

ARTICLE 4

Nondiscrimination

- 4.1 **Recognizing that all members of the bargaining unit are entitled to a safe, harassment-free work environment,** ~~¶~~the Board and the Association agree to comply with all applicable provisions of Title VII and Title IX of the United States 1964 Civil Rights Act, as amended in 1972. The Board and the Association agree expressly not to unlawfully discriminate against any member or prospective member on the basis of **ethnic group identification, ancestry,** race, color, creed, national origin, religion, sex, age, marital status, sexual orientation or ~~physical handicap~~ **disability protected under the Americans with Disabilities Act.**
- 4.2 **District, state and federal regulations and procedures shall be followed to address claims of unlawful discrimination. The Grievance Procedure herein may not be used for any claim arising from this Article.** ~~The Grievance procedure herein may not be used for any claim arising hereunder for which another administrative forum, such as the Equal Employment Opportunities Commission or Fair Employment and Housing Commission is provided by law. For purposes of this Article, the Public Employment Relations Board shall not be considered an administrative forum.~~
- 4.3 The District shall implement required changes in state or federal laws or regulations. **If such changes impact wages, benefits, hours of employment, and/or other terms and conditions of employment, the District shall bargain with ACE about the change to the extent required by applicable law.** ~~Any bargainable impacts of such changes shall be referred to negotiations.~~
- 4.4 The Board agrees to maintain and implement a policy of academic freedom as agreed in collegial consultation with the Academic Senate.