

ARTICLE 16

NON-DISCRIMINATION

16.1 The CSU prohibits discrimination on the basis of Age, Ancestry, Caste, Color, Disability, Ethnicity, Gender, Gender Expression, Gender Identity, Genetic Information, Marital Status, Medical Condition, Military Status, Nationality, Pregnancy, Race, Religion, Religious Creed, Sex, Sexual Orientation, Sex Stereotype, and Veteran Status. **Additionally, the CSU prohibits discrimination based on the intersection of two or more of these protected bases, consistent with California law.**

16.X The CSU shall provide accommodations to employees with disabilities in accordance with state and federal law.

16.X2 Provisions 16.1 and 16.X are not subject to the grievance procedure. In lieu of a grievance, an employee, who alleges a violation of a CSU systemwide non-discrimination or anti-harassment policy, shall file their complaint under the procedure described in the Non-Discrimination Policy or any successor policy, if applicable.

16.2 At either party's request, there shall be a joint statewide committee of CFA representatives and CSU administrators for the purpose of gathering and exchanging information and discussing CFA concerns regarding faculty affirmative action¹/diversity programs, **and** efforts to promote diversity **and** **campus climate issues** in the CSU. The Committee may issue reports on the status of efforts to promote diversity in the CSU. The Committee may also make recommendations regarding efforts to facilitate the instruction of diverse student populations, which may be considered for future implementation.

¹ **Current California law prohibits giving any preferential treatment to any individual or group in public employment or public education on the basis of race, sex, color, ethnicity or national origin. As such any language referring to faculty affirmative action will not be implemented.**

Commented [SG1]: CFA proposed the following addition on 3/27/26 "16.1 There are also intersections between multiple identities, ethnicities, and other protected categories listed above. Such intersectionality may require further attention and support to affirm a non-discrimination climate in the form of direct support for faculty and department (or equivalent) support and training. CFA recognizes that discrimination may require health and safety measures consistent with Article 37, system-wide and campus policies."

"The CSU proposed the following counter on 4/10/26 proposed - 16.1 The CSU prohibits discrimination on the basis of Age, Ancestry, Caste, Color, Disability, Ethnicity, Gender, Gender Expression, Gender Identity, Genetic Information, Marital Status, Medical Condition, Military Status, Nationality, Pregnancy, Race, Religion, Religious Creed, Sex, Sexual Orientation, Sex Stereotype, and Veteran Status, **including any combination of those characteristics.**"

CFA proposed the following on 4/30/26 - 16.1 The CSU prohibits discrimination on the basis of Age, Ancestry, Caste, Color, Disability, Ethnicity, Gender, Gender Expression, Gender Identity, Genetic Information, Marital Status, Medical Condition, Military Status, Nationality, Pregnancy, Race, Religion, Religious Creed, Sex, Sexual Orientation, Sex Stereotype, and Veteran Status. **Additionally, the CSU prohibits discrimination on the basis of intersections of multiple identities, and ethnicities, consistent with California law.** The CSU is making a counter proposal.

Commented [SG2]: The parties are in agreement of the following addition - **The CSU shall provide accommodations to employees with disabilities in accordance with state and federal law.** CFA propose the following addition on 4/30/26 - **16.1 The CSU shall endeavor to process and respond to all requests for reasonable accommodations in a timely manner. Upon request, the CSU shall supply a list of faculty requests for accommodations by campus, noting the date of request, whether or not an accommodation was provided, and the date that the accommodation was offered on an annual basis.**

The CSU rejects this additional modification.

Commented [SG3]: The CSU is re-proposing this modification.

Commented [SG4]: The CSU withdraws its proposed deletion of "faculty affirmative action" with the addition of the proposed footnote.

Commented [SG5]: CFA proposed to add "campus climate issues" on 4/30/2026. The CSU is accepting this modification.

Commented [SG6]: CFA proposed the following addition on 4/30/26 - 16.1 The CSU shall supply an accounting, by campus, of buildings and spaces that are not accessible to faculty with disabilities and establish a timeline for making those spaces accessible on an annual basis. The CSU rejects this modification.