



Nondiscrimination Affirmative
Action
BO 08018

2008-07-01

EXECUTIVE VICE PRESIDENT—
BUSINESS OPERATIONS

OFFICE OF THE PRESIDENT
1111 Franklin Street, 12th Floor
Oakland, California 94607-5200
510/987-9029

July 1, 2008

CHANCELLORS
DIRECTOR—LAWRENCE BERKELEY NATIONAL LABORATORY
MEDICAL CENTER DIRECTORS

Replacement of University of California Nondiscrimination and Affirmative Action Employment Policies as Issued on June 10, 2008

Dear Colleagues:

Please replace the following policies and policy statement issued on June 10, 2008 with the enclosed revisions, which will be effective as of July 1, 2008:

- *University of California Nondiscrimination and Affirmative Action Policy Regarding Academic and Staff Employment;*
- *Personnel Policies for Staff Members 12, Nondiscrimination in Employment; and*
- *Affirmative Action Policy Statement for University of California Publications Regarding Employment Practices*

The revision is a technical change which clarifies the intent of the University's policy prohibiting retaliation against a person who assists someone with a discrimination complaint or participates in the resolution of a discrimination complaint.

Sincerely,

A handwritten signature in cursive script, appearing to read "Katherine Lapp".

Katherine Lapp
Executive Vice President

Enclosures

cc: Academic Council Chair Brown
Vice Provost Jewell
Associate Vice President Boyette
Universitywide Policy Coordinator Capell

bc: Executive Director Pripas
Executive Director Scott
Director Epperson
Director Simon
University Counsel Shelton
Associate Director Lockwood
Associate Director Oehler
Principal Analyst Lopez
Academic Personnel Directors
Chief Human Resource Officers
EEO/AA/Diversity Directors

July 1, 2008

UNIVERSITY OF CALIFORNIA
NONDISCRIMINATION AND AFFIRMATIVE ACTION POLICY
REGARDING ACADEMIC AND STAFF EMPLOYMENT

It is the policy of the University not to engage in discrimination against or harassment of any person employed or seeking employment with the University of California on the basis of race, color, national origin, religion, sex, gender identity, pregnancy,¹ physical or mental disability, medical condition (cancer-related or genetic characteristics), ancestry, marital status, age, sexual orientation, citizenship, or service in the uniformed services (as defined by the Uniformed Services Employment and Reemployment Rights Act of 1994).² This policy applies to all employment practices, including recruitment, selection, promotion, transfer, merit increase, salary, training and development, demotion, and separation. This policy is intended to be consistent with the provisions of applicable State and Federal laws and University policies.

University policy also prohibits retaliation against any employee or person seeking employment for bringing a complaint of discrimination or harassment pursuant to this policy. This policy also prohibits retaliation against a person who assists someone with a complaint of discrimination or harassment, or participates in any manner in an investigation or resolution of a complaint of discrimination or harassment. Retaliation includes threats, intimidation, reprisals, and/or adverse actions related to employment.

In addition, it is the policy of the University to undertake affirmative action, consistent with its obligations as a Federal contractor, for minorities and women, for persons with disabilities, and for covered veterans.³ The University commits itself to apply every good faith effort to achieve prompt and full utilization of minorities and women in all segments of its workforce where deficiencies exist. These efforts conform to all current legal and regulatory requirements, and are consistent with University standards of quality and excellence.

In conformance with Federal regulations, written affirmative action plans shall be prepared and maintained by each campus of the University, by the Lawrence Berkeley National Laboratory, by the Office of the President, and by the Division of Agriculture

¹ Pregnancy includes pregnancy, childbirth, and medical conditions related to pregnancy or childbirth.

² Service in the uniformed services includes membership, application for membership, performance of service, application for service, or obligation for service in the uniformed services.

³ Covered veterans includes veterans with disabilities, recently separated veterans, Vietnam era veterans, veterans who served on active duty in the U.S. Military, Ground, Naval or Air Service during a war or in a campaign or expedition for which a campaign badge has been authorized, or Armed Forces service medal veterans.

and Natural Resources. Such plans shall be reviewed and approved by the Office of the President and the Office of the General Counsel before they are officially promulgated.

This Policy supersedes the University of California Nondiscrimination and Affirmative Action Policy Regarding Academic and Staff Employment, dated January 1, 2004.

