

## ARTICLE FIVE – EMPLOYEE RIGHTS

- 5.1 Public employees have the right to selforganization, to form, join, or assist labor organizations, and to bargain collectively through representatives of their own choosing.
- 5.2 This Agreement shall apply equally to all members of the bargaining unit, regardless of race, gender, age, creed, national origin, disability, sexual orientation, or political affiliation. The Union and the College shall equally share the responsibility for upholding this provision of the Agreement and for ensuring compliance with the College's Affirmative Action Plan.
- 5.3 All references to employees in this Agreement designate all genders, and wherever the male or female gender is used, it shall be construed to include all employees.
- 5.4 The provisions of this Agreement for which other remedies exist (EEOC Department of Labor) shall not be subject to arbitration.
- 5.5 The College explicitly respects the privacy rights of all Union employees. Therefore, the College agrees to provide Union employees with prior notice when the College needs to investigate information contained in the employee's mailbox, office or work location, email, phone records, key-card access files, computer and network records and personal materials.
- 5.6 The College recognizes that the personal life of Union employees is not an appropriate concern of the College unless it affects the employee's job performance.
- 5.7 The College acknowledges that the privacy of an employee's mailbox, office, email, phones, key-card access files, computer, and personal materials shall be respected. No information from these sources shall be gathered, stored, or exchanged without explicit, timely, prior notice to the Union employee. Exceptions to such notice may be justified due to emergency situations and shall be limited as much as feasible and shall be reported as soon as possible to the employee and the Union. Any breach of normal privacy for "emergency situations" in these circumstances shall be done with the cooperation of a third party.
- 5.8 The College acknowledges the civic life of all Union employees. Each Union employee is a citizen of his or her nation, state and community. When a Union employee speaks, writes, or acts as such, he or she shall be free from institutional censorship.