

ARTICLE 6
NONDISCRIMINATION

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4 **6.1 Statement of Intent.** The University of Central Florida is an equal opportunity employer. The
5 University and the UFF fully support all laws intended to protect and safeguard the rights and
6 opportunities of each employee to work in an environment free from any form of discrimination or
7 harassment. The parties recognize their obligations under federal and state laws, rules, and regulations
8 prohibiting discrimination, and have made clear their support for the concepts of affirmative action and
9 equal employment opportunity. The parties affirm their commitment to create a diverse faculty, which
10 brings new perspectives and new talent to the University. The parties have, in this Agreement, undertaken
11 programs to ensure equitable opportunities for employees to receive salary adjustments, tenure,
12 appointments, promotion, sabbaticals, and other benefits of employment, free from discrimination and/or
13 harassment. ~~This Article is not subject to Article 20, Grievance Procedure.~~

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15 **6.2 Policy.**

16 (a) Neither the University nor the UFF shall discriminate against or harass any employee
17 based upon age, disability, gender identity or gender expression, genetic information, marital status,
18 national origin, political affiliation, race or color, religion, sex, sexual orientation, or veteran status, nor
19 shall the University or the UFF abridge any rights of employees related to union activity granted under
20 Chapter 447, Florida Statutes, including but not limited to the right to assist or to refrain from assisting
21 the UFF. Personnel decisions shall be based on job-related criteria and performance.

22 (b) Neither the University nor the UFF shall tolerate incidents of sex/gender-based
23 discrimination or harassment, sexual assault, exploitation, relationship violence, or stalking that involves
24 a student. Faculty shall fulfill their obligations as “responsible employees,” as defined in UCF’s ~~P~~policy’s
25 ~~on 2.004.1 Prohibition of D~~iscrimination, H~~harassment and Related I~~nterpersonal V~~violence~~, to report
26 such incidents to the Office of Institutional Equity (“OIE”).

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28 (c) Retaliation. Retaliation for exercising civil rights is prohibited by federal and state law.
29 Employees shall not be subjected to harassment, intimidation, threats, coercion, or discrimination for
30 filing a complaint, assisting in an investigation or other procedure related to the federal or state civil rights
31 laws, or opposing a practice made illegal by those laws. Retaliation shall be regarded as seriously as
32 discrimination itself and may justify discipline pursuant to the procedures established in Article 16.

33 (d) Investigation of Charges. Charges of discrimination, retaliation, or harassment, or any
34 other violation of ~~UCF-UCF’s P~~policy on 2.004.1, Prohibition of D~~iscrimination, H~~harassment and
35 ~~Related I~~nterpersonal V~~violence~~, shall be investigated by the Office of Institutional Equity (“OIE”). No
36 employee investigated under such procedures shall be disciplined until such investigation is complete and
37 a finding of discrimination has been issued. The University reserves the right to reassign or to provide an
38 alternative worksite to an employee during an investigation as it deems necessary to mitigate the situation
39 and provide protections to the accuser in addition to the accused.

40 (e) Results of Investigation. In cases alleging discrimination or harassment by an employee,
41 and in which no finding of discrimination or harassment is made, no record of the complaint shall be
42 placed in the employee’s evaluation file, unless the employee requests otherwise. The employee may
43 request that a copy of the complete investigation file be placed in the employee’s evaluation file. Where a
44 finding of discrimination or harassment is made, a record of the complete findings shall be placed in the
45 employee’s evaluation file.

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47 **6.3 Access to Documents.** No employee shall be refused a request to inspect and copy documents
48 relating to the employee’s claim of discrimination, except for records that are exempt from the provisions
49 of the Public Records Act, Chapter 119, Florida Statutes, provided, however, that the University may
50 charge for copies of documents in accordance with law, rule, University procedures, and this Agreement.

51 **6.4 Reporting Procedures.** ~~Employees complaining of violations of this Article by the University~~
52 ~~may present such claims to the Office of Institutional Equity. Article 6 is not subject to grievance through~~
53 ~~Article 20. Employees may grieve violations of this Article, but all such grievances shall be handled by~~
54 ~~OIE and will not be subject to the normal timelines in Article 20.~~

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