

## Nondiscrimination and Equal Employment Opportunity

### 1.0 Policy

Caltech is committed to equal opportunity for all persons. It prohibits discrimination and harassment in employment based on the following protected characteristics (unlawful discrimination and harassment):

- Race (includes hair texture and protective hairstyle, as well as ethnicity)
- Color
- Religion (includes religious dress and grooming practices)
- Sex/gender (includes pregnancy, childbirth, breastfeeding, and/or related medical conditions)
- Gender identity and gender expression
- Sexual orientation
- Marital status
- Medical condition (genetic characteristics, cancer, or a record or history of cancer)
- Military or veteran status
- National origin (includes language use and possession of a driver's license issued to persons unable to prove that their presence in the United States is authorized under federal law)
- Ancestry (includes caste)
- Disability (mental and physical, including HIV/AIDS, cancer, and genetic characteristics)
- Genetic information
- Request for family care leave
- Request for leave for a serious health condition
- Request for Pregnancy Disability Leave
- Domestic violence victim status
- Age (40 and over)
- Criminal background as required under the Fair Chance Act
- Any other factor protected by federal, state, or local law
- Association with an individual who is in one of the foregoing protected characteristics
- Reproductive health care decision-making

It is the policy of Caltech to provide a work and academic environment free of discrimination as required by federal and state law. Discrimination is different, less favorable treatment based on a protected characteristic listed above and/or applying policies and practices that have an adverse impact on individuals based on protected characteristics. Harassment on the basis of any legally protected characteristic is a form of discrimination and is likewise prohibited by this policy.

The law prohibits discrimination by co-workers and third parties as well as supervisors and managers. Interns, volunteers, and persons performing services under a contract with Caltech are also covered by this policy. Caltech will take all reasonable steps to eliminate discrimination

and harassment in its work and academic environment. Complaints concerning sex- and gender-based discrimination and harassment and sexual misconduct are governed by the [Sex Discrimination Policy](#).

Caltech is an equal employment opportunity and affirmative action employer, and consistent with Caltech's obligations as a Federal contractor and in furtherance of its education and research mission, will actively recruit and work to ensure equal employment opportunities for protected veterans, individuals with disabled veteran status, and otherwise qualified persons with disabilities. Caltech will hire, transfer, recruit, train, and promote based on the qualifications of the individual to ensure equal consideration and fair treatment of all. All other employment actions, such as work assignments, appointments, compensation, evaluations, training, benefits, layoffs, and terminations are governed by this policy. Personnel actions will be reviewed to ensure adherence to this policy.

Individuals who violate this policy may be subject to disciplinary action up to and including termination of employment, student expulsion, or being permanently excluded from Caltech-controlled premises.

## **2.0 Responsible Administrators**

Caltech's associate vice president for human resources and JPL's director for human resources have been assigned to direct the establishment of and to monitor the implementation of personnel procedures to guide our affirmative action programs. They will have responsibility to review and update the affirmative action plans annually, including responsibility for the audit and reporting system. A notice explaining Caltech's policies will remain posted.

In addition, Caltech has designated equal opportunity coordinators (EO coordinators) who are responsible for assisting with and coordinating the education and compliance efforts relating to equal opportunity and nondiscrimination laws and Caltech policies. The following individuals have been designated as equal employment opportunity coordinators: the provost is the coordinator for faculty; the assistant vice president for human resources is the coordinator for campus staff, including campus postdoctoral scholars, and volunteers; the associate deans of students are the coordinators for undergraduate students and interns; the dean of graduate studies is the coordinator for graduate students and interns; and the director for human resources at the Jet Propulsion Laboratory is the coordinator for employees, postdoctoral scholars, interns, and volunteers assigned there. The assistant vice president for equity and equity investigations, who manages the Equity and Title IX Office, has been designated as Caltech's Title IX coordinator. The contact number is (626) 395-3132, email: [equity@caltech.edu](mailto:equity@caltech.edu), or the office in Room 205, Center for Student Services. The Title IX coordinator is supported by three deputy Title IX coordinators for faculty, staff, and students on campus, and a deputy Title IX coordinator for employees at the Jet Propulsion Laboratory (JPL). Further information is available on the [website of the Equity and Title IX Office](#).

Managers and supervisors are responsible for monitoring decisions regarding personnel actions to ensure that these decisions are based solely on factors other than protected characteristics and on legitimate, nondiscriminatory job requirements for the position in question and the reasonableness of any necessary accommodations for persons with a disability.

### 3.0 Reporting Concerns and Complaints

Individuals who become aware of, witness, or experience conduct they believe to be in violation of this policy are urged to contact any of the above-mentioned coordinators, the Caltech Equity and Title IX Office, or JPL Employee Relations Group immediately. In addition, concerns may be reported anonymously to any of the anonymous reporting options listed below. Complaints will be investigated promptly, in accordance with the Procedures for Complaints of Unlawful Discrimination, Harassment and Retaliation (“Unlawful Harassment Procedures”). Confidentiality will be maintained to the extent possible.

