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ARTICLE 9
NON-DISCRIMINATION AND ACCOMMODATION

9.1 NON-DISCRIMINATION

9.1.1 Every Member has a right to claim and enforce his or her rights under this Article without reprisal or threat of reprisal for so doing.

9.1.2 There shall be no discrimination, interference, restriction or coercion exercised or practised regarding any term or condition of employment, including but not limited to, salary, rank, appointment, promotion, tenure, termination of employment, lay-off, sabbatical leave, other leaves, or benefits by reason of sex, age, race, creed, colour, ancestry, national origin, place of birth, language (except where competence in the language is a bona fide occupational requirement), political or religious affiliation or belief, clerical or lay status, citizenship (except for new appointments, as provided for through this Agreement), sexual orientation, physical attributes, spousal status, family relationship, physical or mental ill-health, illness or disability (provided that such condition does not interfere with the ability to carry out the essential duties of the position), place of residence (except where the place of residence would prevent the carrying out of any part of the required duties), or membership or participation in the Association.

9.1.3 This Article shall not preclude any equity measures agreed to by the Parties or required by law, including but not limited to employment and pay equity.

9.1.4 Policy(ies), practice(s) or act(s) which create(s), intentionally or unintentionally, a sustained negative working climate which can reasonably be attributed to any of the prohibited grounds in Article 9.1 will be considered discrimination.

9.2 ACCOMMODATION

9.2.1 The University has a duty to accommodate Members with a physical or mental disability (provided that such condition does not interfere with the ability to carry out the essential duties of the position). Such accommodation shall be reasonable and shall be provided unless there is undue hardship to the University, as defined by law, considering the cost, outside sources of funding, if any, and health and safety requirements if any.

9.2.2 Accommodation may include, but is not limited to, any necessary adjustments to physical work space and modification of a Member's work assignment. Such accommodation also includes, but is not limited to, modification of the time requirements for tenure and promotion decisions. In all such cases, the purpose of the accommodation is to remove barriers that limit the Member's ability to meet the

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accepted standards for tenure and promotion. In particular cases, measures used in the assessment of a Member's performance against prescribed standards for merit, tenure or promotion may need to be modified if the indicators themselves handicap the Member from achieving full participation or recognition in the workplace.

9.2.3 The University shall engage (at the University's expense), an individual having appropriate expertise (either internal or external to the University) to assess the need for accommodation and to advise on an appropriate plan.

9.2.4 If medical evidence is required to establish the need for accommodation, the Associate Vice-Principal (Faculty Relations) or delegate shall request that the Member provide a medical certificate dealing with the Member's ability to perform her/his responsibilities. If the Associate Vice-Principal (Faculty Relations) or delegate has reason not to be satisfied, a second opinion may be sought from a physician agreed to by the University and the Member.

ARTICLE 18
CONFLICT OF INTEREST AND CONFLICT OF COMMITMENT

18.1 Conflict of Interest

18.1.1 General

18.1.1.1 For the purposes of this Article, "immediate family member" means a spouse, partner, parent, child or sibling.

18.1.1.2 An actual or apparent conflict of interest arises when a Member is placed in a situation where his or her personal interest, financial or other, or that of an immediate family member or of a person with whom there exists, or has recently existed, either a personal, intimate or financial relationship, conflicts, or appears to conflict, with his or her responsibility to the University as defined in Article 15. Members are expected to avoid actual conflicts and apparent conflicts of interest.

18.1.1.3 No Member shall knowingly participate in any decision in which s/he or any person described in Article 18.1.1.2 has an actual or apparent conflict of interest, except in accordance with the provisions of Article 18.1.1.4.

18.1.1.4 The existence of an actual or apparent conflict of interest does not necessarily preclude the involvement of the individual in the situation where the conflict has arisen, or may arise, but it does require that the conflict be formally disclosed in writing to the person to whom the Member reports before any action or decision is taken. Where the person to whom the Member reports also has an interest in the matter, the disclosure shall be made in writing to the person at the next level of authority.

18.1.1.5 The person to whom the Member reports, following the receipt of the disclosure under Article 18.1.1.4, and after consultation with the Member and any other appropriate persons, shall determine whether a conflict, actual or apparent, exists, and determine an appropriate way to deal with the actual or apparent conflict of interest.

18.1.1.6 The resolution of the matter by the individual to whom the person reports shall be made in writing. Where no resolution of the matter is made at this level, the matter will be referred to the next higher level of authority for decision.

18.1.2 Relations with Students

18.1.2.1 Without limiting the generality of the above, a Member

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- (a) shall not accept additional remuneration for tutoring any student enrolled in the University where such tutoring relates to the student's course or program at the University;
- (b) who becomes involved in a personal, intimate relationship with a student with whom the Member has a supervisory or evaluative relationship has an obligation to disclose this relationship in accordance with Article 18.1.1.4;
- (c) who has an evaluative relationship with a student shall not employ that student in certain capacities (e.g. under contract, as a consultant, as an employee of a company in which the Member has a financial interest), without disclosure per Article 18.1.1.4 and the prior approval of the Unit Head per Article 18.1.1.5 and Article 18.1.1.6. Members are not obligated to disclose the employment of a student as a research or teaching assistant; and
- (d) should not assign students to research projects sponsored by a business in which the Member or a member of his/her family has a financial interest without disclosure to the student, and disclosure per Article 18.1.1.4 and the prior approval of the Unit Head per Article 18.1.1.5 and Article 18.1.1.6.

18.1.3 Contractual and Financial Matters

18.1.3.1 Notwithstanding Article 18.1.1.4, a Member who has any interest, direct or indirect, in any contract, transaction, proposed contract or proposed transaction under consideration by the University and is part of the decision-making process shall

- (a) declare the nature and extent of the interest as soon as possible and no later than the meeting at which the matter is to be considered;
- (b) refrain from taking part in any discussion or voting in relation to the matter; and
- (c) withdraw from the meeting when the matter is being discussed.

18.1.3.2 In particular, and without limiting the generality of the foregoing, unless specifically authorized by the Provost and Vice-Principal (Academic) or designate, after full written disclosure of the conflict, a Member shall not

- (a) with University funds or with funds administered by the University, knowingly authorize the purchase of equipment, supplies, services or real property from a source with which the Member, or any individual with whom she/he has an immediate familial, sexual or financial relationship, has a material financial interest; or

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- (b) engage any individual with whom the Member has an immediate familial, sexual or financial relationship in any capacity for which remuneration comes from University funds or from funds administered by the University.

18.2 Conflict of Commitment

18.2.1 Article 18.2 applies to Members whose FTE is greater than, or equal to, eighty (80) percent.

18.2.2 With the acceptance of an appointment of greater than, or equal to, eighty (80) percent FTE at the University, a Member makes a professional commitment to the University. Such Members are expected to direct the primacy of their professional commitment to the University. Recognizing that external professional activities can bring benefits to and enhance the reputation of the University and the capacity of Members, the University agrees that Members may engage in part-time professional activities, paid or unpaid, provided that such activities do not conflict or interfere with the Member's responsibilities to the University as defined in this Agreement, subject to the following conditions:

- (a) When a Member's outside activities involve the use of the University's facilities, supplies and services, their use shall be subject to the prior approval of the University. Costs for such facilities, supplies or services shall be borne by the Member at prevailing rates set by the University, unless the University agrees, in writing, to waive all or part of such costs.
- (b) The name of the University shall not be used in any related professional activity unless agreed, in writing, by the Provost and Vice-Principal (Academic) or Dean, although nothing shall prevent the Member from stating the nature and place of her/his University employment, rank and title(s) in connection with related professional activities, provided that she/he shall not purport to represent the University or speak for it without prior authorization, or to have the University's approval unless that approval has been given in writing.
- (c) A description of the nature and scope of all significant external professional activity shall be included in the Member's annual report. Examples of significant activities include, but are not limited to, the following:
 - (i) Any activity that either alone, or in combination with other activities, exceeds twenty (20) percent of the time required by the Member's full-time academic duties;

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- (ii) Any activity for which prior permission has been granted;
- (iii) Teaching at another university or institution;
- (iv) Consulting and entrepreneurial activities;
- (v) Activities that are service commitments to an outside body, association or group.

18.2.3 If a Member plans to undertake an external activity that has the potential to interfere with some of the aspects of the Member's University responsibilities (see Article 18.2.4), the Member must disclose and seek approval from the Dean to undertake the activity in accordance with the steps set out below. The disclosure shall be in writing and shall include

- (a) a full description of the nature of the work or activity;
- (b) an estimate of the time required or the time period to perform the work (number of hours per week over a period of time, number of weeks, the term or terms when the majority of the activity is scheduled to take place, etc.);
- (c) the extent of the use, if any, of University facilities, supplies, support staff or students;
- (d) any other external activities that have already been approved in that year or that are continuing from an earlier year; and
- (e) the impact the activity will have on teaching, research, and service responsibilities.

18.2.4 The following factors shall serve as guidelines to determine whether the external activity pursuant to Article 18.2.3 requires prior disclosure to, and approval by, the Dean:

- (a) The activity is one that necessitates a rescheduling of teaching sessions, or that reduces student access to the Member;
- (b) The activity is one that results in the Member having less time to devote to his/her research interests; or
- (c) The activity is one that reduces the Member's ability to meet the Department's or Unit's service obligations.

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- 18.2.5 The Dean shall evaluate the request in light of the extent to which the activity will enhance or detract from the Member's fulfillment of his/her responsibilities.
- 18.2.6 The Dean shall consider the request for approval as soon as possible and shall render a decision in writing within ten (10) working days. The decision must reflect consistency of treatment among the Members in the Unit. If approval is denied, or offered only on conditions, the Member shall be provided with reasons in writing for the decision.
- 18.2.7 If the substantial external commitment (either paid or unpaid) would detract from the fulfillment of the Member's responsibilities, the Dean may require, as a condition of granting approval, that the Member take full or partial release time without pay; moreover, if a Member wishes to continue such activity indefinitely, the Member may be required to relinquish his or her status as a full-time appointee.
- 18.2.8 Whenever the significant external activities of a Member change materially, the Member is obligated to inform the Dean, in writing. Members should disclose expected changes at least thirty (30) days before the activity is to commence and prior to the Member making a firm commitment to undertake the activities.
- 18.2.9 All information or reports disclosed in accordance with this Article will be confidential.

ARTICLE 24
EMPLOYMENT EQUITY

24.1 General

24.1.1 In accordance with the University's equity goals, the Parties' commitment to non-discrimination as contained in Article 9 of this Agreement, and to the principles of employment equity, the University and the Association recognize the responsibility and the need to promote equity in the employment of women, visible minorities, Aboriginal people, persons with disabilities, persons of any sexual orientation or gender identity and such other groups as may be designated by legislation.

24.1.2 In this Article, "Designated Groups" refers to women, members of visible minorities, Aboriginal peoples, and persons with disabilities (and such other groups as may be included in the definition of "designated groups" in the Employment Equity Act, S.C. 1995, c.46, as amended from time to time). "Equity-seeking groups" includes the four Designated Groups plus persons of non-heterosexual orientation or gender identity.

24.1.3 Consistent with principles of employment equity, the University shall act to eliminate or modify those policies, practices, and systems, whether formal or informal, shown to have an unfavourable effect on the hiring, retention, and promotion of members of equity-seeking groups, and to recognize the value that diversity adds to the academic activities of the University.

24.1.4 Consistent with principles of employment equity, the Parties agree that for appointment to positions to the University,

(a) the primary criterion is academic and professional excellence; and

(b) no candidate shall be recommended who does not meet the criteria for the appointment in question.

24.1.5 Consistent with principles of employment equity, the Parties agree that in the evaluation of candidates for appointment, renewal, tenure and promotion,

(a) the criteria adopted must not systematically discriminate against members of equity-seeking groups and shall be reviewed periodically to ensure that they do not undervalue work which is done predominantly by members of the equity-seeking groups; and

(b) candidates shall not be disadvantaged by reason of minor career interruptions caused by family responsibilities.

24.2 Appointments and Personnel Committees

24.2.1 Persons (including students) chosen to serve on Appointments Committees for Faculty, Librarian or Archivist positions, or on Personnel (Renewal/Reappointment, Tenure/Continuing Appointment and Promotion) Committees and administrators with a recommendatory or decision-making role in an appointments or personnel process may only carry out such functions after successfully completing a familiarization and training workshop which shall cover the principles, objectives, recent history, best practices, and rules and institutional expectations with respect to employment equity. The program of such workshops shall be agreed between the Parties, with advice from the Equity Office.

24.2.2 While all Appointments Committee and Personnel Committee members shall adhere to the principles of employment equity, one (1) Member (normally with tenure) of each such Committee shall be designated as the Equity Representative and shall have explicit responsibility for the Committee adhering to the rules and expected practices that assure equity, and for data collection and reporting per Article 24.4. The Committee member charged with this responsibility shall be selected by the Committee, and shall be a person who understands and is sympathetic to the objectives of this Article. Persons with this responsibility will require training in excess of that foreseen in Article 24.2.1 unless waived by the Parties.

24.3 Appointment Processes

24.3.1 For the term of this Agreement the University agrees to utilize search procedures in Units that require an active search for qualified members of equity-seeking groups, including the following:

(a) Advertisements and postings shall include the following statement: "The University invites applications from all qualified individuals. Queen's is committed to employment equity and diversity in the workplace and welcomes applications from women, visible minorities, Aboriginal people, persons with disabilities, and persons of any sexual orientation or gender identity";

(b) Advertisements shall be placed on the University and Unit websites, and in appropriate professional journals, and other venues intended to reach prospective candidates from equity-seeking groups;

(c) Copies of all such advertisements shall be transmitted to the Equity Office;

- (d) The appropriate Dean and/or Unit Head or Director, University Librarian or University Archivist, as applicable, shall communicate to his/her counterparts in other Canadian universities inviting all qualified individuals, including women, visible minorities, Aboriginal people, persons with disabilities, and persons of any sexual orientation or gender identity to apply for advertised positions;
- (e) Other measures as authorized by the Dean, University Librarian or University Archivist, in consultation with the Unit Head or Director or equivalent representative of Members of the Department or Unit, and/or the Equity Office; and
- (f) Other measures as recommended by either Party or by the Equity Office, and agreed to by the Parties.

24.3.2 Consistent with the principle that the primary criterion for appointment to positions at the University is academic and professional excellence, and in order to address the employment equity goals of the University to adequately reflect the diversity of Canadian society, Appointments Committees shall

- (a) take special care not to eliminate at early stages potentially strong candidates from equity-seeking groups; and
- (b) invite for an interview any candidate in these groups, who, if the candidate were to perform very well at the interview, would be viewed as competitive with other interviewed candidates.

24.3.3 Consistent with the principle that the primary criterion for appointment to positions at the University is academic and professional excellence, unless there is a demonstrably superior candidate the following decision-tree shall be used by Appointments Committees in distinguishing between two or more equally-ranked leading candidates who have been interviewed and who fulfill the position requirements:

- (a) A leading candidate who is a Canadian citizen or permanent resident of Canada shall be recommended for the appointment;
- (b) If Article 24.3.3(a) does not distinguish a leading candidate because more than one of the leading candidates are Canadian citizens or permanent residents of Canada,
 - (i) a leading candidate (who is a Canadian citizen or permanent resident of Canada) who is from the Designated Group that is most under-

represented in the Unit (according to the Unit's equity profile provided by the Equity Office pursuant to Article 24.4.1) shall be recommended for the appointment.

