

### Article 3

#### FAIR PRACTICES

A. Neither party hereto nor any FACULTY MEMBER shall discriminate against any other FACULTY MEMBER or candidate for employment on the basis of race, creed, color, sex (including discrimination by sexual harassment), handicap or disability, life style, family status, age, national origin, APSCUF membership or activity or lack thereof, political belief and/or affiliation, or on account of any other basis prohibited by law. Where existing laws against discrimination require accommodation, the STATE SYSTEM will accommodate to the extent required by law.

B. There shall be no discrimination by either of the parties hereto or any FACULTY MEMBER against members of the same family regarding concurrent employment at any University.

C. If any provision of this Agreement is in conflict with the Civil Rights Act of 1964, as amended, or Executive Orders 11246 and 11375, as amended, the provisions of such laws, orders, rules or regulations shall prevail. Any rule not consistent with this Agreement and adopted by the STATE SYSTEM subsequent to the signing of this Agreement, shall not prevail against the terms of this Agreement.

~~If any provision of this Agreement is in conflict with Federal Executive Orders 11246 and 11375, as amended, or the Civil Rights Act of 1964, as amended, or the laws and rules relating to the Pennsylvania State System of Higher Education Equity Plan, Excellence and Equity, hereinafter known as the STATE SYSTEM Equity Plan, the provisions of such orders, laws and rules shall prevail; provided that any rule not consistent with this Agreement adopted by the STATE SYSTEM subsequent to the signing of this Agreement shall not prevail against the terms of this Agreement. Before any rule relating to the STATE SYSTEM Equity Plan not consistent with this Agreement is applied to affect the rights of APSCUF or any FACULTY MEMBER, this Section shall be reopened for negotiation at the request of APSCUF.~~

D. The parties shall meet and discuss at the state level during the term of this Agreement on such aspects of this Article that are of mutual interest. ~~The parties hereto specifically agree to support and work towards the goals set forth in the STATE SYSTEM Equity Plan.~~