

Equal Opportunity and Non-Discrimination Policy

[Legal Affairs](#) / [Policies & Resources](#) / Equal Opportunity and Non-Discrimination Policy

[Understanding Title VI](#)

[Intellectual Property](#)

[Open Records and Fillings](#)

[Academic Integrity Policy](#)

[CUNY Procedures for Implementing Reasonable Accommodations for Employees & Religious Accommodations for Students and Employees](#)

[Equal Opportunity and Non-Discrimination Policy](#)

[Implementation of Revised CUNY Sexual Misconduct Policy](#)

“

The City University of New York (“CUNY”) is committed to addressing discrimination and retaliation reports promptly, consistently and fairly. Reports of discrimination and/or retaliation pursuant to CUNY’s Equal Opportunity and Non-Discrimination Policy should be made through [CUNY’s centralized reporting platform](#).

THE CITY UNIVERSITY OF NEW YORK POLICY ON EQUAL OPPORTUNITY AND NON-DISCRIMINATION

diverse municipality, is committed to a policy of equal employment and equal access in its educational programs and activities. Diversity, inclusion, and an environment free from discrimination are central to the mission of the University.

It is the policy of the University—applicable to all colleges and units— to recruit, employ, retain, promote, and provide benefits to employees (including paid and unpaid interns) and to admit and provide services for students without regard to race, color, creed, national origin, ethnicity, ancestry, religion, age, sex (including pregnancy, childbirth and related conditions), sexual orientation, gender, gender identity, marital status, partnership status, disability, genetic information, alienage, citizenship, military or veteran status, status as a victim of domestic violence/stalking/sex offenses, unemployment status, or any other legally prohibited basis in accordance with federal, state and city laws.^[1]

It is also the University's policy to provide reasonable accommodations when appropriate to individuals with disabilities, individuals observing religious practices, employees who have pregnancy or childbirth-related medical conditions, or employees who are victims of domestic violence/stalking/sex offenses.

This Policy also prohibits retaliation for reporting or opposing discrimination, or cooperating with an investigation of a discrimination complaint.

Prohibited Conduct Defined

Discrimination is treating an individual differently or less favorably because of his or her protected characteristics—such as race, color, religion, sex, gender, national origin, or any of the other bases prohibited by this Policy.

abusive work or academic environment. Such conduct can be spoken, written, visual, and/or physical. This policy covers prohibited harassment based on all protected characteristics.

II. Discrimination and Retaliation Complaints

The City University of New York is committed to addressing discrimination and retaliation complaints promptly, consistently and fairly. There shall be a Chief Diversity Officer at every college or unit of the University, who shall be responsible for, among other things, addressing discrimination and retaliation complaints under this Policy. There shall be procedures for making and investigating such complaints, which shall be applicable at each unit of the University.

III. Academic Freedom

This policy shall not be interpreted so as to constitute interference with academic freedom.

IV. Responsibility for Compliance

The President of each college of the University, the CUNY Executive Vice Chancellor and Chief Operating Officer, and the Deans of the Law School, Graduate School of Journalism, School of Public Health and School of Professional Studies and Macaulay Honors College, have ultimate responsibility for overseeing compliance with these policies at their respective units of the University. In addition, each vice president, dean, director, or other person with managerial responsibility, including department chairpersons and executive officers, must promptly consult with the Chief Diversity Officer at his or her college or unit if he or she becomes aware of conduct or allegations

[1] *As a public university system, CUNY adheres to federal, state and city laws and regulations regarding non-discrimination and affirmative action. Should any federal, state or city law or regulation be adopted that prohibits discrimination based on grounds or characteristics not included in this Policy, discrimination on those additional bases will also be prohibited by this Policy.*

Part of Policies and Procedures adopted and approved effective November 27, 2012, Cal.No.4; and revised policy amended and adopted December 1, 2014, Cal. No. C., with effective date of January 1, 2015; Cal. Item C.