(ii) if Article 24.3.3(b)(i) does not distinguish a leading candidate because more than one of the leading candidates who are Canadian citizens or permanent residents are from the same under-represented Designated Group, a leading candidate (who is a Canadian citizen or permanent resident of Canada) who is also from one of the next most under-represented Designated Groups in the Unit shall be recommended for the appointment;

(c) If Article 24.3.3(a) does not distinguish a leading candidate because none of the leading candidates is a Canadian citizen or permanent resident of Canada,

(i) a leading candidate from the Designated Group that is most under-represented in the Unit shall be recommended for the appointment;

(ii) if Article 24.3.3(c)(i) does not distinguish the leading candidate because more than one of the leading candidates are from the same under-represented Designated Group, the leading candidate who is also from one of the next most under-represented Designated Groups in the Unit shall be recommended for the appointment.

24.3.4 For the purpose of determining whether Designated Groups are under-represented in Tenure-track, Tenure, Continuing-track or Continuing appointment positions, joint appointments are counted in conformity with the fraction of their appointment in each Unit. Seconded or cross-appointed faculty are counted only in their home Unit.

24.4 Data Collection, Monitoring and Reporting

24.4.1 When notified that an Appointment Committee is commencing a search process under this Agreement, the Equity Office will provide an updated report of the number of faculty members who have self-identified as Aboriginal persons, persons with a disability, visible minorities and women in the Unit to the Appointments Committee member designated as the Equity Representative pursuant to Article 24.2.2. The report will also identify which Designated Groups are under-represented (using the diversity of the populations of Canada as the benchmark) so that Committees may comply with Articles 24.3.3 through 24.3.4.

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- 24.4.2 The Committee's Equity Representative shall have explicit responsibility for the Committee adhering to the rules and expected practices that assure equity, data collection, and submitting requisite information to the Equity Office.
- 24.4.3 The form of data collection and reporting on process of Appointments Committees for Faculty, Librarian and Archivist positions, or on Personnel Committees (at each stage) shall be agreed upon by the Parties within six (6) months following ratification of this Agreement, but should be detailed enough to allow a monitoring function by the Parties.
- 24.4.4 The Equity Office shall monitor the progress made in employment equity in the Bargaining Unit and report its findings annually to the Parties. The report of the Equity Office will document the progress made in meeting the goals of Article 24.1 and Article 9. The JCAA shall review the report of the Equity Office and shall (i) discuss means for improving employment equity, including striking a sub-committee on equity as appropriate, and (ii) report any recommendations for improving employment equity to the Council on Employment Equity and the Senate.

ARTICLE 25
APPOINTMENTS

25.1 General

25.1.1 Types of Appointments

25.1.1.1 All Members shall have an appointment corresponding to one of the types described in Article 25.1 or Article 25.2.

25.1.2 Tenure or Tenure-Track Faculty Appointments

25.1.2.1 An Initial Tenure-track appointment is a faculty appointment of not less than two (2) years and ten (10) months and not more than three (3) years and ten (10) months less one (1) day, but normally being three (3) years. All such contracts shall end on June 30. This type of appointment is with appropriate rank and a full range of academic responsibilities. The Member is normally expected to apply for a Renewed Tenure-track appointment in the final year of an Initial Tenure-track appointment.

25.1.2.2 A Renewed Tenure-track appointment is a faculty appointment, normally of three (3) years duration, with appropriate rank and a full range of academic responsibilities. The Member is normally expected to apply for a Tenured appointment in the final year of a Renewed Tenure-track appointment.

25.1.2.3 A Tenured appointment is a faculty appointment with rank and a full range of academic responsibilities that can be terminated only by retirement, resignation, dismissal for cause, or layoff pursuant to this Agreement.

25.1.3 Adjunct Faculty Appointments

25.1.3.1 A Term Adjunct appointment is a limited-term adjunct faculty appointment of up to three (3) years duration, with appropriate rank and a limited range of academic responsibilities. Term Adjuncts are appointed to instruct and evaluate, for pay, individually or jointly, one or more degree credit course(s) or course section(s) (or parts thereof) as set out in their letter of appointment.

25.1.3.2 A Continuing Adjunct appointment is an adjunct faculty appointment with appropriate rank and a limited range of academic responsibilities that can be terminated only by retirement, resignation, dismissal for cause, or layoff pursuant to this Agreement.

25.1.3.3 Any Member holding an appointment described in Article 25.1.3 may apply for an advertised Tenure-track position at the University. Consistent with the principles of employment equity, the Parties agree that the primary criterion for appointment to positions at the University is academic and professional excellence and that no

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candidate shall be recommended who does not meet the criteria for the appointment in question.

25.1.4 Non-Renewable and Special Appointments

25.1.4.1 A Non-Renewable appointment is a non-renewable limited-term faculty appointment with appropriate rank and a full range of academic responsibilities for a period of not more than three (3) years. The letter of appointment shall expressly state that the appointment is non-renewable. If a faculty Member is reappointed (effective on or after July 1, 2008) as a Non-Renewable appointment, after a Non-Renewable appointment, then the Member shall be deemed to have been granted a Tenure-track appointment.

25.1.4.2 A Non-Renewable Replacement appointment is a non-renewable limited-term faculty appointment where the appointee replaces another Member who is on leave, holds an administrative post, or has been seconded to another function, and who is expected to return within five (5) years. This appointment is with appropriate rank and a full range of academic responsibilities, and shall be for a period of not more than three (3) years. The term may be extended for not more than two (2) additional years, where

(a) the probability of the return of the person being replaced is very high; and

(b) the Appointments Committee of the Unit considers the extension preferable to seeking a new replacement.

25.1.4.3 A Special appointment is a faculty/librarian/archivist appointment that is funded at least fifty (50) percent from sources external to Queen's. Special appointments are made for a limited term that corresponds with the duration of the external funding and have an appropriate rank and a range of responsibilities agreed upon between the University and the appointee. Special appointees may be appointed using the procedures and appropriately modified criteria for the renewal of Tenure-track faculty. Reappointment is subject to the requirements of and continued funding from the external funding agency. If a Special appointment is for longer than twelve (12) months, the Member shall either be reappointed or given notice of non-appointment no later than the commencement of the final year of their appointment. Failure to provide notice shall result in an extension of the appointment for twelve (12) months.

25.1.4.4 The Association shall be advised in advance of the particulars of any Special appointments to be made.

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25.1.4.5 Subject to Article 25.1.4.3 or except as otherwise limited by this Agreement, Special appointees shall have all the rights and privileges of Tenure-track Members.

25.1.4.6 Any Member holding an appointment described in Article 25.1.4 may apply for an advertised Tenure-track position at the University. Consistent with the principles of employment equity, the Parties agree that the primary criterion for appointment to positions at the University is academic and professional excellence and that no candidate shall be recommended who does not meet the criteria for the appointment in question.

25.1.5 Librarian and Archivist Appointments

25.1.5.1 An Initial Continuing-track appointment is a librarian or archivist appointment of not less than two (2) years and ten (10) months and not more than three (3) years and ten (10) months less one (1) day, but normally being three (3) years. All such contracts shall end on June 30. This appointment is with appropriate rank and a full range of librarian/archivist responsibilities. The Member is normally expected to apply for a Renewed Continuing-track appointment in the final year of an Initial Continuing-track appointment.

25.1.5.2 A Renewed Continuing-track appointment is a librarian or archivist appointment, normally of three (3) years duration, with appropriate rank and a full range of librarian/archivist responsibilities. The Member is normally expected to apply for a Continuing appointment in the final year of a Renewed Continuing-track appointment.

25.1.5.3 A Continuing appointment is a librarian or archivist appointment with rank and a full range of librarian or archivist responsibilities which can be terminated only by retirement, resignation, dismissal for cause, or layoff pursuant to this Agreement.

25.1.5.4 A Limited-Term Librarian/Archivist appointment is a limited term librarian or archivist appointment with appropriate rank and a full range of responsibilities for a period of not more than three (3) years with a possibility of renewals for a total period of not more than six (6) years.

25.2 Variations to Appointments

25.2.1 Joint Appointment

25.2.1.1 A joint appointment is shared by two (2) or more Units. Financing is arranged among the Units, and approved by the respective Deans or their delegates, or the University

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Librarian or the University Archivist. The allocation of responsibilities among the respective Units shall be set out in the letter of appointment. Decision-making pursuant to this Agreement shall, where appropriate, be divided according to this allocation. Procedures to be used for personnel decisions shall be agreed between the appointee and the Units concerned at the time of appointment.

25.2.2 Cross-Appointment

25.2.2.1 Any appointment type may be the subject of cross-appointment. A cross appointed Member is based in a home Unit at Queen's but has prescribed and limited responsibilities in another Unit, as agreed to by the appointee and the respective Dean(s) (and Heads if applicable), or the University Librarian or the University Archivist. The filing of annual reports and applications for renewal, tenure, and promotion are directed to and handled through the home Unit.

25.2.2.2 Notwithstanding Article 25.2.2.1, individuals holding faculty appointments at the Royal Military College of Canada may hold cross-appointments at Queen's University.

25.2.3 Named Chairs and Professorships

25.2.3.1 Persons appointed to named chairs or professorships may be current faculty members or new appointments to the University. All new appointments shall be subject to recommendation by the appropriate Appointments Committee.

25.2.3.2 Such a named chair or professorship may last as long as the Member remains at Queen's, or may be for a defined term. All Members holding such chairs or professorships shall be on Tenure-track, Tenured, or Non-Renewable appointments, or a Special appointment. Notwithstanding Article 25.1.4.1, Members may hold a Non-Renewable appointment for a maximum of five (5) years if the Member holds a named chair or professorship.

25.2.3.3 Named chairs or professorships may provide the salary, in whole or in part, for an individual named to the chair or professorship.

25.2.3.4 If the named chair or professorship provides for a salary supplement in addition to the Member's Regular Salary, the Regular Salary shall not be so low as to create an anomaly. The Regular Salary shall change from year to year in accordance with the salary policy for all faculty Members. If the named chair or professorship provides the entire salary, the entire salary shall change from year to year in accordance with the salary policy for all faculty Members.

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25.2.3.5 If the named chair or professorship is intended to provide the entire salary, and if the endowment or other funding source is insufficient to yield an appropriate salary, it shall be supplemented from operating funds in the Unit.

25.2.3.6 If a Member holds a named chair or professorship for a defined period, and continues thereafter to be a Member after he/she no longer holds the named chair or professorship, the Member's Regular Salary shall be a salary which shall be not less than is appropriate for the Member's accomplishments and experience.

25.3 Ranks

25.3.1 Full-responsibility faculty Members shall be appointed at one of the following ranks:

- (a) Lecturer;
- (b) Assistant Professor;
- (c) Associate Professor, or
- (d) Professor

25.3.2 Faculty Members will normally be appointed at the rank of Lecturer if they have not yet earned a degree that is considered a prerequisite for a tenure-track appointment in the discipline.

25.3.3 Faculty Members who have earned a degree, usually a doctorate, that is considered a prerequisite for a tenure-track appointment in the discipline shall not be appointed below the rank of Assistant Professor.

25.3.4 Term Adjuncts shall normally be appointed at the rank of:

- (a) Lecturer if they have not yet earned a degree that is considered a prerequisite for a Tenure-track appointment in the discipline.
- (b) Assistant Professor if they have earned a degree, usually a doctorate, that is considered a prerequisite for a Tenure-track appointment in the discipline.
- (c) Associate Professor if they qualify for appointment at the Assistant Professor rank and meet the following criteria:

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- (i) A record as a very good teacher committed to academic and pedagogical excellence; and
- (ii) A record of high quality and expert peer-assessed scholarly or creative work which is normally demonstrated by presentation or publication in a suitable academic or artistic forum. Writing and research on pedagogy and innovative teaching shall be assessed as scholarly activity. The diverse backgrounds of Members and the type of scholarship appropriate to their research areas shall be taken into account when assessing the quality of scholarly or creative work.

(d) Professor if they meet one of the following criteria:

- (i) Combined scholarly or creative work or professional experience judged to be distinguished with very good teaching; or
- (ii) Combined continuing high quality scholarly work or professional experience with exceptional contributions in teaching.

(e) Professor Emeritus.

25.3.5 Only the Principal or delegate can approve a Term Adjunct's first appointment at the rank of Associate Professor or Professor.

25.3.6 Following a Term Adjunct's first appointment with the University, his/her rank shall only change as a result of having received promotion through the process set out in Article 32.6.

25.4 Equity

25.4.1 Appointment procedures and practices shall conform to the requirements of Article 24 (Employment Equity).

25.5 Appointments Committee and Procedures for All Appointments Other Than Term Adjunct Appointments

25.5.1 An Appointments Committee shall be established in each Unit no later than May 1 in each year as follows:

- (a) The Appointments Committee may be the standing Renewal, Tenure/Continuing Appointment and Promotion (RTP/RCP) Committee as established by Article 30 or Article 31, or may be constituted separately by a separate election. In either case, up to two (2) student representatives (which in this context shall include residents in the Faculty of Health Sciences) may be members of the Appointments Committee. The

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Appointments Committee shall be chaired by the Unit Head or his/her respective delegate. The Head of a Unit that is too small to form a representative committee (fewer than three (3) Members) should invite representatives from related Units to serve as members;

- (b) When a search is to be conducted to fill a joint appointment, the Appointments Committee shall be constituted in accordance with Article 25.5.1(a), with the exception that the elected Members shall be elected in equal numbers from among and by the Members in the several Units that will jointly host the appointment. The Chair of the Committee shall be a Unit Head (or delegate) of one of these Units;
- (c) When a search is to be conducted to fill a joint appointment to be hosted by an identified primary Unit and another Unit, the identity of which depends on the disciplinary expertise of the successful candidate, a composite Appointments Committee shall be constituted as follows: three elected Members shall be drawn from the primary Unit; an additional Member shall be elected by each of the potential partner Units. The Unit Head (or delegate) of the primary Unit shall serve as Chair of the Committee;
- (d) When a search is to be conducted to fill an interdisciplinary appointment (such as an appointment that is to be connected with an established interdisciplinary research group) and the eventual appointee's home Unit cannot be identified at the time, the members of a composite Appointments Committee shall be elected by and from among the Members of the interdisciplinary group. An additional member may be elected to the Committee by each of the Units that are most likely to host the appointment. The Committee shall elect its own Chair; and
- (e) Exceptions to Appointments Committee structures shall be made only with the approval of the JCAA.

25.5.2 For all Appointments Committees under Article 25.5,

- (a) the Chair shall be a voting member of the Appointments Committee;
- (b) members of the Appointments Committee shall familiarize themselves with Article 18 (Conflict of Interest/Conflict of Commitment) and shall not participate in the deliberations or recommendations relating to any search where they are in a conflict of interest or where there may be a reasonable apprehension of bias with respect to any applicant(s).
- (c) members of the Appointments Committees shall maintain confidentiality regarding the Committee's deliberations and decisions. Any member who knowingly violates this requirement of confidentiality shall be removed from the Committee.

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(d) notwithstanding Article 25.5.2(c), Committee members may disclose potential violations of the Agreement to the QUFA Grievance Officer or the appropriate University officer.

