University Updated Counter - Prohibition Against Discrimination, Harassment or Retaliation 2/18/25

*The University's second comprehensive contract proposal offered on March 15, 2024 remains on the table as a union contract settlement that the university will sign when and if the Union is interested.

*The university reserves the right to add to, modify or withdraw proposals as part of the negotiation process, and to offer additional proposals. No agreement applies to any single provision unless there is agreement on a final package.

*Updated redline is to the University's last proposal from 10/11/24.

Article – tbd

Prohibition Against Discrimination, Harassment or Retaliation

Section 1. Non-discrimination. The University is committed to providing equal opportunity in employment to all qualified persons and does not tolerate discrimination or harassment by or against graduate student workers with respect to the following categories: race, sex (including pregnancy or conditions relating to pregnancy), gender identity or expression (actual or perceived), color, religion, creed, national origin, ethnicity, age, sexual orientation, disability status, veteran or military status, citizenship or country of residence, genetic information, ancestry, or any other protected status under Massachusetts, federal or local law or University policy.

a. The University provides reasonable accommodations to employees with a disability, consistent with state and federal law and University policy.
b. The University provides reasonable accommodations for pregnancy or pregnancy-related conditions in accordance with state and federal law and University policy.

Section 2. Sexual Harassment. The University prohibits sexual harassment, including quid pro sexual harassment and hostile work environment, in accordance with Massachusetts, federal or local law or University policy.

Section 3. Abusive Behavior. Neither the University nor the Union shall tolerate abusive behavior by GSWs or individuals who hold supervisory authority over a GSW.

Section 4. Non-Retaliation. The University prohibits retaliation against an individual for filing a complaint of discrimination or harassment in good faith, for cooperating in an investigation or opposing a discriminatory practice in accordance with federal, state or local law or University policy. Because graduate student workers also have an academic relationship with the

University, adverse actions in connection with academic decisions can constitute retaliation for exercising rights under this Agreement.

Section 5. **Union Activities.** Neither the University nor the Union shall discriminate or retaliate against any graduate student worker for engaging in any union activities or refraining from engaging in such activities in accordance with federal law.

Section 6. Gender Identity. Upon request from a GSW, the University will work to update aspects of a GSW's employment record to reflect a change in name or gender, consistent with applicable law and federal funding requirements. In accordance with the foregoing, University and department-level records should accurately reflect GSW pronouns and honorifics and any ~~. If an~~ error ~~is~~ found in this regard~~, it~~ will be promptly corrected when brought to the attention of the department or program. The University shall respect the GSW's decision to discuss their own sexual orientation, gender identity, or gender expression openly, or to keep that information private.

Section 7. Procedure. Graduate students may pursue allegations of discrimination, harassment or retaliation with the Office for University Equity and Compliance which provides complaint and investigation processes in accordance with the University's Policy on Sexual and Gender Based Harassment and Title IX or pursuant to applicable University policies such as those prohibiting academic retaliation. Such complaints, including those based on Sections 1, 2, and 4 of this article, are excluded from the Grievance and Arbitration Procedure. Graduate students who seek reasonable accommodations may do so in accordance with the University's Policy on Reasonable Accommodation. Such requests are excluded from the Grievance and Arbitration Procedure. A grievance alleging a violation of Sections 3, 5, or 6 of this Article may not include additional allegations of discrimination, harassment or retaliation, including those based on Sections 1, 2 or 4 of this Article.