

TA 08/01/2025

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AAW

2025-2027 STATE OF OREGON and SEIU CENTRAL TABLE
Union Counter Proposal
July 30, 2025

1 **ARTICLE 22--NO DISCRIMINATION**

2 **Section 1.** It is the policy of the Employer and the Union not to engage in unlawful
3 discrimination against any employee because of race, color, marital status, religion, sex,
4 national origin, age, mental or physical disability, or any other protected class under State
5 or Federal law. Neither will the Employer discriminate based on gender identity or sexual
6 orientation. To this end, the Parties further agree to apply the provisions of this
7 Agreement equally to all employees in the bargaining unit without regard to their status in
8 any of the categories specified above and to support application of federal and state laws
9 and regulations, where applicable.

10 **Section 2.** Sexual harassment is considered a form of sex discrimination. No employee
11 shall be subjected to sexual harassment by the Employer, Union, or other bargaining unit
12 members. Unwelcome sexual advances, requests for sexual favors, and other deliberate
13 or repeated unsolicited verbal or physical conduct of a sexual nature constitutes sexual
14 harassment when:

- 15 (a) submission to such conduct is made either explicitly or implicitly a term or condition
16 of an individual's employment;
- 17 (b) submission to or rejection of such conduct by an individual is used as the basis for
18 employment decisions affecting such individual; or
- 19 (c) such conduct has the purpose or effect of unreasonably interfering with an
20 individual's work performance or creating an intimidating, hostile, or offensive
21 working environment.

22 **Section 3.** Any alleged violations of Article 22 may only proceed to the Agency Head or
23 designee level, and are not arbitrable. Grievances alleging any form of discrimination as

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listed in Section 1 will be submitted in writing within thirty (30) days of date the grievant or the Union knows or by reasonable diligence should have known of the alleged grievance, directly to the Agency Head or designee as defined or used in [Article 21, Section 5](#). Upon receipt of the grievance, an evaluation shall be conducted to determine whether safeguards are necessary and, if so, what safeguards should be implemented. The evaluation for safeguards may be modified and updated as needed based on new information that might be discovered as the investigation progresses. The Agency Head or designee shall respond within thirty (30) calendar days after receipt of the grievance.

Section 4. Discrimination grievances may be submitted by the Union or the grievant to the Bureau of Labor and Industries or the EEOC for resolution, if not already so filed. Nothing in this Article shall preclude an employee from filing a charge of discrimination with the Bureau of Labor and Industries or the EEOC at any time.

(NOTE: Time lines for filing tort claims notice or legal actions are not suspended by filing a grievance under this Article. This note is for information only and is not part of the contract.)

(See Letter of Agreement [22-00-23-461](#) & [22.00-23-463](#) in Appendix A).

Section 5. Each Agency will maintain an internal complaint procedure that includes an escalation process for the statewide Discrimination and Harassment Free Workplace Policy. The internal complaint procedure will be included in new employee onboarding. Upon receipt of a complaint, an evaluation shall be conducted to determine whether safeguards are necessary and, if so, what safeguards should be implemented. The evaluation for safeguards may be

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47 modified and updated as needed based on new information that might be
48 discovered as the investigation progresses. Any alleged violations of the statewide
49 Discrimination and Harassment Free Workplace Policy are not subject to the
50 grievance and arbitration procedure outlined in Article 21.