25.5.3 If, for any reason, a Department has failed to follow the procedures stipulated in Article 25.5.1 and Article 25.5.2, remedial measures may be taken as approved by the JCAA. Remedial processes for Committees are outlined in Appendix D.

25.6 Appointments Procedures for All Appointments Other Than Term Adjunct Appointments

25.6.1 When the Unit Head has received approval to advertise a position, the Appointments Committee shall

(a) recommend the academic and/or professional qualifications and experience required for the position to be filled, after consultation with the other Members of the Unit(s) concerned;

(b) recommend on the content of any advertisement or notice of the position, recommend on the placement of such advertisements or notices, and assist in seeking and finding qualified individuals who are interested in applying for the position;

(c) review and assess on sound academic and professional grounds and in accordance with Article 24, all materials provided by applicants, taking into account diverse backgrounds and experiences of applicants and the many forms scholarship can take;

(d) prepare a short list of applicants, which along with the file for each short-listed applicant, shall be made available in the Unit office(s) for review by Members of the Unit(s). Members of the Unit(s) may submit written opinions to the Appointments Committee on the worthiness of the applicants. A short list must consist of more than one (1) applicant unless the Appointments Committee, after reviewing each applicant's file, is satisfied that only one (1) applicant has met the minimum qualifications for the position as determined by the Appointments Committee and reflected in the advertisement, and the Appointments Committee does not decide to re-advertise;

(e) interview short-listed candidates, and invite all Members in the Unit(s) to meet the short-listed applicants and submit written opinions to the Committee when the candidates visit the campus to be interviewed and to make presentations; and

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(f) make written recommendations on appointments, with reasons given and taking into account only the complete file.

25.6.2 Once an Appointments Committee has commenced the Article 25.6.1(c) stage, if it has not made a recommendation by the time a succeeding Appointments Committee is constituted pursuant to Article 25.5.1, the original Appointments Committee shall remain seized of the process that it commenced. The succeeding Appointments Committee shall deal with all new appointment matters.

25.6.3 The Dean, University Librarian or University Archivist is responsible for ensuring that any file forwarded to the Provost and Vice-Principal (Academic) or delegate for decision includes

(a) all materials provided by the applicant;

(b) all letters of assessment, including written submissions from Unit Members pursuant to Article 25.6.1(e);

(c) the Appointments Committee's equity report; and

(d) the written recommendation with reasons of

(i) the Appointments Committee, including any written dissenting recommendation with reasons provided by any Appointments Committee member;

(ii) the Head (if applicable), who has taken into account only the complete file and any prior recommendation(s); and

(iii) the Dean, University Librarian or University Archivist, who has taken into account only the complete file and any prior recommendation(s).

25.7 Exceptions to the Appointments Procedures

25.7.1 Exceptions to the appointments procedures may be made in the following circumstances:

(a) Advertising of a position may be waived in exceptional circumstances

(i) by the Provost and Vice-Principal (Academic) or delegate for Tenure-track or Tenured appointments;

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(ii) by the appropriate Dean, University Librarian or University Archivist for all other positions except Term Adjunct faculty; and

(iii) by the Unit Head for Term Adjunct faculty positions.

(b) Assessment by an Appointments Committee is always required for Tenure-track, Tenured, or Continuing appointments; Assessment by a Modified Appointments Committee is always required for Continuing Adjunct appointments. However, other types of appointments may be made without a recommendation from such a committee only if a need to fill a vacancy has occurred by reason of an emergency. An emergency is an unforeseen circumstance in which there is not enough time to follow regular appointment procedures and the program requires that the course(s) be offered.

(c) New or vacant Library or Archivist positions may be either posted internally only or posted internally and externally at the same time, as determined by the University Librarian, University Archivist or delegate. Any Member who applies for a posted position shall be considered for that position. If qualified, the Member shall be short-listed for that position.

(d) If the spouse or partner of a successful candidate for an academic position at the University or the spouse or partner of a person already holding an academic appointment at the University applies for an advertised academic position at the University, the spouse's or partner's file shall be reviewed by the Appointments Committee of the Unit that has advertised the position, and if qualified, shall be short-listed for that position.

(e) In appointments pursuant to Article 25.5.1(c) and Article 25.5.1(d), the searches shall be conducted by the composite Appointments Committees with the exception that the Appointments Committees of the respective and potential primary Units will be consulted about potential short-listed candidates, and no candidate shall be short-listed or recommended for appointment who does not have the support of the Appointments Committee of the respective primary Unit.

25.8 Decision-making

25.8.1 The Provost and Vice-Principal (Academic) or delegate shall consider the recommended applicant's file and the recommendations, and shall grant or deny the appointment.

25.8.2 If the decision is to deny, the Dean, University Librarian, University Archivist, Department Head (if applicable) and Appointments Committee shall be promptly advised in writing, with reasons.

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25.8.3 The Dean, University Librarian or University Archivist shall advise the recommended applicant of the decision.

25.9 Offer and Acceptance

25.9.1 To enable candidates to obtain advice or assistance on terms and conditions of employment,

(a) the advertisement required by Article 25.6.1(b) and Article 25.10 shall provide that the academic staff at Queen's are governed by a collective agreement between QUFA and the University which is posted at [cite the Faculty Relations website link to the CA] and at <http://www.qufa.ca>; and

(b) any offer shall be accompanied by a copy of this Agreement, information on how the Association and its representatives can be contacted and any other materials which the Parties to this Agreement feel will be useful to a new Member.

25.9.2 The successful candidate shall receive, in duplicate, a letter of appointment from the Provost and Vice-Principal (Academic) or delegate specifying the Unit(s) of appointment, rank, salary, type of appointment, starting date, date of eligibility for Renewal, Tenure or Continuing appointment (if applicable), duration of appointment, and any other terms and conditions agreed to between the University and the appointee, as well as a statement that the appointment is subject to this Agreement. The letter of appointment shall contain no terms that are inconsistent with this Agreement.

25.9.3 Candidates for Tenured, Tenure-track, Continuing, Special and Non-renewable appointments shall not be offered a starting salary that is lower than the existing salaries in the discipline, Library or Archives at Queen's for someone with their years of experience and accomplishments. The minimum starting salary for Tenured, Tenure-track, Special and Non-renewable faculty appointments shall be the floor for Assistant Professors, except for appointments made at the rank of Lecturer. The minimum starting salary for librarian/archivist appointments shall be the floor for General Librarians/General Archivists.

25.9.4 Research initiation grants or other support for teaching and research consistent with the current practice in the discipline shall be offered to all candidates on an equitable basis.

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- 25.9.5 The candidate accepts the offer by signing and returning one copy to the Provost and Vice-Principal (Academic) or delegate. A copy of the letter of appointment signed by the Member shall be sent to the Association.
- 25.9.6 The Head or Dean shall advise all unsuccessful applicants that they have not been selected and the appointment shall be announced in For the Record.
- 25.10 Appointments Procedures for Term Adjuncts
- 25.10.1 Posting of Available Term Adjunct Appointments
- 25.10.1.1 A Unit Head shall post a notice of an available Term Adjunct Appointment per Article 25.10.1.2, unless the Unit Head determines that
- (a) a Term Adjunct who has a Right of Reappointment per Article 32 is available to instruct and evaluate that course or course-section (or part thereof); or
 - (b) there is a reason to waive the posting requirement for the course or course-section (or part thereof) per Article 25.10.1.5.
- 25.10.1.2 Subject to Article 25.10.1.5, notices for available Term Adjunct Appointments shall
- (a) be posted on the Unit website on or before March 1 (for Summer Term courses); June 1 (for Fall Term and Fall-Winter Term courses); and October 15 (for Winter Term courses);
 - (b) remain on the Unit website for at least ten (10) working days from the first day of posting;
 - (c) be circulated internally via listserv that includes Term Adjuncts within the Unit within the first week of posting on the Unit website; and
 - (d) include the following information:
 - (i) The date of the posting of the notice;
 - (ii) The Unit offering the course or course-section;
 - (iii) The course name, number, type (e.g., lecture, seminar), level (introductory undergraduate, upper-year undergraduate, graduate) and location (if not offered on the main campus);

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- (iv) The percentage responsibility for the course or course-section available (if less than 100%);
- (v) The expected enrolment for the course or course-section available, subject to Article 25.10.1.3 and Article 25.10.1.4;
- (vi) Any requirements for supervision of laboratory/practicum work;
- (vii) The required qualifications;
- (viii) The required application materials, including those specified in Article 25.10.2.4;
- (ix) The application deadline;
- (x) The start and end dates of the appointment; and
- (xi) The employment equity statement per Article 24.3.1(a).

25.10.1.3 Notices for available Term Adjunct Appointments may indicate that appointments are subject to funding or enrolment criteria.

25.10.1.4 The expected enrolments specified in Article 25.10.1.2(d)(v) shall be provided for information only and may be subject to change.

25.10.1.5 Exceptions to the posting requirements may be made as follows:

- (a) Notices may be posted after the dates provided in Article 25.10.1.2(a)
 - (i) if a Term Adjunct appointment becomes unexpectedly open due to the unavailability of an appointed Member or other faculty member, or due to the funding of an additional course or course-section, or other unforeseen circumstances; or
 - (ii) for available Term Adjunct appointments in the Aboriginal Teacher Education Program (ATEP).
- (b) At the discretion of the Unit Head, posting of an available Term Adjunct appointment may be waived, or the period of posting shortened, should a Term Adjunct appointment become open fewer than twenty (20) working days before the first day of the academic term or academic session in which the course or course-section is to be offered.

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- (c) At the discretion of the Unit Head, posting of an available Term Adjunct appointment may be waived when there is an opportunity to
- (i) integrate a distinguished member of a professional community into the academic program of a Unit;
 - (ii) assign the course or course-section to a Post-Doctoral Fellow at Queen's;
 - (iii) reappoint, on the advice of the Term Adjunct Appointments Committee, a Term Adjunct with a record of good teaching for the course, except in circumstances where a complete job search did not occur at the time of the Term Adjunct's original appointment for the course or course-section; or
 - (iv) assign the course or course-section to a full-time faculty member of the Queen's Theological College.

25.10.1.6 The Association shall be notified of all appointments made under Article 25.10.1.5.

25.10.2 Appointment Process for Term Adjuncts

25.10.2.1 Each Unit shall have an advisory committee on the appointments of Term Adjuncts. This Committee shall be the Unit Head (or delegate), and two elected members. One of the elected members of the Committee shall have explicit responsibility for the committee adhering to the rules and practices that assure equity per Article 24.

25.10.2.2 A student representative from the undergraduate and/or graduate level in the Unit may also be named to the Adjunct Appointments Committee through procedures developed in the Unit.

25.10.2.3 The Adjunct Appointments Committee shall make recommendations to the Dean only on appointments to posted Term Adjunct positions.

25.10.2.4 An applicant for a posted Term Adjunct appointment shall submit an application in writing to the Unit Head. The application shall include

- (a) a complete and current curriculum vitae (CV);
- (b) any other materials the applicant wishes to submit (such as a teaching dossier); and
- (c) the names of two referees who may be contacted.

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25.10.2.5 Any applicant who has held an academic appointment in the Unit in the twelve (12) months preceding a posting may apply for a posted position by submitting a letter of interest and referring to relevant materials in her/his Official File.

25.10.2.6 The materials referred to in Article 25.10.2.4 and Article 25.10.2.5 shall be provided to the Adjunct Appointments Committee. When applicable, an applicant's Official File, including the record of employment and teaching and other evaluations, shall be provided to the Unit's Adjunct Appointments Committee.

25.10.2.7 In reviewing applications for posted positions, the Adjunct Appointments Committee and the Dean shall assess applicants taking into account diverse backgrounds and experiences of applicants and the many forms scholarship can take, and in accordance with the following criteria:

(a) The applicant has the requisite academic qualifications for the position (i.e., the relevant academic degree or certificate, education in the academic specialty, other relevant qualifications including scholarship in the field) and/or relevant professional training or experience;

(b) The applicant has a record of good teaching; and

(c) The applicant has teaching experience in the available course or similar courses.

25.10.2.8 No offer of appointment shall be made before the application deadline posted per Article 25.10.1.2(d)(ix).

25.10.3 Committee to Assess General Right of Reappointment (GRoR) and Continuing Adjunct Appointment Applications

25.10.3.1 A Modified Appointments Committee shall be established in each Unit no later than January 31 for the purpose of making recommendations on the granting of a General Right of Reappointment (GRoR) and Continuing Adjunct Appointments. The Modified Appointments Committee shall be the Unit's standing Appointments Committee as described in Article 25.5.1(a), except that when the Committee is reviewing applications for GRoR or a Continuing Adjunct appointment, it shall be chaired by someone other than the Unit Head (or delegate), and the Unit Head (or delegate) shall recuse him/herself from the Committee for those applications. The Chair shall be a voting member.

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25.10.4 Written Confirmation of Appointment for Term Adjuncts

25.10.4.1 A candidate who has accepted an offer of appointment shall receive a written confirmation of appointment within ten (10) days of acceptance of the offer.

25.10.4.2 The written confirmation shall include

- (a) the Member's rank;
- (b) the start and end dates of the appointment;
- (c) the name, number, type (e.g., lecture, seminar), level (introductory undergraduate, upper-year undergraduate, graduate) and location (if not offered on the main campus) of the course(s) (or portion(s) thereof) to be taught by the Member;
- (d) the Member's percentage responsibility for the course or course-section(s) (if less than 100%);
- (e) the expected course or course-section enrolment, subject to Article 25.10.1.3 and Article 25.10.1.4;
- (f) any requirements for supervision of laboratory/practicum work or other additional duties concurrent with the appointment;
- (g) the Member's remuneration for the course(s) (or portion(s) thereof), and for any additional duties concurrent with the appointment;
- (h) arrangements to compensate the Member for eligible travel expenses associated with the appointment, per Appendix G; and
- (i) reference to the requirement (per Articles 32.3.6.2 and 32.5.8.2) to inform the Member's Unit Heads of all teaching performed by the Member in other Units.

25.10.5 Additional Duties for Term Adjuncts

25.10.5.1 A Term Adjunct may agree to a request from the Unit Head to perform instructional or supervisory duties related to any academic program during the Member's appointment as a Term Adjunct. Any such duties shall

- (a) be appropriately compensated according to Article 42; and
- (b) shall be outlined in a supplementary letter of appointment to the Member, if not outlined in the Member's original letter of appointment.

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25.10.5.2 All additional duties for which compensation is paid must be agreed to by the Unit Head in advance of the commencement of the duties.

25.10.5.3 Refusal to assume additional duties such as those described in Article 25.10.5.1 or Article 15 after an original letter of appointment has been issued shall not prejudice a Term Adjunct's eligibility for reappointment.

25.10.5.4 The number of hours recorded for Employment Insurance (EI) purposes for Term Adjuncts is set out in Appendix R.

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RENEWAL, TENURE AND PROMOTION
FOR TENURE-TRACK AND TENURED FACULTY

30.1 General

30.1.1 This Article applies to Renewal, Tenure and Promotion decisions.

30.2 Renewal, Tenure and Promotion Committee

30.2.1 By May 1 of each year, each Unit shall elect a standing Renewal/Tenure/Promotion Committee. The Committee shall elect its own Chair who shall be a voting member of the Committee. Members of the Committee shall be elected following a process of nomination of individual Members. Members of the Committee may be elected for staggered terms of more than one year. Members who intend to apply for Renewal/Tenure/Promotion shall not stand for election. Elections shall be conducted by a form of secret ballot. The Department Head (if applicable) and the Dean shall be excluded from such Committees. The Committee shall have a minimum of three (3) Members of the Bargaining Unit who shall be Tenure-track or Tenured Members. Units that are too small to form representative committees (fewer than three (3) Members) should invite representatives from related Units to serve as members. All other Units may invite representatives from cognate or related Units to serve on the Committee.

