

035-0 **Policy**

a. **Nondiscrimination**

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, gender expression, gender identity, pregnancy,<sup>1</sup> physical or mental disability, medical condition (cancer-related or genetic characteristics), genetic information (including family medical history), ancestry, marital status, age, sexual orientation, citizenship or service in the uniformed services.<sup>2</sup> This policy is intended to be consistent with the provisions of applicable State and Federal laws and University policies.

**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.

**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 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.

---

<sup>1</sup>Pregnancy includes pregnancy, childbirth and medical conditions related to pregnancy or childbirth.

<sup>2</sup>“Service in the uniformed services” as defined by the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), as well as state military and naval service.

### **Complaints**

Upon an employee's request, the campus academic affairs office shall provide information regarding applicable policies and procedures for resolving complaints of discrimination, harassment or retaliation and for pursuing available remedies.

#### **b. Affirmative Action**

It is the policy of the University of California to undertake affirmative action, consistent with its obligations as a Federal contractor, for minorities and women, for persons with disabilities and for covered veterans<sup>3</sup>. 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 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.

---

<sup>3</sup>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.

GENERAL UNIVERSITY POLICY REGARDING  
ACADEMIC APPOINTMENT  
Affirmative Action and Nondiscrimination in Employment

APM - 035  
Appendix A

**UNIVERSITY OF CALIFORNIA POLICY ON SEXUAL HARASSMENT AND  
SEXUAL VIOLENCE**

Academic personnel are covered by the University of California Policy on Sexual Harassment and Sexual Violence which is Presidential Policy covering all faculty and other academic appointees, students, and staff. Former APM - 035, Appendices A-1 and A-2 are replaced with Appendix A. The Presidential Policy is available at: <http://policy.ucop.edu/doc/4000385>. Future revisions to this Policy will be circulated under standard procedures for Presidential Policies; the review will also include circulation under the standard APM review process, with final authority resting with the President.