



## **SEIU LOCAL 1000 – STRONGER TOGETHER**

### **Know Your Rights: MOU Article 5.7 – Non-Discrimination**

#### **Your Union Contract Protections: Your Right Not to be Subjected to Discrimination**

---

#### **Article 5.7 Non-Discrimination**

Your union contract contains hundreds of provisions designed to protect your rights. Article 5.7 defines your right to be free from discrimination. Your Local 1000 contract guarantees:

#### **MOU Provisions:**

Paragraph A provides that employees shall be free from discrimination and harassment as provided by State and Federal Employment Laws.

Paragraphs B and C provide that claims of discrimination or harassment based on disability or the failure to provide a reasonable accommodation are grievable up to the third level. Discrimination claims may also be pursued through the State Personnel Board (SPB) complaint process, and/or by filing a FEHA or ADA complaint.

Paragraph D says that it is your choice whether to pursue a grievance and that the decision will not affect your ability to file a FEHA, ADA, or other legal action.

Paragraph D protects you from retaliation and threats of retaliation for exercising your rights under this MOU provision. Management shall not restrain, coerce, or interfere with your rights to enforce this provision. If management violates this section, you may file a grievance and possibly pursue arbitration.

#### **Explanation:**

The Federal and State anti-discrimination laws include the California Fair Employment and Housing Act (FEHA) and the Federal Americans with Disabilities Act (ADA). As FEHA provides the greatest protections, that law should be examined first. Under FEHA, you should not be subject to discrimination on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, age, sexual orientation, or military and veteran status.

For more information on Reasonable Accommodations and the complaint filing process under FEHA and ADA, visit the SEIU 1000 Membership Resource page found at: <http://www.seiu1000.org/>.

#### **How to take Action**

Contact your Local 1000 steward if you feel you are a victim of discrimination. Your steward will work with you, your Union Resource Center Representative, management to discuss the MOU provision and decide the best course of action, including whether or not to file a grievance.

For more information review your contract by visiting [www.seiu1000.org](http://www.seiu1000.org).