



FOREMEN'S UNION

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This is the Local 94's **NO TOLERANCE POLICY** statement for any and all forms of discrimination, harassment, and retaliation. On the remonstrated

PLEASE READ VERY CAREFULLY, TAKE THIS SERIOUSLY, AND RETAINED FOR YOUR RECORDS.

NO FORM OF HARASSMENT OR DISCRIMINATION WILL BE TOLERATED

The ILWU Local 94 has a **ZERO TOLERANCE POLICY AGAINST ANY AND ALL FORMS OF HARASSMENT AND DISCRIMINATION**. To further that policy, each and every member of the ILWU Local 94 is immediately directed to re-examine and study the no tolerance discrimination/harassment policy provisions and guidelines set forth in the ILWU – PMA Pacific Coast Walking Bosses and Foremen's Agreement (including Addendum) and repeated below.

Each member is also hereby specifically notified and reminded that it is his or her obligation and responsibility to ACT to combat and prevent any and all forms of harassment and discrimination.

Section 13.1

There shall be no discrimination in connection with any action subject to the terms of this Agreement (including at work sites, joint dispatch halls, training sites, and other locations, when reasonably related to employment covered by this Agreement) either in favor of or against any person because of membership or nonmembership in the union, activity for or against the Union or absence thereof, race, creed, color, sex (including gender, pregnancy, sexual orientation), age (40 or over), national origin, religious or political beliefs, disability, protective family care or medical leave status, veteran status, political affiliation or marital status. Also prohibited by this policy is retaliation of any kind for filing or supporting a complaint of discrimination or harassment. (see Addenda, Equal Employment Opportunity Policy).

"A" LETTER OF UNDERSTANDING REGARDING ILWU – PMA EQUAL EMPLOYMENT OPPORTUNITY POLICY & PROCEDURES

1. POLICY AGAINST DISCRIMINATION, HARASSMENT & RETALIATION

All workers in the Longshore industry shall be treated with dignity, respect and courtesy. It has been for decades and continues to be the policy of the Pacific Maritime Association (PMA), its member companies and the International Longshore and Warehouse Union and its Locals (ILWU) that discrimination, harassment, and retaliation of any kind for filing or supporting a complaint of discrimination or harassment, committed by anyone, will not be tolerated in connection with any action subject to the terms of the Pacific Coast Longshore & Clerks Agreement (the PCLCA or Agreement) (including at work sites, joint dispatch halls, training sites, and other locations, when reasonably related to employment covered by this Agreement).

2. RESPONSIBILITY FOR FOLLOWING SECTION 13.2

All Longshore Workers, Clerks, Walking Bosses/Foremen, Superintendents or Managers, outside truck drivers, vendors, contractors and others are required to follow this policy and shall not engage in any Prohibited Conduct in connection with any action subject to the terms of the PCLCA (including at work sites, joint dispatch halls, training sites, and other locations, when reasonably related to employment covered by this Agreement). It is important not to assume that the Employers, PMA or the ILWU know of particular incidents of discrimination or harassment. Discrimination and harassment can be eliminated from the workplace only if everyone working on the PCLCD who experiences or sees such problems files a grievance using the Special Section 13.2 Grievance Procedures for discrimination and harassment. It is also important if you believe you are a victim of discrimination, harassment or retaliation that you immediately inform the offending party that you find his or her conduct offensive and asked that it be stopped.

3. EXAMPLES OF PROHIBITED CONDUCT UNDER SECTION 13.2

Discrimination and Harassment can take many forms. Certain actions or even words can constitute discrimination and harassment. As a general matter, it is a violation of this Policy for anyone to treat another in a way that is threatening, intimidating, embarrassing or offensive, or that denies a person equal treatment and opportunities because of his or her sex, race or other unique characteristics. So-called "good intentions" or "joking around" (as determined by the Arbitrator) does not excuse Prohibited Conduct.

To assist you in recognizing and avoiding behavior which may be considered harassing, discriminatory, or retaliatory, the following examples of Prohibited Conduct are listed:

Physical Harassment: Unwelcome touching or grabbing or sexual assault, blocking someone's movement, standing unnecessarily close.

Verbal Harassment: Racial or sexual jokes, name-calling, using slurs, derogatory terms, belittling remarks, or abusive language related to a person's gender, race or other binding characteristics.

Visual Harassment: Displaying objects, messages, pictures, pornography, graffiti, or drawings of a sexual or racial nature; engaging in offensive and unwelcome personal conduct such as offensive gestures, staring (especially a particular body parts), mooning, leering, showing a lack of respect for privacy in toilet facilities and locker rooms.

Unwelcome Romantic or Sexual Attention: Unwelcome flirting, pressuring another for a date and unwelcome sexual advances; also demanding sexual favors or romantic attention as a condition of any type of employment benefit.

Discriminatory Dispatch, Job Assignments and Discipline: Assigning work based on sex or race, segregating workers by sex or ethnic group on work assignments, disciplining or elevating women more harshly than men (or vice versa), setting someone up to fail, hard-timing (such as failing to help co-workers of one sex or ethnic group to the same degree as you help coworkers of another sex or ethnic group), filing false reports because of the person's sex or race.

In Solidarity:

Daniel G. Miranda
President

Edward Alexander
Vice President

Mike Trudeau
Secretary-Treasurer