Any employee in a supervisory role, including faculty, must promptly report **all** alleged harassment, discrimination, sex- and gender-based misconduct, and retaliation, regardless of its alleged severity or frequency, to the Equity and Title IX Office at campus or Human Resources at JPL, which will provide guidance and advice. In addition, other employees qualifying as responsible employees under the [Sex Discrimination Policy](#), must promptly report any instance of prohibited conduct to the Equity and Title IX Office or the Deputy Title IX coordinator for JPL, as appropriate.

### 4.0 Anonymous Reporting

Caltech provides the following resources for anonymous reporting:

- [Caltech Hotline](#): (626) 395-8787 or (888) 395-8787
- Equity and Title IX Office Online Report a Concern Form (complete anonymously): [Online Report Form | Equity and Title IX Office \(caltech.edu\)](#)
- JPL Ethics Hotline: (818) 354-9999
- JPL Protective Services Division’s Workplace Violence Hotline: (818) 393-2851
- For either Campus or JPL by submitting a compliance [Hotline Contact Form](#)

A report is considered anonymous if the reporting party does not share their name or contact information. If a reporting party chooses to provide their name or contact information, the report will not be treated as anonymous and they will receive information about support resources, reporting options, and notification of an investigation, if an investigation is pursued.

### 5.0 Reporting to Outside Agencies

In addition, employees who believe they have been unlawfully harassed on the basis of a protected characteristic have the right to file a complaint with the federal [Equal Employment Opportunity Commission](#) or the [California Civil Rights Department](#), which have the authority to remedy violations. Employees, students, and others participating in Caltech’s educational programs and activities may file complaints with the U.S. Department of Education Office for Civil Rights (202) 607-1600, [ocr.seattle@ed.gov](mailto:ocr.seattle@ed.gov), or (800) 421-3481 or [OCR@ed.gov](mailto:OCR@ed.gov). Complaints may also be directed to the Bureau for Private Postsecondary Education at [bppe.ca.gov/](http://bppe.ca.gov/).

## 6.0 Investigation of Complaints

Caltech will conduct a fair, timely, and thorough investigation into complaints within the scope of this policy to determine what occurred and take reasonable steps to remedy the effects of any discrimination and prevent recurrence of the behavior. Caltech provides all parties with appropriate due process and reaches appropriate conclusions based on the evidence collected. Caltech takes appropriate action, including disciplinary measures, up to and including termination, student expulsion, or being permanently banned from Caltech premises, when warranted.

## 7.0 Policy against Retaliation

No one may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by this policy or the related procedures, or because the individual has made a report or complaint, testified, assisted, participated, or refused to participate in any manner in any action or process under this policy or the related procedures. Intimidation, threats, coercion, or discrimination for the purpose of interfering with any right under this policy or the related procedures constitutes retaliation. The rights and privileges secured under this policy and the related procedures include but are not limited to: (i) filing or assisting in the filing of a complaint or report of a suspected violation of this policy; (ii) opposing any act or practice made unlawful by any federal, state, or local laws requiring equal opportunity; (iii) participating, assisting, or otherwise cooperating in an investigation, compliance review, hearing, or any other activity related to a violation of this policy or administration of any federal, state, or local law requiring equal opportunity; and/or (iv) exercising any legal right protected by federal, state, or local law requiring equal opportunity.

The following actions do not constitute retaliation: the exercise of rights protected under applicable law or Caltech policy or Caltech's charging an individual with a policy violation for making a materially false statement in bad faith in the course of a resolution process. A determination that a respondent was or was not responsible for alleged misconduct alone is not sufficient to conclude that any party made a materially false statement in bad faith.

Complaints of retaliation will be addressed under the Procedures for Complaints of Unlawful Discrimination, Harassment and Retaliation.

## 8.0 Informational Resources

Information on equal employment opportunity and nondiscrimination, as well as copies of Caltech's Nondiscrimination and Equal Employment Opportunity, Unlawful Harassment and Abusive Conduct, Sex Discrimination, and Violence Prevention policies are available from Caltech's Title IX coordinator and deputy coordinators, Human Resources, Student Affairs and deans' offices, the Center for Inclusion & Diversity, resident associates, the Staff and Faculty Consultation Center, Employee & Organizational Development at Campus, and Employee Relations and the Human Resources Business Partners at JPL. The policies, available at the links below, are published in the [Caltech Catalog](#) and on the following Caltech websites: [Caltech Human Resources](#), [JPL Human Resources](#), [Equity and Title IX Office](#), and [Student Affairs](#).

## 9.0 Caltech's Commitment to Equal Opportunity and Nondiscrimination

To ensure equal employment opportunity and nondiscrimination, each member of the Caltech community must understand the importance of this policy and their responsibilities to contribute to its success. The president of Caltech fully supports Caltech's equal opportunity and affirmative action policies.

Related Policies and Procedures:

- [Sex Discrimination Policy](#)
- [Procedures for Complaints of Sex Discrimination](#)
- [Unlawful Harassment and Abusive Conduct Policy](#)
- [Procedures for Complaints of Unlawful Discrimination, Harassment and Retaliation](#)
- [Disability and Reasonable Accommodation Policy](#)



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