

Article 4 (TA 10/5/2012, no changes from white (handshake) book)

ARTICLE 4

MANAGEMENT RIGHTS

4.1 Policy. The Board of Trustees, on its own behalf and on behalf of the University of Central Florida, hereby retains and reserves unto itself all rights, powers, duties, and authority vested in it to plan, govern, manage, and control the University of Central Florida, and in all respects carry out the ordinary and customary functions of management.

4.2 Limitations. All such rights, powers, duties, and authority are retained and reserved by the Board, subject to those limitations imposed by this Agreement. Only violations of such limitations shall be subject to Article 20, Grievance Procedure.

Article 5 (TA 10/5/2012, no changes from white (handshake) book)

ARTICLE 5

ACADEMIC FREEDOM

5.1 Policy. It is the policy of the University and the UFF to maintain and encourage full academic freedom. Academic freedom and responsibility are essential to the full development of a true university and apply to teaching, research/creative activities, assigned service, and the activities set forth in Sections 10.1(d). An employee engaged in such activities shall be free to cultivate a spirit of inquiry and scholarly criticism and to examine ideas in an atmosphere of freedom and confidence.

5.2 Teaching and Research. Consistent with the exercise of academic responsibility, employees shall have freedom to present and discuss their own academic subjects, frankly and forthrightly, without fear of censorship, and to select instructional materials and determine grades in accordance with University policies. Objective and skillful exposition of such subject matter, including the acknowledgment of a variety of scholarly opinions, is the duty of every such employee. Employees shall also be free to engage in scholarly and creative activity and publish the results in a manner consistent with their professional obligations.

5.3 Academic Responsibility. Academic freedom is accompanied by the corresponding responsibility on the part of employees to:

- (a) Observe and uphold the ethical standards of their disciplines in the pursuit and communication of scientific and scholarly knowledge;
- (b) Adhere to their proper roles as teachers, researchers, intellectual mentors, or counselors;
- (c) Respect students, staff, and colleagues as individuals; treat them in a professional manner; and avoid any exploitation of such persons for private advantage.
- (d) Respect the integrity of the evaluation process, by evaluating students, staff, and colleagues fairly according to the criteria the evaluation process specifies;

(e) Contribute to the orderly and effective functioning of their academic unit i.e., program, department, school and/or college and/or the University;

(f) Observe the regulations of the University, provided they do not contravene the provisions of this Agreement.

(g) Be forthright and honest in the pursuit and communication of scientific and scholarly knowledge; and

(h) Indicate when appropriate that one is not an institutional representative unless specifically authorized as such.

Article 6 (TA 3/14/2013)

ARTICLE 6

NONDISCRIMINATION

6.1 Statement of Intent. The University of Central Florida is an equal opportunity employer. The University and the UFF fully support all laws intended to protect and safeguard the rights and opportunities of each employee to work in an environment free from any form of discrimination or harassment. The parties recognize their obligations under federal and state laws, rules, and regulations prohibiting discrimination, and have made clear their support for the concepts of affirmative action and equal employment opportunity. The parties affirm their commitment to create a diverse faculty, which brings new perspectives and new talent to the University. The parties have, in this Agreement, undertaken programs to ensure equitable opportunities for employees to receive salary adjustments, tenure, appointments, promotion, sabbaticals, and other benefits of employment, free from discrimination and/or harassment. This statement of intent is not intended to be subject to Article 20, Grievance Procedure.

6.2 Policy.

(a) Neither the University nor the UFF shall discriminate against or harass any employee based upon race, color, sex, religious creed, national origin, age, veteran status, disability, political affiliation, sexual orientation, gender identity, gender expression, or marital status, nor shall the University or the UFF abridge any rights of employees related to union activity granted under Chapter 447, Florida Statutes, including but not limited to the right to assist or to refrain from assisting the UFF. Personnel decisions shall be based on job-related criteria and performance.

(b) **Sexual Harassment.**

(1) Sexual harassment, as defined by federal law, is a prohibited form of sex discrimination.

(2) The University strictly prohibits sexual harassment. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, or verbal or physical conduct of a sexual nature when:

a. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;

b. submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or