For 9/25/23 Academic Senate meeting:

Senator Ram proposed amendment to APM 301:

I propose adding the additional protections in CA employment law (in red below) to the (broader) CFA statement and replacing the current version in APM 301 (which includes some errors and unclear language) with this:

“The CSU or California employment law prohibit[s] discrimination on the basis of Age (40 and over), Ancestry, Caste, Color, Disability (mental and physical), Ethnicity, Gender, Gender Expression, Gender Identity, Genetic Information, Marital Status, Medical Condition, Military Status, Nationality or National Origin, Pregnancy (including childbirth, breastfeeding or related medical conditions), Race, Religion, Religious Creed, Sex, Sexual Orientation, Sex Stereotype, and Veteran Status.”

Current APM text:

VII. Creating the Candidate Applicant Pool

**[KEEP]: “California State University, Fresno is strongly committed to the principles of equal employment opportunity and nondiscrimination for all**.”

[Replace following part with above text:

[It is the policy of the university to provide programs, services and benefits including employment without regard to protected class (14) which includes: Age (over 40), Ancestry, Caste, Color, Disability (mental and physical including HIV/AIDS, cancer, and genetic characteristics), Ethnicity, Gender, Gender expression, Gender identity, Genetic information, Marital status, Medical Condition (genetic characteristics, cancer or a record or history of cancer), Military or veteran status, Nationality/National origin (includes language use and possession of a driver’s license issued to persons unable to provide their presence in the United State is authorized under federal law), Race, Religion (includes creed, religious dress, and grooming practices), Request for family care leave, Request for leave for an employee’s own serious health condition, Request for Pregnancy Disability Leave, Retaliation for reporting patient abuse in tax-supported institutions, Sex/gender (includes pregnancy, childbirth, breastfeeding and/ or related medical conditions), Sexual orientation, and Sex stereotype.]

**[KEEP]**: “The university does not tolerate discrimination in any form.”

Current APM footnote 14:

Protected classes are subject to change, and both the California State Senate’s list (posted on the Internet) and CSU’s (CBA Article 16.1) list of protected classes are to be consulted regularly. The protected classes included in VII.1 are drawn from both sources.

I also propose changing footnote 14 above to:

“Protected classes listed here are drawn from the Collective Bargaining Agreement (CBA) 16.1 (Feb. 3, 2022-June 30, 2024) and the State of California Civil Rights Department (<https://calcivilrights.ca.gov/employment/#whoBody>, accessed 9/18/2023) and are subject to change.”

Source of my proposed language:

<https://www.calstate.edu/csu-system/faculty-staff/labor-and-employee-relations/Documents/unit3-cfa/article16.pdf> (CBA 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.”

<https://calcivilrights.ca.gov/employment/#whoBody> (CA Civil Rights Department)

**“PROTECTED CHARACTERISTICS**

**California law protects individuals from illegal discrimination by employers based on the following:**

* Race, color
* Ancestry, national origin
* Religion, creed
* Age (40 and over)
* Disability, mental and physical
* Sex, gender (including pregnancy, childbirth, breastfeeding or related medical conditions)
* Sexual orientation
* Gender identity, gender expression
* Medical condition
* Genetic information
* Marital status
* Military or veteran status”