













available to each person for filing a discrimination complaint will vary depending upon two factors: (1) the employment status of the person, and (2) the applicable collective bargaining agreement. To direct a person who has a harassment complaint to the appropriate complaint procedure, the campus should first determine whether the person is an employee, applicant, or independent contractor. If the person is an employee, the campus should next determine if the employee is covered by a collective bargaining agreement.

Employees Covered by a CBA

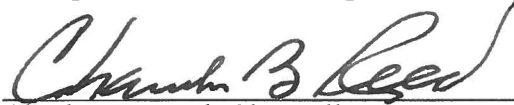
Employees who are covered by a collective bargaining agreement that provides a procedure for filing discrimination or harassment complaints shall be directed to the relevant provision in the respective labor contract. Where the collective bargaining agreement does not provide a procedure for filing discrimination or harassment complaints or, where the collective bargaining agreement does not provide for the type of discrimination or harassment claim the employee articulates (e.g., coworker harassment), the employee shall be directed to Executive Order 675, or a superseding executive order, if applicable.

Employees Not Covered by CBA

Employees who do not belong to a collective bargaining unit (e.g., MPP and Confidential) shall be directed to utilize Executive Order 675, or a superseding executive order, if applicable.

Applicants & Independent Contractors

There is currently no statewide discrimination or harassment complaint procedure for applicants or independent contractors. Yet, their harassment complaints must be investigated and appropriate actions taken pursuant to Executive Order 675 and in accordance with state and federal nondiscrimination laws. Consequently, each campus shall provide for these investigations by having in place a complaint procedure to handle harassment complaints from applicants and independent contractors. Such a procedure shall designate several persons to whom a report of harassment can be made.

  
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Charles B. Reed, Chancellor

Revised: January 6, 2005