious creed, color, national origin, ancestry, physical or mental disability, genetic information, military or veteran status, marital status, sex, gender identification or expression, political belief, family status, sexual orientation, age, pregnancy, citizenship or immigration status, status as a victim of domestic violence, and any other category protected by federal, state or local law will not be tolerated. In addition, the Employer will not discriminate against or harass any Employee on the basis of their union activity or union support. Those violating this policy may be subject to disciplinary action. It is understood that the Employer is an equal-opportunity employer, consistent with all applicable laws.

Likewise, the administration of all other personnel matters such as compensation, benefits, work assignments, layoffs, recall, training, and social/recreational programs will be free from any discriminatory practices.

Section 2. No Harassment

Employees have the right, as protected by law, to work in an environment free of sexual harassment or harassment on the basis of any other category provided by this Article.

Sexual harassment may be defined as unwelcome sexual advances, requests for favors and other verbal or physical conduct of a sexual nature when such conduct is made explicitly or implicitly, a term or condition of employment, or is used as a basis for employment decisions, or has the purpose or effect of interfering with work performance or creating an otherwise offensive working environment.

Section 3. Prohibition on Bullying

In a cooperative workplace, a clear distinction exists between appropriate counseling, coaching, training, and correction by a supervisor to an employee or between coworkers, and behavior by a

supervisor or coworker who badgers, threatens, or otherwise bullies the employee and creates a hostile and intimidating workplace. It shall therefore be a violation of this section for any employee to badger, threaten, or otherwise bully any other employee. Nothing herein restricts a manager's reasonable exercise of authority.

Section 4. Union Representation in Cases of Workplace Harassment.

In a meeting where management is investigating a formal complaint made by an employee **of** ~~over~~ workplace harassment based on a category listed in this Article, the employee making the complaint has the right to have a shop steward or union representative present in the meeting.