

# CAPS PROPOSAL

**Bargaining Unit:** 10

**Date:** May 1, 2018

**Exclusive Representative:** CAPS

**Article:** 13.7 Non-Discrimination

**Subject:** Non-Discrimination

## 13.7 Non-Discrimination

A. The State and CAPS agree that neither party will discriminate against or harass any employee on the basis of age, sex, race, religion, religious creed, color, national origin, citizenship, ancestry, genetic information (including family medical history), disability (mental or physical handicap, including HIV and AIDS), medical condition (cancer-related or genetic characteristics), denial of family and medical care leave, marital status, sex (including gender, pregnancy, childbirth, medical conditions related to pregnancy and childbirth, breastfeeding and medical conditions related to breastfeeding), sexual orientation, gender identity, gender expression, military or veteran status, and/or political affiliation, and agree to take such action as necessary to assure that this purpose is achieved, in accordance with applicable State and Federal employment laws (e.g., California Fair Employment and Housing Act (FEHA)).

B. Alleged violations of this Section shall not be grievable under the grievance procedure contained in Article 9 of this Agreement. However, at the employee's discretion, allegations of discrimination or harassment may be pursued with their agency's Equal Employment Opportunity (EEO) office, the State Personnel Board through the complaint procedure specified by SPB, and/or the Department of Fair Employment and Housing (DFEH), and/or the Federal Equal Employment Opportunity Commission (EEOC).