

## ARTICLE \_\_ Nondiscrimination

### SECTION \_\_ 1. – Intention

Consistent with the University's existing policies, including but not limited to Cornell University Policy 6.4 (Prohibited Bias, Discrimination, Harassment, and Sexual and Related Misconduct) which is specifically incorporated by reference herein, The University will not discriminate against any Employee based upon race, ethnicity, creed, religion ~~or religious belief~~, national origin, ~~ancestry, caste, class, socioeconomic status,~~ marital status, family status, ~~parental or~~ pregnancy status, color, sexual orientation, sex, gender identity or expression (whether actual or perceived), age, ~~political affiliation or belief, political action or speech,~~ immigration status, citizenship status, ~~medical condition,~~ actual or perceived disability (including persons associated with such a person), size, height, weight, veteran status, arrest or criminal record, an individual's genetic information, domestic violence victim status, caregiver status, or any other ~~legally~~ protected class or status. ~~The parties agree that any changes or modifications to the University policies referenced above shall automatically become incorporated into this provision and this Agreement.~~

~~The parties recognize that~~ Employees shall have the right to work in an environment free from abuse of power and deserve to be treated with respect and dignity.

~~Although discrimination based on caste is not currently a protected status under applicable law and/or University policy, the University agrees that it will not summarily dismiss a complaint filed by a bargaining unit member based on caste discrimination on the sole basis that caste is not an explicitly protected status under law or its policy. The University will process such complaints consistent with appropriate internal investigative processes as such complaints may constitute discrimination based upon race, color, religion, shared ancestry, national origin, or other applicable protected class.~~

For purposes of this Article the term "caste" is defined as a system of rigid social stratification characterized by hereditary status, endogamy, and social barriers sanctioned by custom, law, or religion, that originated in South Asia.

Neither the University nor the Union shall discriminate against any Employee on the basis of their membership or non-membership in the Union or for engaging in Union activity.

Blue = New language proposed by Cornell

Green = Language reasserted by Cornell from a prior proposal

Red = Language proposed by the union that Cornell has rejected

Black Strikethroughs/Underline = Language rejected and/or added by the Union that Cornell has accepted

## SECTION \_\_.2 – Support for Employees Experiencing Harassment or Discrimination

Any Employee who experiences harassment or discrimination may be accompanied by a Union representative in any meeting related to the process of addressing the complaint through Employer channels, including, but not limited to Title IX, OSCCS, and the Graduate School.

~~The Employer has the affirmative duty to inform the Employee of their right to Union representation. The Union shall have the right to request that the Employer provide training on these Employer policies for Union representatives. The Union shall have the right to request interim relief and supportive measures in such cases. Such requests shall not be unreasonably denied.~~

## SECTION \_\_.3 – Support for Graduate Student Workers Experiencing Abusive Conduct

As stated in University Policy 4.6, the University's commitment to the highest standard of ethical conduct is an integral part of its mission to "foster initiative, integrity and excellence, in an environment of collegiality, civility and responsible stewardship." Graduate Student Workers who have grounds to believe that Policy 4.6 has been violated may file a complaint consistent with the below:

- A. The Graduate Student Worker may report a suspected violation to their immediate supervisor. However, if their supervisor is involved in the complaint, the Graduate Student Worker may discuss it with the person at the next supervisory level, which for Graduate Student Workers would be the Department Chair (or equivalent) of their supervisor.
- B. To the extent that the Graduate Student Worker's complaint is not resolved following the discussions outlined in Section 1 above, the Graduate Student Worker shall be entitled to Steps 1 – 3 of the grievance procedure set forth in Article [x] (Grievance and Arbitration).
- C. If the Graduate Student Worker's complaint is not resolved at the conclusion of Step 3 of the grievance procedure, the Graduate Student Worker may utilize the mediation step of Article [x] (Grievance and Arbitration) as the final step. No further appeals shall apply. In cases arising under this provision, the University's consent to participate in the mediation step of the grievance procedure is assumed.

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