

Article __ – Non-Discrimination and Harassment

Section 1.

The Employer and Union agree that all employees shall work in an environment that fosters mutual respect and professionalism. The parties are committed to providing a workplace for Postdocs that is free of discrimination and harassment, including sexual harassment, micro-aggressions, and bullying. The parties agree that such inappropriate behavior in the workplace does not further the University's business needs, employee well-being, or productivity. All employees are responsible for contributing to such an environment and are expected to treat others with courtesy and respect. Inappropriate workplace behavior by Postdocs, Faculty, supervisors and/or managers will not be tolerated.

Section 2.

Discrimination and Harassment. Discrimination is conduct that treats a person less favorably because of their age, sex, race or ethnic origin, color, creed, national origin, citizenship, religion, disability, veteran status, political affiliation, marital status, sexual orientation, gender expression or identity, pregnancy, medical condition, genetic information, HIV status, or membership or non-membership in a union. Harassment is discrimination in the form of conduct that is unwelcome and sufficiently severe, persistent, or pervasive that it could reasonably be expected to create an intimidating, hostile, or offensive work or learning environment, or has the purpose or effect of unreasonably interfering with an individual's work or academic performance. The University shall not discriminate against or harass any employee.

Section 3.

Retaliation. The University prohibits retaliation against any Postdoc who reports concerns regarding discrimination or harassment, who cooperates with or participates in any investigation of allegations of discrimination, harassment, or retaliation, or any individual who is perceived to have engaged in any of these actions.

Section 4.

Sexual Harassment. No employee shall be subjected to sexual harassment, which is defined by the National Academies of Sciences Report on Sexual Harassment¹ as a form of discrimination that is composed of three categories of behavior:

1. gender harassment (verbal and nonverbal behaviors that convey hostility, objectification, exclusion, or second-class status about members of one gender)
2. unwanted sexual attention (verbal or physical unwelcome sexual advances, which can include assault), and
3. sexual coercion (when favorable professional or educational treatment is conditioned on sexual activity).

¹ National Academies of Sciences, Engineering, and Medicine. 2018. Sexual Harassment of Women: Climate, Culture, and Consequences in Academic Sciences, Engineering, and Medicine. Washington, DC: The National Academies Press. doi: <https://doi.org/10.17226/24994>.

Harassing behavior can be either direct (targeted at an individual) or ambient (a general level of sexual harassment in an environment).

Section 5.

Micro-aggressions. Micro-aggressions are everyday exchanges – including words and actions – that denigrate and exclude individuals based on their membership in a group or class of individuals. Postdocs have a right not to be subjected to micro-aggressions.

The Union and University shall meet up to three (3) times per calendar years 2019, 2020 and 2021 to evaluate progress on the joint goal of eliminating micro-aggressions against Postdocs and discuss plans to advance that goal.

Section 6.

Bullying. Bullying is the use of force, threat, or coercion to abuse, intimidate, or aggressively dominate others in the professional environment that involves a real or perceived power imbalance. These actions can include abusive criticism, humiliation, the spreading of rumors, physical and verbal attacks, isolation, undermining, and professional exclusion of individuals through any means.² The University shall not permit Postdocs to be bullied and shall make every effort to prevent and remedy bullying.

Section 7.

The University shall provide Postdocs with information about its non-discrimination and harassment policies.

Section 8.

Complaints. A discrimination complaint may be filed as a grievance in accordance with Article ___ of this Agreement and/or with the University Complaint Investigation and Resolution Office (UCIRO). Employees may also file discrimination complaints with appropriate federal or state agencies. The parties agree to encourage the filing of discrimination complaints through the University Complaint Investigation and Resolution Office.

Timeline: A grievance alleging a violation of this article must be submitted within one year of an alleged occurrence.

Interim Measures: When a grievance or complaint is filed, the University will implement interim measures as appropriate. Such measures shall be designed to allow the Postdoc to work in an environment free from discrimination.

Remedies: The University shall implement appropriate remedies if a complaint and/or grievance is sustained. Such remedies/measures shall be designed to allow the Postdoc to continue working in an environment free from discrimination provided that, in the case of the

² from [AGU ethics document, page 9](#)

Complainant, the change is voluntary, equitable, and has minimal impact on their working conditions and career.

Representation: Postdocs shall have the right to be represented by an advocate of their choice, including a Union representative, in the University complaint process.

UCIRO shall include a statement in the initial email they send out to all complainants that says "Union members may have rights under their respective Collective Bargaining Agreements. For more information you may contact your union or Labor Relations at laborrel@uw.edu or <https://hr.uw.edu/labor/unions>."

Section 9.

Diversity. The Union and the University are committed to a diverse Postdoc workforce. Therefore, the parties will establish a joint committee to discuss methods of recruiting and retaining, and encouraging career development of Postdocs who belong to underrepresented groups as defined in University ~~Handbook policy~~. The parties will also discuss and develop ways of improving the climate of Postdoc workplaces, particularly in cases when Postdocs perceive disparate treatment.

Section 10.

Equity Survey. Starting in Academic Year 2018-2019 and every year thereafter, the Union and the University shall jointly administer an equity survey for all Postdocs focused on Postdoc-specific concerns. In the first Quarter following ratification, the University and the Union shall jointly agree upon baseline questions to be used through the life of the contract. In Fall Quarter of each year the survey shall be distributed through a low cost platform (Catalyst, Google, Survey Monkey, etc.) to all Postdocs. In addition, any department or hiring unit may decide, on a volunteer basis, to jointly develop a department-specific survey, with additional questions to be distributed by a Department Chair or designee and a Postdoc in the Department or hiring unit designated by the Union. Responses from all surveys shall be shared with the Union, University, and campus community. Once the surveys have closed and no later than the end of Spring quarter of that year, the Union and the University shall hold a Joint Labor Management meeting to discuss results and strategize further steps for promoting equity, inclusion, transparency, and accountability.

Section 11.

Lactation. The University shall provide a reasonable amount of break time for a Postdoc to express breast milk for the nursing child each time such employee has need to express the milk. The University shall provide a space, other than a public bathroom, that is clean, shielded from view, and free from intrusion from coworkers and the public, in reasonable proximity to the lactating parent's work location which may be used to express breast milk. The University shall ensure that employees have access to adequate space to store a pump and an insulated food container.

The University shall maintain a webpage listing the established lactation stations of which the University is aware, to include access instructions, and what equipment is available at each station (e.g., sink, refrigerator). It is understood that the lactation stations listed on this webpage do not represent a comprehensive list. The parties may add lactation stations to this webpage periodically, which will be discussed at the request of either party. These lactation stations will be available to all Postdocs. The website address for the lactation stations will be included in Postdoc appointment letters.

Section 12.

Bathroom Equity. The University shall provide that all Postdocs have adequate access to all-gender bathrooms. Adequate access may include a reasonable amount of travel time. The University shall publicize the location of every all gender bathroom on campus on a website.

Section 13.

Secondary mentorship. Recognizing the singular importance of mentors in determining Postdocs' career success, Postdocs shall have the right to a secondary mentor who is not directly involved with their work. The department chair shall assist the Postdoc with identifying a secondary mentor upon request.³

³ Per recommendation of National Academies of Sciences, Engineering, and Medicine. 2018. Sexual Harassment of Women: Climate, Culture, and Consequences in Academic Sciences, Engineering, and Medicine. Washington, DC: The National Academies Press. doi: <https://doi.org/10.17226/24994>.