

**The University Staff Association/Massachusetts**

**Teachers Association/NEA**

**and**

**The University of Massachusetts Board of Trustees**

University's General Proposal

Article 7: Anti-Discrimination, Affirmative Action, and Conflict of Interest

**SECTION 1. Non-Discrimination (new language)**

The Employer and the Union agree that there shall be no discrimination or reprisals of any kind, subtle or overt, against any bargaining unit member because of his/her membership or non-membership in the Union or participation or non-participation in Union activities.

~~The Employer and the Association agree not to discriminate, in any way in violation of applicable law or University policy, against employees covered by the Agreement on account of race, religion, creed, color, national origin, sex, age, veteran status, sexual orientation, marital status, mental or physical disability, political belief or affiliation, or membership or non-membership in any organization.~~

- A. The Union shall accept into membership and represent equally all eligible persons in the bargaining unit in accordance with the University BOT Policy (Doc. T16-040) UNIVERSITY OF MASSACHUSETTS NON-DISCRIMINATION AND HARASSMENT POLICY, which states the following:

The University prohibits unlawful discrimination, harassment (including sexual harassment), and retaliation against anyone based on religion or religious belief, color, race, marital status, veteran or military status, age, sex, gender identity or expression, sexual orientation, national origin, ethnicity, disability, genetic information, or any other legally protected class, in education, admission, access to or treatment in, its programs, services, benefits, activities, and terms and conditions of employment at the University.

**SECTION 2.**

The Association and the Employer/**University Administration** agree that when the effects of employment practices, regardless of their intent, discriminate against any group of people on the basis of race, religion, creed, color, age, sex, national origin, or mental or physical disability,

specific positive and aggressive measures must be taken to redress the effects of past discrimination. to eliminate present and future discrimination, and to ensure equal opportunity in the areas of hiring, upgrading, promotion, transfer, recruitment, layoff, termination, rate of compensation, and in-service or apprenticeship training programs. Therefore, the parties acknowledge the need for positive and aggressive affirmative action. To accomplish these goals, certain positions may be designated as affirmative action target positions in accordance with the Employer's Affirmative Action Plan filed with the U.S. Department of Labor. The President of the Association shall be informed of such targeted positions simultaneously with the Division of Human Resources.