COMPLAINT PROCEDURES UNDER CUNY'S POLICY ON EQUAL OPPORTUNITY AND NON-DISCRIMINATION

1. Reporting Discrimination and/or Retaliation



The University is committed to addressing discrimination and/or retaliation complaints promptly, consistently and fairly.

A. Applicants, employees, visitors and students with discrimination complaints should raise their concerns with the Chief Diversity Officer at their location.

B. Applicants, employees, visitors and students with complaints of sexual harassment or sexual violence, including sexual assault, stalking, domestic and intimate violence, should follow the process outlined in [CUNY's Policy on Sexual Misconduct](#) [PDF](#) .

C. There are separate procedures under which applicants, employees, visitors and students may request and seek review of a decision concerning reasonable accommodations for a disability, which are set forth in CUNY's [Procedures on Reasonable Accommodation](#).

2. Preliminary Review of Employee, Student, or Visitor Concerns



Individuals who believe they have experienced discrimination and/or retaliation should promptly contact the Chief Diversity Officer at their location to discuss their concerns, with or without filing a complaint. Following the discussion, the Chief Diversity Officer will inform the complainant of the options available. These include seeking informal resolution of the issues the complainant has encountered or the college conducting a full investigation. Based on the facts of the complaint, the Chief Diversity Officer may also advise the complainant that his or her situation is more suitable for resolution by another entity within the University.

3. Filing a Complaint



copy of the university's complaint form. Complaints should be made in writing whenever possible, including in cases where the complainant is seeking an informal resolution.

4. Informal Resolution



Individuals who believe they have been discriminated or retaliated against may choose to resolve their complaints informally. Informal resolution is a process whereby parties can participate in a search for fair and workable solutions. The parties may agree upon a variety of resolutions, including but not limited to modification of work assignment, training for a department, or an apology. The Chief Diversity Officer will determine if informal resolution is appropriate in light of the nature of the complaint. Informal resolution requires the consent of both the complainant and the respondent and suspends the complaint process for up to thirty (30) calendar days, which can be extended upon consent of both parties, at the discretion of the Chief Diversity Officer.

Resolutions should be agreed upon, signed by, and provided to both parties. Once both parties reach an informal agreement, it is final. Because informal resolution is voluntary, sanctions may be imposed against the parties only for a breach of the executed voluntary agreement.

The Chief Diversity Officer or either party may at any time, prior to the expiration of thirty (30) calendar days, declare that attempts at informal resolution have failed. Upon such notice, the Chief Diversity Officer may commence a full investigation.

5. Investigation



A full investigation of a complaint may commence when it is warranted after a review of the complaint, or after informal resolution has failed.

It is recommended that the intake and investigation include the following, to the extent feasible:

a. Interviewing the complainant. In addition to obtaining information from the complainant (including the names of any possible witnesses), the complainant should be informed that an investigation is being commenced, that interviews of the respondent and possibly other people will be conducted, and that the President^[2] will determine what action, if any, to take after the investigation is completed.

b. Interviewing the respondent. In addition to obtaining information from the respondent (including the names of any possible witnesses), the respondent should be informed that a complaint of discrimination has been received and should be provided with a written copy of the complaint unless circumstances warrant otherwise at the discretion of the University. Additionally, the respondent should be informed that an investigation has begun, which may include interviews with third parties, and that the President will determine what action, if any, to take after the investigation is completed. A respondent employee who is covered by a collective bargaining agreement may consult with, and have, a union representative present during the interview.

this policy and federal, state, and city laws. The respondent should be informed that if retaliatory behavior is engaged in by either the respondent or anyone acting on his/her behalf, the respondent may be subject to disciplinary charges, which, if sustained, may result in penalties up to and including termination of employment, or permanent dismissal from the University if the respondent is a student.

c. Reviewing other evidence. The Chief Diversity Officer should determine if, in addition to the complainant, the respondent, and those persons named by them, there are others who may have relevant information regarding the events in question, and speak with them. The Chief Diversity Officer should also review documentary evidence that may be relevant to the complaint.