30.2.2 The provisions of Appendix O apply if the applicant for Renewal/Tenure/Promotion is an Aboriginal person.

30.2.3 Where practicable, the Committee shall be reflective of differences in rank and gender. The Committee shall appoint a Member as the Committee's Equity Representative per Article 24. The Parties agree that Renewal, Tenure and Promotion process shall be in accordance with the principles stated in Article 24.1.

30.2.4 A student representative from the undergraduate and/or the graduate level in the Unit or a related program may also be named to the Committee through procedures developed by the Unit.

30.2.5 All members of the Committee (including students) shall familiarize themselves with Article 18 (Conflict of Interest/Conflict of Commitment). Committee members shall not participate in the deliberations or recommendations of any application where they are in a conflict of interest as per Article 18 or where there may be a reasonable apprehension of bias. No student whose graduate supervisor of record is a candidate or a member of the Committee shall serve on the Committee. Committee members excluded for reasons of conflict of interest/conflict of commitment or because there is a

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reasonable apprehension of bias shall resign from the Committee and shall be replaced if the process of reviewing the applications has not yet commenced.

- 30.2.6 Committee members shall maintain confidentiality regarding the Committee's deliberations and decisions. Committee members who knowingly violate this requirement of confidentiality shall be removed from the Committee.
- 30.2.7 Notwithstanding Article 30.2.6, Committee members may disclose potential violations of the Agreement to the QUFA Grievance Officer or the Faculty Relations Office in the Office of the Provost and Vice-Principal (Academic).
- 30.3 Renewal/Reappointment, Tenure and Promotion Committees for Members in Clinical Departments in the Faculty of Health Sciences
- 30.3.1 The Renewal/Reappointment, Tenure and Promotion processes of Members in clinical Departments in the Faculty of Health Sciences shall conform to all provisions of the Agreement in all respects except the following:
- (a) The Member may suggest to his or her Dean the group(s), Unit(s), or office(s) that the Member regards as most competent to assess his/her Renewal/Reappointment, Tenure or Promotion file. Individuals in the named group(s), Unit(s) or office(s) need not necessarily be Members.
 - (b) Should there be a disagreement between the Member and the Dean regarding the named group(s), Unit(s) or office(s), the matter shall be referred to the JCAA.
- 30.4 Remedial Processes for Committees
- 30.4.1 If, for any reason, a Unit has failed to follow the procedures stipulated in Article 30.2 or Article 30.3, remedial measures may be taken as approved by the JCAA. Remedial processes for Committees are outlined in Appendix D.
- 30.5 Eligibility
- 30.5.1 A faculty Member in the final year of an Initial Tenure-track appointment (normally three (3) years) is entitled to be considered for Renewal of appointment for a further three (3) years.

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- 30.5.2 In exceptional cases, the Member may be considered for Renewal earlier than the final year of the Initial Tenure-track appointment. Such consideration must be agreed to by the Dean before the assessment begins.
- 30.5.3 A faculty Member holding a Renewed Tenure-track appointment shall normally be considered for Tenure in the final year of his/her Renewed appointment.
- 30.5.4 In exceptional cases, the Member may be considered for Tenure and Promotion earlier than the final year of the Renewed Tenure-track appointment. Such consideration must be agreed to by the Member and the Dean before the assessment begins.
- 30.5.5 In the case of Members in Renewed Tenure-track appointments, applications for Tenure and Promotion to the rank of Associate Professor shall proceed together.
- 30.5.6 A Member who, during the Initial Tenure-track appointment, has become a parent may elect to have the Renewal decision postponed for a year for each such birth or adoption. A Member who, during the Initial Tenure-track appointment, has taken Sick Leave of at least sixty (60) days (or such lesser period if the Member can demonstrate that the period of Sick Leave has had substantial impact on the Member's research capability) may elect to have the Renewal decision postponed for the same amount of time they were on leave (rounded up in years). In other exceptional cases, Members may request consideration be delayed one (1) year and if granted the Initial Tenure-track appointment shall be extended by one (1) year. Due consideration to such requests shall be given.
- 30.5.7 A Member who, during the Renewed Tenure-track appointment, has become a parent may elect to have the Tenure decision postponed for a year for each such birth or adoption. A Member who, during the Renewed Tenure-track appointment, has taken Sick Leave of at least sixty (60) days (or such lesser period if the Member can demonstrate that the period of Sick Leave has had substantial impact on the Member's research capability) may elect to have the Tenure decision postponed for the same amount of time they were on leave (rounded up in years). In other exceptional cases, Members may request consideration be delayed one (1) year and if granted the Renewed Tenure-track appointment shall be extended by one (1) year. Due consideration to such requests shall be given.

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30.6 Criteria

30.6.1 Renewal for Tenure-track faculty shall be granted when there is clear evidence of a commitment to academic excellence, some demonstrated professional growth, and the prospect (based on the record of accomplishments to date) of future development, as reflected in the following:

(a) A record as a good teacher; and

(b) Clear evidence of high quality scholarly or creative work which is normally, but not necessarily, demonstrated by presentation or publication in a suitable academic or artistic forum. Writing and research with respect to pedagogy and innovative teaching shall be assessed as scholarly activity. The diverse backgrounds of Members and the type of scholarship appropriate to their research areas shall be taken into account when assessing the quality of scholarly or creative work.

30.6.2 In a decision about Renewal, there shall be a presumption in favour of Renewal. In order to refuse an appointment, the University must be able to demonstrate that the weight of evidence is in favour of non-Renewal.

30.6.3 Tenure as defined in Article 25.1.2.3 shall be granted when there is clear evidence of demonstrated professional growth and the promise of future development as reflected in the following:

(a) A record as a very good teacher committed to academic and pedagogical excellence;

(b) A record of high quality and expert peer-assessed scholarly or creative work which is normally demonstrated by presentation or publication in a suitable academic or artistic forum; writing and research with respect to pedagogy and innovative teaching shall be assessed as scholarly activity; the diverse backgrounds of Members and the type of scholarship appropriate to their research areas shall be taken into account when assessing the quality of scholarly or creative work; and

(c) A record of professional, University or community service which has contributed to the Department, Unit, Faculty, University or broader academic community.

30.6.4 In order to be granted Tenure as defined in Article 25.1.2.3, the Member must show that the evidence favours granting Tenure.

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- 30.6.5 Promotion is the recognition by academic peers and the University of increased status of the Member in her/his discipline. A faculty Member will be assessed for Promotion on her/his contributions to teaching, research and scholarship, and service to the Department, Unit, Faculty, University, and the broader academic community.
- 30.6.6 In order to be promoted to the rank of Professor, the Member must show that the evidence favours granting the promotion.
- 30.6.7 Subject to Article 30.6.5, the normal expectations for Promotion to the following faculty ranks are as follows:
- (a) Assistant Professor: The Member must be a good teacher. In those disciplines where a Ph.D. is usually required, the Member normally will have completed the doctorate. Otherwise, evidence of the successful initiation of research and scholarly work or comparable professional or creative work is required. Writing and research with respect to pedagogy and innovative teaching shall be assessed as scholarly activity. The Member's participation in the operation of the Department, Unit, Faculty or University or contributions to her/his profession may be taken into consideration. Any tenure track Member who was initially appointed with the rank of Lecturer because he/she had not yet obtained his/her Ph.D. shall be appointed with the rank of Assistant Professor upon obtaining this degree without the need to apply for promotion under this Article.
 - (b) Associate Professor: For Members in Tenure-track appointments the criteria for the granting of Tenure shall apply. Article 30.6.3 outlines the expectations for Tenure.
 - (c) Professor: The Member must either combine scholarly or creative work judged to be distinguished with very good teaching or continuing high quality scholarly work with exceptional contributions in teaching. The Member is expected to have made a contribution to the successful operation of the Department, Unit, Faculty or University. Contributions to her/his profession also are relevant. Writing and research with respect to pedagogy and innovative teaching shall be assessed as scholarly activity.
- 30.6.8 Extraordinary contributions in either
- (a) teaching, or
 - (b) research, scholarly, or creative activity,

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shall compensate for a lesser involvement in the other area or service, provided that there has been a satisfactory level of contribution in all areas.

30.6.9 In cases where the applicant's required responsibilities in teaching (as noted in the letter of appointment) are minimal, primary emphasis shall be placed on scholarship/research. Teaching that is undertaken shall be assessed on the basis of whatever information as to quality is available.

30.6.10 In cases where the applicant's required responsibilities in scholarship/research (as noted in the letter of appointment) are minimal, primary emphasis shall be placed on teaching. Scholarship/research that is undertaken shall be assessed on the basis of whatever information as to quality is available.

30.7 Notification

30.7.1 By May 1, a notice shall be placed in For the Record by the Office of the Provost and Vice-Principal (Academic) announcing an August 15 deadline for applications for Renewal, Tenure or Promotion and referring to the procedures in this Article.

30.7.2 By May 15, the Unit Head shall

(a) notify all Members of the Unit of the Promotion deadlines for the coming year;

(b) provide written notification of the notice of the Provost and Vice-Principal (Academic) to all Members within the Unit; and

(c) notify all Members eligible for Renewal or Tenure in writing of their eligibility, and in that notice draw their attention to Appendix O. If the Unit Head uses e-mail to notify the Member, it shall be followed up by a letter. The Unit Head shall make reasonable efforts to ensure that the Member has received timely notice.

30.7.3 By July 1, the Member must notify the Unit Head of her/his intent to apply for Renewal, Tenure or Promotion, and if so whether the Member wishes to invoke the provisions of Appendix O.

30.7.4 The Unit Head shall notify the Renewal/Tenure/Promotion Committee of any application for Renewal, Tenure or Promotion as soon as possible so that the Committee can schedule its deliberations and begin the process of selecting and

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soliciting the views of students and referees. The Unit Head shall also advise the Committee whether the Applicant has invoked the provisions of Appendix O.

30.8 Referees

30.8.1 For Renewal, there shall be three (3) referees, at least one (1) of whom shall be external to the University.

30.8.2 For Tenure or Promotion to Associate Professor, there shall be four (4) referees, at least three (3) of whom shall be external to the University.

30.8.3 For Promotion to Professor, there shall be five (5) referees, at least four (4) of whom shall be external to the University.

30.8.4 Referees must be suitably qualified with expertise in the candidate's discipline, impartial, appropriate, and capable of making an assessment. Where appropriate, referees should also have international stature. The referee shall be at arm's length from the candidate.

30.8.5 Within a reasonable time of receiving notification of the Member's application, and no later than July 15, the Unit Head shall arrange a meeting with the Member to give advice on the preparation of the application and to discuss the suitability of potential referees.

30.8.6 The Member shall provide a list of prospective referees to the Committee no later than July 31. The total number of referees proposed by the Member must be greater than the number of letters from referees required pursuant to Article 30.8.1, Article 30.8.2 or Article 30.8.3.

30.8.7 The Committee shall also suggest names of prospective referees who are at arm's length from members of the Committee.

30.8.8 At least half the required number of referees selected per Article 30.8.1, Article 30.8.2 or Article 30.8.3 shall come from the list of names proposed by the Member and at least one (1) shall be proposed by the Committee pursuant to Articles 30.8.7 and Article 30.8.9.

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30.8.9 If the Committee cannot choose at least half the required number of referees from the Member's list, it shall ask the Member to submit the names of additional prospective referees to the Committee.

30.8.10 The Member shall inform the Committee in writing of the nature of the relationship she/he has with all individuals nominated to be referees.

30.8.11 The Unit Head shall request reports from the referees and advise them of their option of remaining anonymous. The referees shall be sent the candidate's full curriculum vitae and teaching dossier (if applicable). The Member shall select significant scholarly work or examples of creative work which shall be sent to the referees. Referees shall be informed that they may request any additional pieces of work that appear on the curriculum vitae if they need those materials to make an informed evaluation of the candidate's scholarly/creative work. The Member shall provide any requested materials.

30.8.12 If a selected referee does not submit a letter, the Unit Head shall solicit a letter from another referee on the proposed list of referees developed pursuant to Articles 30.8.6 through 30.8.9.

30.9 Member's Application File

30.9.1 By August 15, the Member shall provide the following materials to the Committee:

- (a) An up-to-date curriculum vitae;
- (b) A separate summary of teaching experience for faculty Members (which may be in the form of a teaching dossier and which may include surveys prepared pursuant to Article 29.4);
- (c) Copies (if feasible) of all relevant scholarly or creative work (or at least citations for such work) and a description of any work in progress; and
- (d) A summary of the Member's contributions to the Department, Unit or Faculty and the wider University community, and where appropriate, to the discipline or profession.

30.9.2 The Unit shall reimburse the Member for the costs of the preparation of duplicate copies on a receipted basis.

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30.10 Students

30.10.1 The Committee shall develop a list of the Member's students and former students who may be contacted to solicit their views on the Member. The Member shall be shown the list of students and former students who may be contacted. The Member may strike out up to twenty-five (25) per cent of the names of students without having any obligation to provide reasons for so doing. The Committee shall randomly select an appropriately sized number of names from the list remaining and solicit their views in writing on the Member.

30.11 Colleagues

30.11.1 By September 15 the Member's Application File as described in Article 30.9.1 and, if the Member permits, any other material submitted for this purpose shall be made available for review within the Unit so that colleagues may submit to the Committee written and signed opinions on the merits of the application. "Colleagues" includes current Members and non-Bargaining Unit clinical faculty within the Unit but does not include members of the Committee, Department Heads, Deans, Associate Deans and students. Where the candidate has a joint appointment or cross appointment, the documentation noted above shall be made available to the relevant Units.

30.12 Material from the Official File

30.12.1 Prior to October 15, the Unit Head shall provide to the Member information from the Member's Official File that is relevant to the application, subject to Article 28.6.2. The University Surveys of Student Assessment of Teaching (USATs) shall be included in the Renewal/Tenure/Promotion File in any application for Renewal, Tenure or Promotion. The Member shall have ten (10) working days to respond to any material included from the Member's Official File and may provide additional relevant materials as well as a written response. The Unit Head shall forward to the Committee the material specified in this Article along with the Member's response.

30.13 Renewal/Tenure/Promotion File

30.13.1 The Renewal/Tenure/Promotion File shall consist of all materials provided by the Member pursuant to Article 30.9.1, and all other material, reports and assessments compiled under Article 30.8.11, Article 30.10.1, Article 30.11.1, and Article 30.12.1.

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30.13.2 At the request of a referee submitting a report under Article 30.8.11, and automatically when a student submits an assessment under Article 30.10.1 the report or assessment shall be masked by deleting the letterhead and signature block to maintain anonymity.

30.13.3 Unsolicited material from students and others shall not be included in the Renewal/Tenure/Promotion File nor be considered by the Committee.