Employment

12. Nondiscrimination in Employment

July 1, 2008

A. GENERAL

It is the policy of the University not to engage in discrimination against or harassment of any person employed by or seeking employment with the University of California on the basis of race, color, national origin, religion, sex, gender identity, pregnancy,¹ physical or mental disability, medical condition (cancer-related or genetic characteristics), ancestry, marital status, age, sexual orientation, citizenship, or service in the uniformed services (as defined by the Uniformed Services Employment and Reemployment Rights Act of 1994).² This policy is intended to be consistent with the provisions of applicable State and Federal laws and University policies.

B. SEXUAL HARASSMENT

The University of California is committed to creating and maintaining a community in which all persons who participate in University programs and activities can work together in an atmosphere free of all forms of harassment, exploitation, or intimidation, including sexual. Specifically, every member of the University community should be aware that the University is strongly opposed to sexual harassment and that such behavior is prohibited both by law and by University policy. It is the intention of the University to take whatever action may be needed to prevent, correct, and, if necessary, discipline behavior which violates this policy.

C. RETALIATION

University policy also prohibits retaliation against any employee or person seeking employment for bringing a complaint of discrimination or harassment pursuant to this policy. This policy also prohibits retaliation against a person who assists someone with a complaint of discrimination or harassment, or participates in any manner in an investigation or resolution of a complaint of discrimination or harassment. Retaliation includes threats, intimidation, reprisals, and/or adverse actions related to employment.

¹ Pregnancy includes pregnancy, childbirth, and medical conditions related to pregnancy and childbirth.

² Service in the uniformed services includes membership, application for membership, performance of service, application for service, or obligation for service in the uniformed services.

D. COMPLAINTS

Information regarding applicable policies and procedures for resolving complaints of discrimination, harassment, or retaliation and for pursuing available remedies is available in the local Human Resources office.

Applicability: All Staff Members

Employment

14. Affirmative Action
July 1, 2008

A. GENERAL

Consistent with its status as a Federal contractor, the University undertakes affirmative action for minorities and women, for persons with disabilities, and for covered veterans.¹

Applicability: All Staff Members

¹ Covered veterans includes veterans with disabilities, recently separated veterans, Vietnam era veterans, veterans who served on active duty in the U.S. Military, Ground, Naval or Air Service during a war or in a campaign or expedition for which a campaign badge has been authorized, or Armed Forces service medal veterans.

NONDISCRIMINATION AND AFFIRMATIVE ACTION POLICY STATEMENT
FOR UNIVERSITY OF CALIFORNIA PUBLICATIONS
REGARDING EMPLOYMENT PRACTICES

The University of California prohibits discrimination against or harassment of any person employed by or seeking employment with the University on the basis of race, color, national origin, religion, sex, gender identity, pregnancy¹, physical or mental disability, medical condition (cancer-related or genetic characteristics), ancestry, marital status, age, sexual orientation, citizenship, or service in the uniformed services (as defined by the Uniformed Services Employment and Reemployment Rights Act of 1994).²

University policy also prohibits retaliation against any employee or person seeking employment for bringing a complaint of discrimination or harassment pursuant to this policy, or against a person who assists someone with a complaint of discrimination or harassment, or who participates in any manner in an investigation or resolution of a complaint of discrimination or harassment.

The University of California is an affirmative action/equal opportunity employer. The University undertakes affirmative action to assure equal employment opportunity for minorities and women, for persons with disabilities, and for covered veterans³.

University policy is intended to be consistent with the provisions of applicable State and Federal laws. Inquiries regarding the University's equal employment opportunity policies may be directed to:

Academic

Nicholas P. Jewell, Ph.D.
Vice Provost – Academic Personnel
UC Office of the President
(510) 987-9479
e-mail: Nicholas.Jewell@ucop.edu

Staff and Management

¹ Pregnancy includes pregnancy, childbirth, and medical conditions related to pregnancy or childbirth.

² Service in the uniformed services includes membership, application for membership, performance of service, application for service, or obligation for service in the uniformed services.

³ Covered veterans includes veterans with disabilities, recently separated veterans, Vietnam era veterans, veterans who served on active duty in the U. S. Military, Ground, Naval or Air Service during a war or in a campaign or expedition for which a campaign badge has been authorized, or Armed Forces service medal veterans.

Joseph Epperson
Director – Diversity and Employee Programs
UC Office of the President
(510) 987-0606
e-mail: joseph.epperson@ucop.edu

This policy statement supersedes the Nondiscrimination and Affirmative Action Policy Statement for University of California Publications Regarding Employment Practices dated January 1, 2004.