**City Counter-Proposal to Union Proposal #22 v2**

10/07/2024

**SECTION 3:** **NO DISCRIMINATION**

The City and Union agree that they will not discriminate against **or harass** employees based on race, creed, color, ethnicity, ancestry, religion, political affiliation, gender, sexual orientation, age, national origin, marital or domestic partner status, gender identity or gender expression, parental status, pregnancy, disability or medical condition, Acquired Immune Deficiency (AIDS/HIV) or AIDS related condition, or any other status protected by applicable state**, local** or federal law, or protected Union activity. Furthermore, the City and Union agree to comply with all applicable federal, state and local laws pertaining to nondiscrimination and equal employment opportunity.

**When the City conducts an investigation of a complaint of discrimination or harassment under this policy, the complainant may request the presence of a shop steward or union representative in any meeting related to the investigation. Such request may not be unreasonably denied.**

The City of Berkeley Harassment Prevention Policy and Sexual Harassment Policy, as may be amended from time to time to comply with applicable state or federal law, is available on-line on the City’s IntraWeb at CITY OF BERKELEY (berkeleyca.gov) ~~http://www.ci.berkeley.ca.us/~~, in the Department of Human Resources, or by contacting the City’s Equal Employment Opportunity and Diversity Officer.