30.13.4 The Member shall have access to the Renewal/Tenure/Promotion File, subject to Article 30.13.2, and shall have a reasonable opportunity to respond in writing to any material in the Renewal/Tenure/Promotion File at the following points in the process:

- (a) After any new material is added to the file;
- (b) Before the file is considered by the Committee;
- (c) Before the file goes to the Department Head (if applicable);
- (d) Before the file goes to the Dean; and
- (e) Before the file goes to the Principal.

30.13.5 After the Renewal/Tenure/Promotion File has been submitted to the Committee, the Member can only add new material to the file, other than a written response to a recommendation or to other material added pursuant to Article 30.13.4, if the new material that the Member is adding is sufficiently significant that it might affect the recommendation or decision. The Dean may also add new material to the file, other than material specified in Article 30.14.9 and Article 30.14.12, if the new material that the Dean is adding is sufficiently significant that it might affect the recommendation or decision.

30.13.6 If at any stage of the RTP process the Member submits material or a response which includes an interpretation of the Collective Agreement or past practice, the Committee/Head/Dean/Principal (as the case may be) shall immediately deliver a copy of the material or response to the Faculty Relations Office. The Committee/Head/Dean/Principal (as the case may be) shall, before considering the RTP File, allow up to ten (10) working days for the Faculty Relations Office to submit a response, which response shall be placed in the RTP File.

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30.14 Recommendations

30.14.1 All recommendations shall be made only on the basis of information in the Renewal/Tenure/Promotion File and the applicable criteria.

30.14.2 The assessment of teaching effectiveness for the purpose of Renewal, Tenure or Promotion shall be subject to Article 29.

30.14.3 By November 15, the Renewal/Tenure/Promotion File shall be available to all Committee Members. The Committee shall meet to assess all materials in the Renewal/Tenure/Promotion File. All Committee members shall review the Renewal/Tenure/Promotion File in order to participate in the formulation of the recommendation.

30.14.4 In the case of an emerging negative recommendation at the Committee level, the Member must be informed promptly with clearly stated reasons. The Member shall have ten (10) working days to submit a written response or any additional relevant material, all of which shall be added to the Renewal/Tenure/Promotion File.

30.14.5 In the case of a positive recommendation, or following receipt of the Member's response to an emerging negative recommendation, the Committee shall form a recommendation in writing with reasons in accordance with the appropriate criteria. The recommendation shall clearly indicate whether the Committee supports or is opposed to the granting of Renewal/Tenure/Promotion.

30.14.6 By December 15 in departmentalized Faculties, and by January 15 in non-departmentalized Faculties, the Committee Chair shall forward to the Member the written recommendation of the Committee with its reasons and any dissenting view(s), and submit to the next level (the Department Head in a departmentalized Faculty or the Dean in a non-departmentalized Faculty), the Renewal/Tenure/Promotion File including the written recommendation of the Committee with its reasons and any dissenting view(s).

30.14.7 The following procedures apply in departmentalized Faculties only:

(a) After receiving the recommendation of the Committee and before reviewing the Renewal/Tenure/Promotion File, the Department Head shall provide the Member with seven (7) days to respond to the Committee's recommendation.

(b) The Department Head shall form a recommendation on the merits of the file based on the material in Article 30.14.6 and any response made by the

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Member per Article 30.14.7(a). The recommendation shall clearly indicate whether the Department Head supports or is opposed to the granting of Renewal/Tenure/Promotion.

- (c) In the case of an emerging negative recommendation at the Department Head level, the Member must be informed promptly with clearly stated reasons. The Member shall have ten (10) working days to submit a written response or any additional relevant material, all of which shall be added to the Renewal/Tenure/Promotion File.
- (d) Prior to making a recommendation that would differ from that of the Committee, the Department Head shall discuss her/his concerns with the Committee.
- (e) In the case of a positive recommendation, or following receipt of the Member's response to an emerging negative recommendation, the Department Head shall form a recommendation in writing with reasons in accordance with the appropriate criteria.
- (f) By January 15, the Department Head shall forward to the Member the Department Head's written recommendation with reasons, and submit to the Dean the Renewal/Tenure/Promotion File, including
 - (i) the written recommendation of the Committee with its reasons and any dissenting view(s), and the Member's response to the Committee's recommendation (if any); and
 - (ii) the Department Head's written recommendation and reasons.

30.14.8 After receiving the recommendation from the Committee and the Department Head (if applicable) and before reviewing the Renewal/Tenure/Promotion file, the Dean shall provide the Member with ten (10) working days to respond to the Committee's recommendation (in non-departmentalized Faculties) or to the Department Head's recommendation (in departmentalized Faculties).

30.14.9 The Dean shall form a recommendation on the merits of the case based on the material in Article 30.14.6 or Article 30.14.7(f) (as applicable), and any response made by the Member per Article 30.14.8. The Dean may delegate to the appropriate Associate Dean or Vice-Dean the responsibility to make the recommendation.

30.14.10 In the case of an emerging negative recommendation at the Dean's level, the Member must be informed promptly with clearly stated reasons. The Member shall have ten

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(10) working days to submit a written response or any additional relevant material, all of which shall be added to the Renewal/Tenure/Promotion File.

30.14.11 Prior to making a recommendation that would differ from that of the Committee or the Department Head (if applicable), the Dean shall discuss her/his concerns with the Committee and/or the Department Head (if applicable).

30.14.12 In the case of a positive recommendation, or following receipt of the Member's response to an emerging negative recommendation, the Dean shall form a recommendation in writing with reasons in accordance with the appropriate criteria.

30.14.13 By March 1, the Dean shall forward to the Member the written recommendation of the Dean with reasons and submit to the Principal the Renewal/Tenure/Promotion File, including

(a) the written recommendation of the Committee with its reasons and any dissenting view(s), and the Member's response to the Committee's recommendation (if any);

(b) if applicable, the Department Head's written recommendation and reasons and the Member's response to the Department Head's recommendation (if any); and

(c) The Dean's written recommendation and reasons.

30.15 Decision-Making

30.15.1 After receiving the recommendation from the Dean and before reviewing the Renewal/Tenure/Promotion File, the Principal shall provide the Member with ten (10) days to respond to the Dean's recommendation.

30.15.2 The University Promotion Advisory Committee as described in Article 30.16 shall provide advice to the Principal as to whether, on the basis of the file, an applicant has met the criteria for Promotion to Professor.

30.15.3 The Principal shall consider the Renewal/Tenure/Promotion File, including all recommendations and all responses from the Member. The decision shall be made only on the basis of information in the Renewal/Tenure/Promotion File, the applicable criteria, and in cases of Promotion to Professor the advice of the University Promotion Advisory Committee.

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- 30.15.4 The Principal shall grant or deny Renewal, Tenure or Promotion and shall inform the Member of the decision in writing, including reasons for any denial, by April 1 for Renewal, by April 15 for Tenure or Promotion to Associate Professor and by May 15 for Promotion to Professor.
- 30.15.5 If the decision of the Principal differs from the recommendation of the Committee, Head, or Dean, the Principal must explain to them in writing the reasons for the disagreement.
- 30.15.6 Subject to the above, any Renewal, Tenure or Promotion decision may be delegated to the Provost and Vice-Principal (Academic).
- 30.15.7 Successful applications for Renewal, Tenure and/or Promotion shall be announced by the Provost's Office in For the Record.
- 30.16 The University Promotion Advisory Committee
- 30.16.1 The University Promotion Advisory Committee shall be chaired by the Provost and Vice-Principal (Academic) or delegate and composed of six (6) Professors and the University Advisor on Equity. The six (6) Professors shall be selected in the following way:
- (a) Two (2) Professors who are Deans or their delegates;
 - (b) Two (2) Professors elected by the Senate; and
 - (c) Two (2) Professors who are Members selected by the Association.
- 30.16.2 Members of the University Promotion Advisory Committee shall familiarize themselves with Article 18 (Conflict of Interest/Conflict of Commitment). Members shall not participate in the deliberations or recommendations of any application where they are in a conflict of interest or where there may be a reasonable apprehension of bias. Members of the Committee shall not participate in any matter in which they have had a prior involvement.
- 30.16.3 Members who serve on the University Promotion Advisory Committee shall maintain confidentiality regarding the Committee's deliberations and decisions. Members who knowingly violate this requirement of confidentiality shall be removed from the Committee.

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30.16.4 Notwithstanding Article 30.16.3, University Promotion Advisory Committee Members may disclose potential violations of the Agreement to the QUFA Grievance Officer or the Faculty Relations Office.

30.17 Terminal Appointment

30.17.1 A Member who is not granted tenure shall automatically receive a terminal appointment of one (1) year beyond the expiration of his/her current appointment.

30.18 Renewal, Tenure and Promotion Decisions

30.18.1 A negative decision is grievable pursuant to Step 2, Article 19.

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31.1 General

31.1.1 This Article applies to Renewal, Continuing appointment and Promotion decisions for librarian and archivist Members.

31.2 Renewal, Continuing Appointment and Promotion Committee

31.2.1 By May 1 of each year, the Library and Archives shall each elect a standing Renewal/Continuing appointment/Promotion Committee. The Committee shall elect its own Chair who shall be a voting member of the Committee. Members of the Committee shall be elected following a process of nomination of individual Members. Members of the Committee may be elected for staggered terms of more than one year. Members who intend to apply for Renewal, Continuing appointment or Promotion shall not stand for election. Elections shall be conducted by a form of secret ballot. The University Librarian, Associate University Librarian and University Archivist shall be excluded from such Committees. The Committee shall have a minimum of three (3) Members of the Bargaining Unit who shall be Continuing-track or Continuing Members. Units that are too small to form representative committees (fewer than three (3) Members) should invite representatives from related Units to serve as members. All other Units may invite representatives from cognate or related Units to serve on the Committee.

31.2.2 The provisions of Appendix O apply if the applicant for Renewal, Continuing appointment or Promotion is an Aboriginal person.

31.2.3 Where practicable, the Committee shall be reflective of differences in rank and gender. The Committee shall appoint a Member as the Committee's Equity Representative per Article 24. The Parties agree that Renewal, Continuing and Promotion process shall be in accordance with the principles stated in Article 24.1.

31.2.4 The Committee, as defined in Article 31.2.1, shall make recommendations on all Renewal, Continuing appointment, and Promotion applications.

31.2.5 Members of the Committee shall familiarize themselves with Article 18 (Conflict of Interest/Conflict of Commitment). Committee members shall not participate in the deliberations or recommendations of any application where they are in a conflict of interest or where there may be a reasonable apprehension of bias. Committee members excluded for reasons of conflict of interest or because there is a reasonable

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apprehension of bias shall resign from the Committee and shall be replaced if the process of reviewing the applications has not yet commenced.

- 31.2.6 Committee members shall maintain confidentiality regarding the Committee's deliberations and decisions. Committee members who knowingly violate this requirement of confidentiality shall be removed from the Committee.
- 31.2.7 Notwithstanding Article 31.2.6, Committee members may disclose potential violations of the Agreement to the QUFA Grievance Officer or the Faculty Relations Office in the Office of the Provost and Vice-Principal (Academic).
- 31.3 Remedial Processes for Committees
- 31.3.1 If, for any reason, the Library or Archives has failed to follow the procedures stipulated in Articles 31.2, remedial measures may be taken as approved by the JCAA. Remedial processes for Committees are outlined in Appendix D.
- 31.4 Eligibility
- 31.4.1 A librarian/archivist Member in the final year of an Initial Continuing-track appointment (normally three (3) years) is entitled to be considered for Renewal of appointment for a further three (3) years.
- 31.4.2 In exceptional cases, the Member may be considered for Renewal earlier than the final year of the Initial Continuing-track appointment. Such consideration must be agreed to by the University Librarian or University Archivist before the assessment begins.
- 31.4.3 A librarian/archivist Member applying for Renewal may apply for promotion at the same time as provided for in this Agreement. A single application file shall be used for both assessments. If Members choose not to apply for Promotion at the same time, they must make their decision known in writing to the Committee at the start of the assessment.
- 31.4.4 A librarian/archivist Member holding a Renewed Continuing-track appointment shall normally be considered for Continuing appointment in the final year of his/her Renewed Continuing-track appointment.
- 31.4.5 In exceptional cases, the Member may be considered for Continuing appointment earlier than the final year of the Renewed Continuing-track appointment. Such

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consideration must be agreed to by the Member and the University Librarian/Archivist before the assessment begins.

31.4.6 A librarian/archivist Member applying for Continuing appointment may apply for Promotion at the same time as provided for in this Agreement. A single application file shall be used for both assessments. If Members choose not to apply for promotion at the same time, they must make their decision known in writing to the Committee at the start of the assessment.

31.4.7 A Member who, during the Initial Continuing-track appointment, has become a parent may elect to have the Renewal decision postponed for a year for each such birth or adoption. A Member who, during the Initial Continuing-track appointment, has taken Sick Leave of sixty (60) days or more may elect to have the Renewal decision postponed for the same amount of time they were on leave (rounded up in years). In other exceptional cases, Members may request consideration be delayed one (1) year and if granted the Initial Continuing-track appointment shall be extended by one (1) year. Due consideration to such requests shall be given.

31.4.8 A Member who, during the Renewed Continuing-track appointment, has become a parent may elect to have the Continuing appointment decision postponed for a year for each such birth or adoption. A Member who, during the Renewed Continuing-track appointment, has taken Sick Leave of sixty (60) days or more may elect to have the Continuing appointment decision postponed for the same amount of time they were on leave (rounded up in years). In other exceptional cases, Members may request consideration be delayed one (1) year and if granted the Renewed Continuing-track appointment shall be extended by one (1) year. Due consideration to such requests shall be given.

31.5 Criteria

31.5.1 Renewal for Continuing-track librarians and archivists shall be granted when there is clear evidence of a commitment to academic excellence, some demonstrated professional growth, and the prospect (based on the record of accomplishments to date) of future development, as reflected in the following:

- (a) A record as a good librarian or archivist, who has demonstrated the ability to assume assigned responsibilities; and

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(b) Some evidence of high quality academic and/or professional development which is normally, but not necessarily, demonstrated by presentation or publication in a suitable professional, academic or artistic forum.

31.5.2 In a decision about Renewal, there shall be a presumption in favour of Renewal. In order to refuse an appointment, the University must be able to demonstrate that the weight of evidence is in favour of non-Renewal.

31.5.3 Continuing appointment as defined in Article 25.1.5.3 shall be granted when there is clear evidence of demonstrated professional growth and the promise of future development as reflected in the following:

(a) A record as a good librarian or archivist who has demonstrated the ability to assume responsibility and to perform assigned duties successfully;

(b) Evidence of high quality academic and/or professional development which is normally but not necessarily demonstrated by presentation or publication in a suitable professional, academic or artistic forum; and

(c) A record of professional, university or community service which has contributed to the Library, Archives, University or broader academic community.

31.5.4 In order to be granted Continuing appointment as defined in Article 25.1.5.3, the Member must show that the evidence favours granting Continuing appointment.

31.5.5 Promotion is the recognition by academic peers and the University of increased status of the Member in her/his respective discipline. A librarian/archivist Member will be assessed for promotion on her/his professional and academic development, and her/his service to the Library or Archives, the University, the broader academic community and to the librarian and archivist professions.

31.5.6 In order to be promoted to the rank of Librarian/Archivist, the Member must show that the evidence favours granting the promotion.