[2] References to the President in these Procedures refer to the Executive Vice Chancellor and Chief Operating Officer and the Deans of the Law School, Graduate School of Journalism, CUNY School of Public Health, School of Professional Studies and Macaulay Honors College, wherever those units are involved, rather than a college.

6. Withdrawing a Complaint



A complaint of discrimination may be withdrawn at any time during the informal resolution or investigation process. Only the complainant may withdraw a complaint. Requests for withdrawals must be submitted in writing to the Chief Diversity Officer. The University reserves the right to continue with an investigation if it is warranted. In a case where the University decides to continue with an investigation, it will inform the complainant.

7. Timeframe +

While some complaints may require extensive investigation, whenever possible, the investigation of a complaint should be completed within sixty (60) calendar days of the receipt of the complaint.

8. Action Following Investigation of a Complaint +

- a. Promptly following the completion of the investigation, the Chief Diversity Officer will report his or her findings to the President. In the event that the respondent or complainant is a student, the Chief Diversity Officer will also report his or her findings to the Chief Student Affairs Officer.
- b. Following such report, the President will review the complaint investigation report and, when warranted by the facts, authorize such action as he or she deems necessary to properly correct the effects of or to prevent further harm to an affected party or others similarly situated. This can include commencing action to discipline the respondent under applicable University Bylaws or collective bargaining agreements.
- c. The complainant and the respondent should be apprised in writing of the outcome and action, if any, taken as a result of the complaint.
- d. The President will sign a form that will go into each investigation file, stating what, if any, action will be taken pursuant to the investigation.

Chancellor's decision will be final.

9. Immediate Prevention Action



The President may take whatever action is appropriate to protect the college community in accordance with applicable Bylaws and collective bargaining agreements.

10. False and Malicious Accusations



Members of the University community who make false and malicious complaints of discrimination, as opposed to complaints which, even if erroneous, are made in good faith, will be subject to disciplinary action.

11. Anonymous Complaints



All complaints will be taken seriously, including anonymous complaints. In the event that a complaint is anonymous, the complaint should be investigated as thoroughly as possible under the circumstances.

12. Responsibilities



a. Responsibilities of the President:

- Ensure that the Chief Diversity Officer is fully trained and equipped to carry out his/her responsibilities.
- Ensure that managers receive training on the Policy.
- Annually disseminate the Policy and these Procedures to the entire college community and include the names, titles and contact information of all appropriate resources at the college. Such information should be widely disseminated, including placement on the college website

b. Responsibilities of Managers

Managers must take steps to create a workplace free of discrimination, harassment and retaliation, and must take each and every complaint seriously. Managers must promptly consult with the Chief Diversity Officer if they become aware of conduct that may violate the Policy.

For purposes of this policy, managers are employees who either (a) have the authority to make tangible employment decisions with regard to other employees, including the authority to hire, fire, promote, compensate or assign significantly different responsibilities; or (b) have the authority to make recommendations on tangible employment decisions that are given particular weight. Managers include vice presidents, deans, directors, or other persons with managerial responsibility, including, for purposes of this policy, department chairpersons and executive officers.

c. Responsibilities of the University Community-at-Large:

- Members of the University community who become aware of allegations of discrimination or retaliation should encourage the aggrieved individual to

Some Relevant Laws Concerning Non-Discrimination and Equal Opportunity



Some Relevant Laws Concerning Non-discrimination and Equal Opportunity

Section 1324b of the Immigration and Nationality Act prohibits employers from intentional employment discrimination based upon citizenship or immigration status, national origin, and unfair documentary practices or “document abuse” relating to the employment eligibility verification or Form I-9 process. Document abuse prohibited by the statute includes improperly requesting that an employee produce more documents than required by the I-9 form, or a particular document, such as a “green card”, to establish the employee’s identity and employment authorization; improperly rejecting documents that reasonably appear to be genuine during the I-9 process; and improperly treating groups of applicants differently when completing the I-9 form.

