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May 3, 2010

CHANCELLORS  
LABORATORY DIRECTOR ALIVISATOS  
CHIEF EXECUTIVE OFFICERS—MEDICAL CENTERS  
EXECUTIVE VICE PRESIDENT—BUSINESS OPERATIONS

Personnel Policies for Staff Members 12: Nondiscrimination in Employment and the Genetic Information Nondiscrimination Act

Dear Colleagues:

Enclosed is revised Personnel Policy for Staff Members 12: Nondiscrimination in Employment.

The Nondiscrimination in Employment policy has been revised to provide consistency between University policy and the passage of the Genetic Information Nondiscrimination Act which, among other changes, prohibits the use of genetic information in employment and the intentional acquisition of genetic information about applicants, employees, and an employee's family members.

The changes are technical in nature and bring the policies into compliance with legal requirements. The revised policies are effective immediately and will be published online at:

[http://atyourservice.ucop.edu/employees/policies\\_employee\\_labor\\_relations/personnel\\_policies/index.html](http://atyourservice.ucop.edu/employees/policies_employee_labor_relations/personnel_policies/index.html)

This policy supersedes the policy issued on July 1, 2008.

Sincerely,

Mark G. Yudof  
President

Enclosure

cc: Members, President's Cabinet  
Interim Executive Director Price  
Chief Human Resource Officers  
Labor Relations Managers  
Senior Management Group Coordinators  
Universitywide Policy Office

## **Personnel Policies for Staff Members 12: Nondiscrimination in Employment**

May 1, 2010

### **A. GENERAL**

It is the policy of the University not to engage in discrimination against or harassment of any person employed by or seeking employment with the University of California on the basis of race, color, national origin, religion, sex, 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 (as defined by the Uniformed Services Employment and Reemployment Rights Act of 1994.)<sup>2</sup> This policy is intended to be consistent with the provisions of applicable State and Federal laws and University policies.

### **B. 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 both 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.

### **C. 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.

### **D. COMPLAINTS**

Information regarding applicable policies and procedures for resolving complaints of discrimination and harassment and for pursuing available remedies is available in the local Human Resources office.

Applicability: All Staff Members

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

<sup>2</sup> Service in the uniformed services includes membership, application for membership, performance of service, application for service, or obligation for service in the uniformed services.