31.5.7 Subject to Article 31.5.5, the normal expectations for Promotion to the following librarian/archivist ranks are as follows:

(a) General Librarian/General Archivist: The Member will have a Master of Library Science, Master of Archival Studies or the equivalent and show both potential for successful performance and promise for future professional and

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academic activity. This is the rank at which a professional career normally begins.

(b) Assistant Librarian/Assistant Archivist: The Member has demonstrated a continuing record of successful performance as a General Librarian/General Archivist and the ability to assume assigned responsibilities and has some evidence of high quality academic and/or professional development.

(c) Associate Librarian/Associate Archivist: The Member has demonstrated successful performance of assigned duties, and demonstrated abilities to handle increased responsibilities. Evaluation of the Member's performance shall also include consideration of service to the University and professional or scholarly development.

(d) Librarian/Archivist: The Member must show a continuing record of professional accomplishment and a demonstrated ability to handle increased responsibility. The Member must demonstrate scholarly and/or professional development and significant achievement in the field of service or specialization.

31.6 Notification

31.6.1 By May 1, a notice shall be placed in For the Record by the Office of the Provost and Vice-Principal (Academic) announcing an August 15 deadline for applications for Renewal, Continuing appointment or Promotion and referring to the procedures in this Article.

31.6.2 By May 15, the University Librarian/Archivist shall

(a) notify all Members of the Unit of the Promotion deadlines for the coming year;
(b) provide written notification of this announcement to all Members within the Unit; and

(c) notify all Members eligible for Renewal or Continuing appointment in writing of their eligibility and in that notice draw their attention to Appendix O. If the University Librarian/Archivist uses e-mail to notify the Member, it shall be followed up by a letter. The University Librarian/Archivist shall make reasonable efforts to ensure that the Member has received timely notice.

31.6.3 By July 1, the Member must notify the University Librarian/Archivist of her/his intention to apply for Renewal, Continuing appointment or Promotion, and if so whether the Member wishes to invoke the provisions of Appendix O.

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31.6.4 The University Librarian/Archivist shall notify the Renewal/Continuing Appointment/Promotion Committee of any application for Renewal, Continuing appointment or Promotion as soon as possible so that the Committee can schedule its deliberations and begin the process of selecting and soliciting the views of referees. The University Librarian/Archivist shall also advise the Committee whether the Applicant has invoked the provisions of Appendix O.

31.7 Referees

31.7.1 For Renewal or Promotion to Assistant Librarian/Assistant Archivist, there shall be three (3) referees, one (1) of whom may be external to the Library, Archives or the University.

31.7.2 For Continuing appointment or Promotion to Associate Librarian/Associate Archivist, there shall be four (4) referees, at least two (2) of whom shall be external to the Library, Archives or the University.

31.7.3 For Promotion to Librarian or Archivist, there shall be five (5) referees, at least three (3) of whom shall be external to the Library, Archives or the University. One (1) additional internal referee may be used if the Member, Committee and the University Librarian/Archivist agree the addition is appropriate.

31.7.4 Referees must be suitably qualified with expertise in the candidate's field of service or specialization, impartial, appropriate, and capable of making an assessment. Where appropriate, referees should also have provincial, national or international stature. The referee shall be at arm's length from the candidate.

31.7.5 Within a reasonable time of receiving notification of the Member's application, and no later than July 15, the University Librarian or Associate University Librarian, or the University Archivist shall arrange a meeting with the Member to give advice on the preparation of the application and to discuss the suitability of potential referees.

31.7.6 The Member shall provide a list of prospective referees to the Committee no later than July 31. The total number of referees proposed by the Member must be greater than the number of letters from referees required pursuant to Article 31.7.1, Article 31.7.2 or Article 31.7.3.

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- 31.7.7 The Committee shall also suggest names of prospective referees who are at arm's length from members of the Committee.
- 31.7.8 At least half the required number of referees per Article 31.7.1, Article 31.7.2 or Article 31.7.3 shall come from the list of names proposed by the Member and at least one (1) shall be proposed by the Committee pursuant to Article 31.7.7 and Article 31.7.9.
- 31.7.9 If the Committee cannot choose at least half the required number of referees from the Member's list, it shall ask the Member to submit the names of additional prospective referees to the Committee.
- 31.7.10 The Member shall inform the Committee in writing of the nature of the relationship she/he has with all individuals nominated to be referees. The Member may also file a written comment on the appropriateness of any referee proposed by the Committee.
- 31.7.11 The University Librarian/Archivist shall request reports from the referees and advise them of their option of remaining anonymous. The referees shall be sent the candidate's full curriculum vitae and teaching dossier (if applicable). The Member shall select significant scholarly work or examples of creative work which shall be sent to the referees. Referees shall be informed that they may request any additional pieces of work that appear on the curriculum vitae if they need those materials to make an informed evaluation of the candidate's scholarly/creative work. The Member shall provide any requested materials.
- 31.7.12 If a selected referee does not submit a letter, the University Librarian/Archivist shall solicit a letter from another referee on the proposed list of referees developed pursuant to Articles 31.7.6 through Article 31.7.9.

31.8 Member's Application File

- 31.8.1 By August 15, the Member shall provide the following materials to the Committee:
- (a) An up-to-date curriculum vitae;
 - (b) Copies (if feasible) of all relevant scholarly work (or at least citations for such work) and a description of any work in progress; and
 - (c) A summary of the Member's contributions to the Department, Unit or Faculty and the wider University community, and where appropriate, to the discipline or profession.

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31.8.2 The Unit shall reimburse the Member for the costs of the preparation of duplicate copies on a receipted basis.

31.9 Colleagues

31.9.1 By September 15 the Member's Application File as described in Article 31.8.1 and, if the Member permits, any other material submitted for this purpose shall be made available for review within the Unit so that colleagues may submit to the Committee written and signed opinions on the merits of the application. "Colleagues" includes current Members within the Unit but does not include members of the Committee, the University Archivist, the University Librarian, or the Associate University Librarian. Where the candidate has a joint appointment or cross appointment, the documentation noted above shall be made available to the relevant Units.

31.10 Material from the Official File

31.10.1 Prior to October 15, the University Librarian/Associate University Librarian/Archivist shall provide to the Member information from the Member's Official File that is relevant to the application, subject to Article 28.6.2. The Member shall have ten (10) working days to respond to any material included from the Member's Official File and may provide additional relevant materials as well as a written response. The Unit Head shall forward to the Committee the material specified in this Article along with the Member's response.

31.11 Renewal/Continuing appointment/Promotion File

31.11.1 The Renewal/Continuing appointment/Promotion File shall consist of all materials provided by the Member pursuant to Article 31.8.1, and all other material, reports and assessments compiled under Article 31.7.11, Article 31.9.1 and Article 31.10.1.

31.11.2 At the request of a referee submitting a report under Article 31.7.11, the report or assessment shall be masked by deleting the letterhead and signature block to maintain anonymity.

31.11.3 Unsolicited material from students and others shall not be included in the Renewal/Continuing appointment/Promotion File nor be considered by the Committee.

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31.11.4 The Member shall have access to the Renewal/Continuing appointment/Promotion File, subject to Article 31.11.2, and shall have a reasonable opportunity to respond in writing to any material in the Renewal/Continuing appointment/Promotion File at the following points in the process:

- (a) After any new material is added to the file;
- (b) Before the file is considered by the Committee;
- (c) Before the file goes to the Associate University Librarian (for librarian applications);
- (d) Before the file goes to the University Librarian or University Archivist; and
- (e) Before the file goes to the Principal.

31.11.5 After the Renewal/Continuing appointment/Promotion File has been submitted to the Committee, the Member can only add new material to the file, other than a written response to a recommendation or to other material added pursuant to Article 31.11.4, if the new material that the Member is adding is sufficiently significant that it might affect the recommendation or decision. The University Librarian/Archivist may also add new material to the file, other than material specified in Article 31.12.9 and Article 31.12.12, if the new material that the University Librarian/Archivist is adding is sufficiently significant that it might affect the recommendation or decision.

31.11.6 If at any stage of the Renewal/Continuing Appointment/Promotion process the Member submits material or a response which includes an interpretation of the Collective Agreement or past practice, the Committee/Associate University Librarian/University Librarian or University Archivist/Principal (as the case may be) shall immediately deliver a copy of the material or response to the Faculty Relations Office. The Committee/Associate University Librarian/University Librarian or University Archivist/Principal (as the case may be) shall, before considering the Renewal/Continuing Appointment/Promotion File, allow up to ten (10) working days for the Faculty Relations Office to submit a response, which response shall be placed in the Renewal/Continuing Appointment/Promotion File.

31.12 Recommendations

31.12.1 All recommendations shall be made only on the basis of information in the Renewal/Continuing appointment/Promotion File and the applicable criteria.

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31.12.2 By November 15, the Renewal/Continuing appointment/Promotion File shall be available to all Committee Members. The Committee shall meet to assess all materials in the Renewal/Continuing appointment/Promotion File. All Committee members shall review the Renewal/Continuing appointment/Promotion File in order to participate in the formulation of the recommendation.

31.12.3 In the case of an emerging negative recommendation at the Committee level, the Member must be informed promptly with clearly stated reasons. The Member shall have ten (10) working days to submit a written response or any additional relevant material, all of which shall be added to the Renewal/Continuing appointment/Promotion File.

31.12.4 In the case of a positive recommendation, or following receipt of the Member's response to an emerging negative recommendation, the Committee shall form a recommendation in writing with reasons in accordance with the appropriate criteria. The recommendation shall clearly indicate whether the Committee supports or is opposed to the granting of Renewal/Continuing Appointment/Promotion.

31.12.5 For librarian Members, the Committee Chair shall forward to the Member the written recommendation of the Committee with its reasons and any dissenting view(s), and submit to the Associate University Librarian by December 15 the Renewal/Continuing appointment/Promotion File including the written recommendation of the Committee with its reasons and any dissenting view(s).

31.12.6 For archivist Members, the Committee Chair shall forward to the Member the written recommendation of the Committee with its reasons and any dissenting view(s), and submit to the University Archivist by January 15 the Renewal/Continuing appointment/Promotion File including the written recommendation of the Committee with its reasons and any dissenting view(s).

31.12.7 The following procedures apply to librarian Members only:

(a) After receiving the recommendation of the Committee and before reviewing the Renewal/Continuing appointment/Promotion File, the Associate University Librarian shall provide the Member with seven (7) days to respond to the Committee's recommendation.

(b) The Associate University Librarian shall form a recommendation on the merits of the file based on the material in Article 31.12.5 and any response made by the Member per Article 31.12.7(a). The recommendation shall

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clearly indicate whether the Associate University Librarian supports or is opposed to the granting of Renewal/Continuing Appointment/Promotion.

- (c) In the case of an emerging negative recommendation at the Associate University Librarian level, the Member must be informed promptly with clearly stated reasons. The Member shall have ten (10) working days to submit a written response or any additional relevant material all of which shall be added to the Renewal/Continuing appointment/Promotion File.
- (d) Prior to making a recommendation that would differ from that of the Committee, the Associate University Librarian shall discuss her/his concerns with the Committee.
- (e) In the case of a positive recommendation, or following receipt of the Member's response to an emerging negative recommendation, the Associate University Librarian shall form a recommendation in writing with reasons in accordance with the appropriate criteria.
- (f) By January 15, the Associate University Librarian shall forward to the Member the Associate University Librarian's written recommendation with reasons, and submit to the University Librarian the Renewal/Continuing appointment/Promotion File, including
 - (i) the written recommendation of the Committee with its reasons and any dissenting view(s), and the Member's response to the Committee's recommendation (if any); and
 - (ii) the Associate University Librarian's written recommendation and reasons.

31.12.8 After receiving the recommendation of the Committee and the Associate University Librarian (if applicable) and before reviewing the Renewal/Continuing appointment/Promotion File, the University Librarian/Archivist shall provide the Member with ten (10) days to respond to the Committee's recommendation (in the case of the Archives) and the Associate University Librarian's recommendation (in the case of the Library).

31.12.9 The University Librarian/ Archivist shall form a recommendation on the merits of the case based on the material in Article 31.12.6, Article 31.12.7(f) (as applicable) and any response made by the Member per Article 31.12.8.

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31.12.10 In the case of an emerging negative recommendation at the University Librarian or University Archivist level, the Member must be informed promptly with clearly stated reasons. The Member shall have ten (10) working days to submit a written response or any additional relevant material, all of which shall be added to the Renewal/Continuing appointment/Promotion File.

31.12.11 Prior to making a recommendation that would differ from that of the Committee or the Associate University Librarian (if applicable), the University Librarian or University Archivist shall discuss her/his concerns with the Committee and/or the Associate University Librarian (if applicable).

31.12.12 In the case of a positive recommendation or following receipt of the Member's response to an emerging negative recommendation, the University Librarian/Archivist shall form a recommendation in writing with reasons in accordance with the appropriate criteria.

31.12.13 By March 1, the University Librarian/Archivist shall forward to the Member the written recommendation of the University Librarian/Archivist and submit to the Principal the Renewal/Continuing appointment/Promotion File, including

(a) the written recommendation of the Committee with its reasons and any dissenting view(s), and the Member's response to the Committee's recommendation (if any);

(b) if applicable, the Associate University Librarian's written recommendation and reasons and the Member's response to the Associate University Librarian's recommendation (if any); and

(c) the University Librarian's/Archivist's written recommendation and reasons.

31.13 Decision-Making

31.13.1 After receiving the material in Article 31.12.12, and before reviewing the Renewal/Continuing appointment/Promotion File, the Principal shall provide the Member with ten (10) days to respond to the University Librarian's or University Archivist's recommendation.

31.13.2 The Principal shall consider the Renewal/Continuing appointment/Promotion File, including all recommendations and all responses from the Member. The decision

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shall be made only on the basis of information in the Renewal/Continuing appointment/Promotion File and the applicable criteria.

- 31.13.3 The Principal shall grant or deny Renewal, Continuing appointment or Promotion and shall inform the Member of the decision in writing, including reasons for any denial, by April 1 for Renewal or Promotion to Assistant Librarian/Archivist, by April 15 for Continuing appointment or Promotion to Associate Librarian/Archivist, and by May 15 for Promotion to Librarian/Archivist.
- 31.13.4 If the decision of the Principal differs from the recommendation of the Committee, Associate University Librarian, University Librarian or University Archivist, the Principal must explain to them in writing the reasons for the disagreement.
- 31.13.5 Subject to the above, any Renewal, Continuing appointment or Promotion decision may be delegated to the Provost and Vice-Principal (Academic).
- 31.13.6 Successful applications for Renewal, Continuing appointment and/or Promotion shall be announced by the Office of the Provost and Vice-Principal (Academic) in For the Record.
- 31.14 Terminal Appointment
- 31.14.1 A Member who is not granted a Continuing appointment shall automatically receive a terminal appointment of one (1) year beyond the expiration of the current appointment.
- 31.14.2 A negative decision is grievable pursuant to Step 2, Article 19.

ARTICLE 32
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32.1 Reappointment of Term Adjuncts

32.1.1 No Adjunct Member shall be denied reappointment for reasons that are contrary to this Agreement, nor solely to prevent an individual from becoming eligible for reappointment or appointment as a Continuing Adjunct.

32.1.2 A Post-Doctoral Fellow appointed as a Term Adjunct shall not accrue a Specific or General Right of Reappointment for any courses or course-sections taught while holding an appointment as a Post-Doctoral Fellow at Queen's University.