Executive Order 11246, as amended, prohibits discrimination in employment by all institutions with federal contracts and requires affirmative action to ensure equal employment opportunities.

Title VII of the Civil Rights Act of 1964, as amended, prohibits discrimination in employment (including hiring, upgrading, salaries, fringe benefits, training, and other terms, conditions, and privileges of employment) on the basis of race, color, religion, national origin, or sex.

Title VI of the Civil Rights Act of 1964 prohibits discrimination or the denial of benefits because of race, color, or national origin in any program or activity receiving federal financial assistance.

Title IX of the Education Amendments of 1972 prohibits discrimination or the denial of benefits based on sex in any educational program or activity receiving federal financial assistance.

Age Discrimination in Employment Act, as amended, prohibits discrimination against individuals who are age 40 or older.

Section 504 of the Rehabilitation Act of 1973 defines and forbids acts of discrimination against qualified individuals with disabilities in employment and in the operation of programs and activities receiving federal financial assistance.

Section 503 of the Rehabilitation Act of 1973 requires federal contractors and subcontractors to take affirmative action to employ and advance in employment qualified individuals with disabilities.

Vietnam Era Veterans' Readjustment Act of 1974, as amended, requires government contractors and subcontractors to take affirmative action to employ and advance in employment disabled and other protected veterans.

Uniformed Services Employment and Reemployment Rights Act of 1994, as amended, prohibits employment discrimination based on military status and requires reemployment following military service in some circumstances.

Americans with Disabilities Act of 1990, as amended, prohibits discrimination on the basis of disability.

Genetic Information Nondiscrimination Act of 2008 prohibits employment discrimination based on genetic information.

alienage or citizenship status, arrest or conviction record, unemployment status, or status of an individual as a victim of domestic violence, sex offenses or stalking.

New York City Workplace Religious Freedom Act requires an employer to make accommodation for an employee’s religious needs.

New York State Education Law Section 224-a requires institutions of higher education to make accommodations for students who are unable to attend classes or take examinations due to their religious beliefs.

New York State Human Rights Law prohibits discrimination based on race, creed, color, national origin, sexual orientation, military status, sex, age (18 and older), marital status, domestic violence victim status, disability, predisposing genetic characteristics or prior arrest or conviction record.

New York City Pregnant Workers Fairness Act provides that employers provide pregnant employees with reasonable accommodations for the employee’s pregnancy, childbirth, or a medical condition related to pregnancy or childbirth.

INFORMATION FOR

[Future Students](#)

[Current Students](#)

[Alumni](#)

ENROLLMENT

[Apply Now](#)

[Undergraduate](#)

[Admissions](#)

[Financial Aid](#)

RESOURCES

[CUNYfirst](#)

[Brightspace](#)

[Blackboard](#)

[CUNY Student Guide](#)

QUICKLINKS

[Donate](#)

[Subscribe](#)

[Communications and](#)

[Marketing](#)



Apply



Menu

[The LGBTQI+ Community](#)
[Students with Conviction Records](#)
[Students with Disabilities](#)

[Transfer Explorer](#)
[Contact Us](#)

[Resources and Information](#)
[Discrimination and Retaliation Reporting Portal](#)
[Professional Resources](#)
[Register to Vote](#)
[Combating Sexual Misconduct \(Title IX\)](#)

[Emergency Preparedness](#)

[Buy CUNY Merch](#)
[Employment at CUNY](#)
[Sell to CUNY](#)
[CUNY TV](#)

Copyright 2025 | [Privacy](#) | [Security](#) | [Accessibility](#) | [Terms of Use](#) | [CUNY Alert](#)
| [Contact Us](#)



[Make this website talk](#)