32.1.3 For all purposes of service and continuity, an eight (8) month Term Adjunct contract shall be viewed as a one (1) year contract. A period of authorized leave shall neither break nor be counted as part of such consecutive service. Furthermore, one (1) gap in membership in the Bargaining Unit of not more than twelve (12) months due to lack of work shall be treated as an authorized leave for the purposes of this Article.

32.1.4 For the purposes of this Agreement, prior teaching of a course as specified in Article 32.2.1 shall date from May 1, 2000.

32.1.5 For the purposes of Article 32, Continuing and Distance Studies (CDS) shall be regarded as a Unit. Any rights of reappointment, including an appointment as a Continuing Adjunct, acquired through teaching CDS courses, shall apply only to CDS courses.

32.2 Specific Right of Reappointment (SRoR) for Term Adjuncts

32.2.1 A Term Adjunct who has had full responsibility for teaching one or more course(s) at Queen's as an Adjunct at least three (3) times over four (4) consecutive academic years shall have a Specific Right of Reappointment (SRoR). The SRoR is a right to teach the same specific course(s) in the same course-delivery format in subsequent academic years, provided there is a record of good teaching per Article 29 and satisfactory performance of assigned duties, based on at least three (3) evaluations per Article 28.

32.2.2 A Term Adjunct with a SRoR shall be offered reappointment in accordance with that right unless

- (a) the course or course-section is being assigned to a Tenure-track/Tenured Member; a Continuing Adjunct; a Term Adjunct with seniority pursuant to Article 32.2.5 or a General Right of Reappointment (GRoR); or a Teaching

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Fellow who would not otherwise have an opportunity to teach as part of their graduate education;

- (b) the course or course-section to which the Member has a SRoR is not being offered;
- (c) the Term Adjunct's Right of Reappointment has expired per Article 32.4.1; or
- (d) the Term Adjunct has lost his/her Right of Reappointment per Article 32.4.2

32.2.3 In a case where Article 32.2.2(a) or Article 32.2.2(b) applies,

(a) the Unit Head shall inform the Term Adjunct with the SRoR in writing of the reason(s) reappointment is not offered. The Unit Head shall provide the Term Adjunct with the opportunity to indicate his/her interest in teaching a section of the course in the same course-delivery format should Article 32.2.2(a) or Article 32.2.2(b) not apply to a section or sections of a course in a subsequent academic year;

(b) the Term Adjunct shall maintain his/her SRoR, provided that he/she

- (i) indicates to the Unit Head in writing his/her interest in teaching a section of the course in the future;
- (ii) keeps the Unit Head informed in writing of any change in the Term Adjunct's mailing address, e-mail address, or telephone number; and
- (iii) does not lose his/her SRoR per Article 32.4.2 or his/her SRoR does not expire per Article 32.4.1.

32.2.4 In the event that more sections of a course are offered than a Term Adjunct has a SRoR to teach, the Term Adjunct is not deemed to have a SRoR to any of the additional section(s) that may be offered. A Term Adjunct with a SRoR may be appointed to teach additional sections without posting.

32.2.5 In cases where two or more Term Adjuncts have earned a SRoR to the same course but fewer course-sections of the relevant course than applicants are available, the following shall apply:

- (a) The Term Adjunct who has taught the course most often as an adjunct at Queen's shall be appointed, provided that she/he has taught the course at

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Queen's within the past five (5) academic years and has a record of good teaching per Article 29.

- (b) If two or more Term Adjuncts have taught the course an equal number of times as an adjunct at Queen's, the Term Adjunct who has taught the course most recently shall be appointed provided that she/he has a record of good teaching per Article 29.
- (c) If two or more Term Adjuncts have an equally long record of teaching that course as an adjunct at Queen's, and have taught the course equally recently, and both have a record of good teaching per Article 29, the Term Adjunct who has a superior record of teaching that course per Article 29 shall be appointed.

32.3 General Right of Reappointment (GRoR) for Term Adjuncts

32.3.1 Eligibility for General Right of Reappointment (GRoR)

32.3.1.1 Subject to the provisions of Article 32.3.1.4, a Term Adjunct with a SRoR who has served four (4) or more consecutive years as a Term Adjunct at Queen's University and whose years of service multiplied by the cumulative total of the full-course equivalents s/he has successfully taught in that period equals sixteen (16) or more shall be eligible to apply for a General (i.e. not course specific) Right of Reappointment (GRoR) within a Unit. Only SRoRs to half (0.5) courses or more shall be counted toward a Member's eligibility for a GRoR. The GRoR is a right to a reappointment for a period of not less than one (1) year and not more than three (3) years to teach any course that the Member is demonstrably qualified to teach within a Unit in which s/he acquired the GRoR.

32.3.1.2 The teaching load entitlement (TLE) of a GRoR equals the full-course equivalents (comprised of half (0.5) courses or more) to which the Member has earned a SRoR.

32.3.1.3 In instances where a Term Adjunct has become numerically eligible for a GRoR as a result of teaching performed in multiple Units, the provisions of Article 32.3.1 and Article 32.3.2 shall be modified where applicable by Article 32.3.6.

32.3.1.4 A Term Adjunct faculty Member who is numerically eligible for a GRoR shall not be reappointed if

- (a) the Member has been dismissed for cause or suspended for cause without pay for at least one (1) month; or

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(b) a financial exigency has been declared pursuant to Article 38.

32.3.1.5 A GRoR shall be granted to an eligible Term Adjunct when there is clear evidence, based on at least three (3) evaluations per Article 28, of demonstrated professional growth and the promise of future development as reflected in the following:

(a) A record of very good teaching (per Article 29) and clear evidence of a commitment to academic and pedagogical excellence; and

(b) A record of high-quality performance of assigned duties.

32.3.2 Procedures for Acquiring a General Right of Reappointment (GRoR)

32.3.2.1 The Modified Appointments Committee described in Article 25.10.3 shall make recommendations regarding the granting of GRoR.

32.3.2.2 The Unit Head shall inform all Term Adjuncts who will become eligible to apply for a GRoR pursuant to Articles 32.3.1.1 in writing of their eligibility no later than the first day of the Term prior to the Term in which he/she becomes eligible. At that time the Unit Head shall also advise the Member that he/she may submit his/her application for consideration by the Modified Appointments Committee (the Committee). Within thirty (30) days, a Member must indicate to the Unit Head in writing that he/she wishes to be considered for a GRoR, and submit any materials pursuant to Article 32.3.2.3 that he/she wishes to be considered by the Modified Appointments Committee.

32.3.2.3 A Term Adjunct who wishes to apply for a GRoR shall, on or before January 31 following the Unit Head's notice under Article 32.3.2.2 submit his/her application for consideration by the Modified Appointments Committee. The application shall include:

(a) an up-to-date curriculum vitae;

(b) a teaching dossier which includes student evaluations and/or surveys pursuant to Article 29;

(c) a list of all courses or subject areas within the Unit the Member believes s/he is demonstrably qualified to teach; and

(d) any other materials relevant to the courses within the Unit that the Member is demonstrably qualified to teach (in addition to those courses for which the Member has been appointed in the past).

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The Member may also choose to include other material s/he believes is relevant to the criteria at Article 32.3.1.5.

32.3.2.4 Prior to February 15, the Unit Head shall

- (a) inform the Modified Appointments Committee of the Member's application;
- (b) make available to the Committee the Member's Official File (including the Member's Appointment Reports and teaching evaluations); and
- (c) make available to the Committee the Member's materials submitted pursuant to Article 32.3.2.3.

32.3.3 Application File

32.3.3.1 The Application File shall consist of all materials provided by the Member pursuant to Article 32.3.2.3, and all other material, reports and assessments compiled under Article 32.3.2.4.

32.3.4 Recommendations

32.3.4.1 By March 15 the Modified Appointments Committee shall meet to assess all materials in the Application File in order to determine

- (a) if the member has met the criteria set out at Article 32.3.1.5; and
- (b) which courses the Member is demonstrably qualified to teach in the Unit. If a course is one which the Member has previously taught with satisfactory assessment, it shall be presumed that the Member is demonstrably qualified to teach it.

32.3.4.2 In the case of an emerging negative recommendation on the question of whether to grant a GRoR at the Modified Appointments Committee level, the Chair of the Committee must inform the Member within ten (10) working days with clearly stated reasons. The Member shall have ten (10) working days to submit a written response or any additional relevant material, all of which shall be added to the Application File.

32.3.4.3 The Modified Appointments Committee shall form a recommendation in writing with reasons in accordance with the appropriate criteria. The recommendation shall clearly indicate whether the Committee supports or is opposed to the granting of a GRoR.

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32.3.4.4 By May 1, the Chair of the Modified Appointments Committee shall forward to the Member the written recommendation of the Committee on the question of whether to grant a GRoR with its reasons, and submit to the Unit Head, the Application File including the written recommendation of the Committee with its reasons. The Committee shall also compile a list of the courses the Member is demonstrably qualified to teach within the Unit.

32.3.4.5 In the case of a positive recommendation from the Modified Appointments Committee, the Unit Head shall recommend granting a GRoR unless the Unit Head is not persuaded that the Member has met the criteria set out at Article 32.3.1.5.

32.3.4.6 By May 15, the Unit Head shall forward to the Member the Unit Head's written recommendation with reasons, and submit to the Dean the Application File, including

- (a) the written recommendation of the Modified Appointments Committee with its reasons and the Member's response to the Committee's recommendation (if any); and
- (b) the Department Head's written recommendation and reasons.

32.3.5 Decision

32.3.5.1 In the case of a positive recommendation from the Modified Appointments Committee and the Unit Head (if applicable), the Dean shall grant the GRoR, effective July 1. However, if the Unit Head and the Committee cannot agree on a recommendation, the Dean shall decide the matter.

32.3.5.2 The Dean shall inform the Member of the decision in writing, including reasons for any denial, by July 1. In the case of a positive recommendation, the Dean's notification letter shall state the date upon which the GRoR becomes effective, the Member's Teaching Load Entitlement (TLE), and it shall refer to Article 32.4 regarding the loss or expiration of a right of reappointment.

32.3.5.3 In the case of a negative decision, the Member shall retain any right of reappointment s/he held at the time of application for a GRoR.

32.3.6 Eligibility for a General Right of Reappointment (GRoR) Across Two or More Units

32.3.6.1 Article 32.3.6 applies to Term Adjuncts who have taught in more than one Unit and who wish to apply teaching experience in one Unit to their eligibility for GRoR in

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another Unit. To the extent applicable, Article 32.3.6 modifies the other provisions of Article 32.3.

32.3.6.2 A Term Adjunct with a SRoR who wishes to apply teaching experience in one Unit to his/her eligibility for GRoR in another Unit shall inform the Heads of all such Units in writing of all teaching performed in other Units by October 31 in the Fall Term, or February 15 in the Winter Term if they are only teaching in that Term. The Letter of Appointment for all Term Adjuncts will identify the need for a Term Adjunct to provide Unit Heads with this information.

32.3.6.3 The University shall consider teaching performed in multiple Units in the calculation of numerical eligibility for a GRoR only if the conditions of Article 32.3.6.2 are met.

32.3.6.4 The Head of the Unit for which the Term Adjunct has a SRoR or, if the Term Adjunct has a SRoR in more than one Unit, the Head of the Unit in which the greatest amount of teaching has been performed by the Term Adjunct shall initiate the procedures as set out at Article 32.3.2.2. Heads of Units in which the Term Adjunct subsequently earns a SRoR will initiate the procedures in Article 32.3.2.2 at that time. All Units in which the Term Adjunct has taught shall be copied on the correspondence prescribed by Article 32.3.2.2.

32.3.6.5 A Term Adjunct is eligible for a GRoR only in the Units in which s/he has a SRoR. Teaching load entitlement (TLE) as per Article 32.3.1.2 shall be on a Unit-specific basis.

32.3.6.6 If Unit needs change over time, a portion or all of the Member's TLE in one of the Units may be transferred to another Unit in which the member has a TLE after consultation with the Member. A Member may request that a portion or all of the Member's TLE in one of the Units be transferred to another Unit in which the Member has a TLE.

32.3.6.7 Each Unit in which a Term Adjunct applies for a GRoR shall independently complete the procedures as set out at Article 32.3.2.

32.3.6.8 Where a Dean is required to make a decision per Article 32.3.5 with regard to a Term Adjunct's applications for GRoR in more than one Unit, the Dean shall decide each application independently.

32.3.6.9 Where a Term Adjunct acquires a GRoR in multiple Units, Article 32.4.1 applies on a Unit specific basis.

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32.3.7 Reappointment of Term Adjuncts with a General Right of Reappointment

32.3.7.1 A Term Adjunct faculty Member who holds a GRoR per Article 32.3.1.1 shall be reappointed for a period of not less than one year and not more than three years provided there is a record of good teaching and satisfactory performance of other assigned duties, unless

(a) the Member's teaching or other assigned duties are being assigned to a Tenure-track/Tenured faculty Member or to a Continuing Adjunct faculty Member, or the courses which the Member is qualified to teach are not being offered and/or the assigned duties are to be discontinued and there are no other courses offered that the Member is demonstrably qualified to teach; or

(b) the Term Adjunct's Right of Reappointment has expired per Article 32.4.1; or

(c) the Term Adjunct has lost his/her Right of Reappointment per Article 32.4.2;
or

(d) a financial exigency has been declared pursuant to Article 38.

32.3.7.2 For Term Adjuncts with a General Right of Reappointment who are reappointed, the appointment letter shall include the information required by Article 25.10.4.2. The appointment letter shall also specify the total length of appointment in accordance with Article 32.3.1.1 and the duties for the first year of the appointment, and it shall give an indication of expected duties for subsequent years, if applicable.

32.3.7.3 In the event the available courses which the Member is demonstrably qualified to teach will be of insufficient number to fulfill his/her GRoR teaching load entitlement (TLE), the Member shall be offered reappointment to teach only such courses as are available to him/her. An appointment at a teaching load that is less than the Member's TLE shall not diminish his/her GRoR or TLE.

32.3.8 Bumping Rights Amongst Term Adjuncts with a General Right of Reappointment

32.3.8.1 In cases where two (2) or more Term Adjuncts with a GRoR may be demonstrably qualified to teach a course or courses which they have not previously taught, and the assignment of the course or courses is necessary for reappointment of at least one (1) of the Term Adjuncts, the Unit Head shall notify the Members and the Modified Appointments Committee. The Unit shall seek the recommendation of the Committee on the respective qualifications of the Term Adjuncts prior to assigning the course or courses and prior to determining the issue of reappointment.

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32.3.8.2 In cases where two (2) or more Term Adjuncts have a GRoR, but fewer courses than equally qualified applicants are available, the following shall apply:

- (a) The Term Adjunct with the longest record of employment as an Adjunct in the Bargaining Unit shall be appointed; and
- (b) If two (2) or more Term Adjuncts have equally long records of employment as Adjuncts in the Bargaining Unit, the Adjunct who has taught the course(s) to be assigned most recently shall be appointed.

32.4 Expiration or Loss of Specific (SRoR) or General Right of Reappointment (GRoR)

32.4.1 A Term Adjunct's SRoR or GRoR shall expire if

- (a) the Term Adjunct has indicated that he/she does not wish to maintain his/her Right of Reappointment (on a per course-section basis), and made such indication in writing to his/her Unit Head; or
- (b) despite reasonable efforts, the Term Adjunct cannot be contacted at the last mailing or e-mail address or telephone number provided in writing to the Unit Head by the Term Adjunct; or
- (c) the Term Adjunct has not taught, as an Adjunct, the course(s) for which he/she has a Right of Reappointment for five (5) consecutive academic years.

32.4.2 A Term Adjunct shall lose his/her SRoR or GRoR if he/she

- (a) has been dismissed for cause or suspended for cause without pay for at least (1) month; or
- (b) does not meet the standard of good teaching and satisfactory performance of assigned duties as measured by evaluations per Article 29; or
- (c) has been disciplined at Queen's or at another institution for fraud or misconduct in academic activity (following the conclusion of the grievance process at that institution).

32.4.3 A Member with a SRoR or GRoR who declines a reappointment in order to undertake activities that will maintain or enhance the quality of the Member's scholarship and teaching, or to enable the Member to undertake other outside activities related to

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his/her scholarship and teaching, or to meet family obligations or for health-related reasons shall maintain his/her seniority for purposes of Article 32.2.5 and Article 32.3.8.2, provided that

- (a) the Member has notified the Unit Head in writing of the Member's reason for not accepting the available appointment;
- (b) the Unit Head has approved the Member's reason, and has so indicated to the Member in writing; and
- (c) the period of non-appointment does not exceed twelve (12) consecutive months.

32.4.4 A period of non-appointment per Article 32.4.3 does not count towards the years outlined in Article 32.4.1(c) that are used to determine expiration of SRoR or GRoR.

32.5 Conversion of Term Adjunct Appointment to Continuing Adjunct Appointment

32.5.1 Eligibility

32.5.1.1 A Term Adjunct with a GRoR and a minimum of six (6) years of consecutive service as a faculty Member in the Bargaining Unit and whose years of service multiplied by the cumulative total of the full-course equivalents s/he has successfully taught in that period equals seventy-two (72) or more may apply to convert his/her Term Adjunct appointment to a Continuing Adjunct appointment in a Unit. Years of service in a continuing (e.g. tenured) appointment from which a Member has retired, resigned or been dismissed, or following which a member has received a terminal appointment pursuant to Article 30.17.1 or Article 31.14.1, shall not count toward eligibility for a Continuing Adjunct appointment.

32.5.1.2 In instances where a Term Adjunct has become numerically eligible to convert his/her appointment to a Continuing Adjunct appointment as a result of teaching performed in multiple Units, the provisions of Article 32.5 shall be modified where applicable by the provisions of Article 32.5.8.

32.5.2 Criteria

32.5.2.1 A Continuing Adjunct appointment as defined in Article 25.1.3.2 shall be granted to an eligible Term Adjunct when there is clear evidence, based on at least six (6) evaluations per Article 28, of demonstrated professional growth and the promise of future development as reflected in the following:

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- (a) A record of very good teaching (per Article 29) and clear evidence of a commitment to academic and pedagogical excellence; and
- (b) A record of high-quality performance of assigned duties.

32.5.2.2 In order to be granted a Continuing Adjunct appointment as defined in Article 25.1.3.2, the Member must show that the evidence favours granting a Continuing Adjunct appointment.

32.5.3 Procedures

32.5.3.1 The Modified Appointments Committee shall make recommendations on all Continuing Adjunct appointment applications.

32.5.3.2 The Unit Head shall inform all Term Adjuncts who will become eligible to apply for a Continuing Adjunct appointment pursuant to Articles 32.5.1.1 in writing of their eligibility no later than the first day of the Term prior to the Term in which s/he becomes eligible. Within thirty (30) days, a Member must indicate to the Unit Head in writing that he/she will consider a Continuing Adjunct appointment, and submit any materials pursuant to Article 32.5.3.3 that he/she wishes to be considered by the Modified Appointments Committee.

32.5.3.3 A Term Adjunct who wishes to apply for a Continuing Adjunct appointment shall, on or before January 31 following the Unit Head's notice under Article 32.5.3.2 submit his/her application for consideration by the Modified Appointments Committee. The application shall include

- (a) an up-to-date curriculum vitae;
- (b) a teaching dossier which includes student evaluations and/or surveys pursuant to Article 29;
- (c) a list of all courses or subject areas within the Unit the Member believes s/he is demonstrably qualified to teach; and
- (d) any other materials relevant to the courses within the Unit that the Member is demonstrably qualified to teach (in addition to those courses for which the Member has been appointed in the past).

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A Member may also choose to include other material s/he believes is relevant to the criteria at Article 32.5.2.1.

32.5.3.4 Prior to February 15, the Unit Head shall

- (a) inform the Modified Appointments Committee of the Member's application;
- (b) make available to the Committee the Member's Official File (including the Member's Appointment Reports and teaching evaluations); and
- (c) make available to the Committee the Member's materials submitted pursuant to Article 32.5.3.3.

32.5.4 Application File

32.5.4.1 The Application File shall consist of all materials provided by the Member pursuant to Article 32.5.3.3, and all other material, reports and assessments compiled under Article 32.5.3.4.

32.5.5 Recommendations

32.5.5.1 By March 15, the Modified Appointments Committee shall meet to assess all materials in the Application File in order to determine if the member has met the criteria set out at Article 32.5.2.1.

32.5.5.2 In the case of an emerging negative recommendation, the Chair of the Modified Appointments Committee must inform the Member within ten (10) working days with clearly stated reasons. The Member shall have ten (10) working days to submit a written response or any additional relevant material, all of which shall be added to the Application File.

32.5.5.3 The Modified Appointments Committee shall form a recommendation in writing with reasons in accordance with the appropriate criteria. The recommendation shall clearly indicate whether the Committee supports or is opposed to the granting a Continuing Adjunct appointment.

32.5.5.4 By May 1, the Modified Appointments Committee Chair shall forward to the Member the written recommendation of the Committee on the question of whether to grant a Continuing Adjunct appointment with its reasons, and submit to the Unit Head, the Application File including the written recommendation of the Committee with its reasons.

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32.5.5.5 In the case of a positive recommendation from the Modified Appointment Committee, the Unit Head shall recommend reappointment unless

- (a) the Unit Head, in reviewing the Unit's plans for the upcoming year, determines that the course(s) taught by the Member will be discontinued or re-assigned and there are no other courses offered in the Unit for which the member is demonstrably qualified; or
- (b) the Unit Head is not persuaded that the Member has met the applicable criteria set out at Article 32.5.2.1.

32.5.5.6 By May 15, the Unit Head shall forward to the Member the Unit Head's written recommendation with reasons, and submit to the Dean the Application File, including

- (a) the written recommendation of the Modified Appointments Committee with its reasons and the Member's response to the Committee's recommendation (if any); and
- (b) the Department Head's written recommendation and reasons.

32.5.6 Decision

32.5.6.1 In the case of a positive recommendation, the Dean shall grant the Continuing Adjunct appointment unless the Dean is not persuaded that the Member has met the applicable criteria set out at Article 32.5.2.1.

32.5.6.2 The Dean shall inform the Member of the decision in writing, including reasons for any denial, by July 1. The Dean's notification letter shall state the Member's FTE and that the appointment shall be effective July 1.

32.5.6.3 In the case of a negative decision, the Member shall retain any right of reappointment he/she held at the time of application for a Continuing Adjunct appointment.

32.5.7 Course Load Entitlement

32.5.7.1 Term Adjunct Members whose appointments are converted to Continuing Adjunct appointments shall be entitled to a course load of no less than the higher of

- (a) the average number of half courses per year he/she has taught in all years used in calculating eligibility for a Continuing Adjunct appointment; or

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(b) the average number of half courses per year he/she has taught in the last three (3) years.

32.5.7.2 A Continuing Adjunct Member's workload and FTE may be renegotiated by agreement between the member and the Unit head, and subject to the approval of the Dean.

32.5.8 Eligibility for a Continuing Adjunct Appointment Across Two or More Units

32.5.8.1 Article 32.5.8 applies to Term Adjuncts who have taught in more than one Unit and who wish to apply teaching experience in one Unit to their eligibility for conversion of a Term Adjunct appointment to a Continuing Adjunct appointment in another Unit. To the extent applicable, Article 32.5.8 modifies the other provisions of Article 32.5.

32.5.8.2 A Term Adjunct who wishes to apply teaching experience in more than one Unit toward his/her eligibility for a Continuing Adjunct appointment shall inform the Heads of all such Units in writing of all teaching performed in other Units by October 31 in the Fall Term, or February 15 in the Winter Term if they are only teaching in that Term. The Letter of Appointment for all Term Adjuncts will identify the need for a Term Adjunct to provide Unit Heads with this information.

32.5.8.3 The University shall consider teaching performed in multiple Units in the calculation of numerical eligibility for conversion to a Continuing Adjunct appointment only if the conditions of Article 32.5.8.2 are met.

32.5.8.4 The Head of the Unit in which the Term Adjunct has a Course Load Entitlement of one-half (0.5) full-course equivalent or greater, or if the Term Adjunct has a Course Load Entitlement of one-half (0.5) full-course equivalent or greater in more than one Unit, the Head of the Unit in which the greatest amount of teaching has been performed by the Term Adjunct shall initiate the procedures as set out at Article 32.5.3.2. Heads of Units in which the Term Adjunct subsequently achieves a Course Load Entitlement of one-half (0.5) full-course equivalent or greater will initiate the procedures in Article 32.5.3.2 at that time. All Units in which the Term Adjunct has taught shall be copied on the correspondence prescribed by Article 32.5.3.2.

32.5.8.5 A Term Adjunct may apply for a Continuing Adjunct appointment across multiple Units only in those Units where his/her Course Load Entitlement (calculated in accordance with Article 32.5.7.1 on a per-Unit basis as of the date s/he became numerically eligible for conversion) equals one-half (0.5) full-course equivalent or greater. The Member shall submit an application for a Continuing Adjunct appointment to each such Unit.

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32.5.8.6 Each Unit to which the Term Adjunct applies for conversion to a Continuing Adjunct appointment shall independently complete the procedures set out at Article 32.5.3 through Article 32.5.6.

32.5.8.7 Where the Term Adjunct submits more than one application for conversion to Continuing Adjunct appointment, the Dean shall assess and decide each application independently.

32.5.8.8 In the case of a positive recommendation in one or more of the Term Adjunct's application(s), the Course Load Entitlement for the Member's Continuing Adjunct appointment shall be the sum of the calculations (in accordance with Article 32.5.7.1) in all Units in which the Member's application was successful to a maximum of one-hundred (100) percent FTE.

32.5.8.9 Regardless of the number of successful applications, the Member shall be granted a single Continuing Adjunct appointment. The Member's workload may be assigned across the multiple Units as the respective Unit Heads, in consultation with the Member, may determine.

32.6 Promotion for Adjunct Faculty

32.6.1 The Renewal/Tenure/Promotion (RTP) Committee as defined in Article 30.2 shall make recommendations on all Adjunct promotion applications.

32.6.2 For the promotion of Adjuncts,

(a) the procedures set out in Article 30.7 through Article 30.16 shall apply mutatis mutandis; and

(b) the criteria set out in Article 30.6.1 through Article 30.6.7 shall apply to the same extent and in the same way that they apply to Tenured and Tenure-track faculty Members, except that when considering the length of time over which an Adjunct has developed his/her record of scholarly activity, the RTP Committee shall take into consideration any evidence as to the effect of the nature of the academic appointment(s) held by the Adjunct on his/her ability to engage in those scholarly activities.

32.6.3 Any Adjunct who was initially appointed with the rank of Lecturer because s/he had not yet obtained his/her Ph.D. shall be appointed with the rank of Assistant Professor upon obtaining this degree without the need to apply for promotion under this Article.

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- 32.6.4 A Continuing Adjunct who has held an adjunct appointment at the University for a minimum of twelve (12) consecutive years (excluding service as an Adjunct I and as a Sessional Adjunct) and who has been promoted to the rank of Professor in accordance with the provisions of Article 30 and Article 32 shall be granted a full-range Tenured appointment with the rank of Professor.

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41.1 Heads of Academic Departments

41.1.1 Each academic department shall have a Head who shall be appointed by the Provost and Vice-Principal (Academic) or delegate in accordance with this Article.

41.1.2 Heads are Members to whom certain administrative responsibilities and decisions are delegated. The function of the Head is to coordinate, facilitate, recommend upon and expedite matters pertaining to the operation of the Department, to ensure that departmental policy is carried out, and to demonstrate initiative and leadership in the conduct of departmental business. To that extent, Heads report administratively to their Deans in addition to representing their departments.

41.1.3 The specific responsibilities of the Head shall be agreed upon in writing between the Dean and the Head at the time of the appointment. The University will not unreasonably interfere with management functions or administrative responsibilities delegated to a Head or unreasonably withdraw such functions.

41.1.4 Except by mutual agreement of the Parties, only Tenured and Continuing Members are eligible to serve as Heads.

41.1.5 The provisions of Article 24.1 and Article 24.2 apply to the selection of Department Heads, unless a full search is authorized in which case all of Article 24 applies.

41.2 Selection Committee Membership

41.2.1 Subject to Article 41.2.2, Bargaining Unit Members from the Department shall form a majority of the full voting members of the Selection Committee. These Selection Committee members shall be elected by the Department's members by secret ballot following a process of nomination of individual members. The Committee shall also include one (1) but not more than two (2) member(s) from a cognate Unit(s). The Dean shall appoint such member(s) after consultation with the Department.

41.2.2 In the case of departments with seven (7) or fewer Members or interdisciplinary programs/institutes,

(a) the majority of full voting members of the Selection Committee may include Members selected from cross-appointed faculty or related Units; and

(b) the Committee shall include one (1) or more members from a cognate Unit(s) who shall be appointed by the Dean after consultation with the Department.

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41.2.3 Other members of the Committee shall include: one (1) undergraduate and/or one (1) graduate student (where appropriate) from the Department; and one (1) member of the Departmental support staff. The student representative(s) from the Unit or related program shall be nominated to the Committee through procedures developed by the Unit. No student whose graduate supervisor of record is a candidate or a member of the Committee shall serve on the Committee. The Provost and Vice-Principal (Academic) or delegate shall be responsible for the appointment of all these Committee members.

41.2.4 For the purposes of equity, all Committees shall include a member who has responsibilities as provided for in Article 24.2.2.

41.2.5 The Committee shall be chaired by the Dean (or delegate). The Chair may vote only to break a tie. An additional representative from the Dean's office may sit on the Committee without a vote.

41.2.6 Where appropriate, the Dean (or delegate) of the School of Graduate Studies and Research shall be a member of the Committee without a vote.

41.2.7 The remedial processes set out in Appendix D apply (if necessary) to Headship Selection Committees.

41.3 Procedures

41.3.1 The following procedures will commence at least nine (9) months before the end of a term of a Department Head, or immediately should the post of Head become vacant. Head selection procedures determined by Faculty Boards shall not conflict with this Agreement and must include the provisions below.

41.3.2 An announcement shall be placed in For the Record by the Dean, notifying the University of a search/renewal for a Department Head and seeking the input of the University community respecting the composition of the Selection Committee.

41.3.3 If within thirty (30) days of the publication of the announcement the Head indicates in writing to the Dean that she or he wishes to be considered

(a) for a second term, an abridged Selection Committee shall be constituted consisting of the Members elected under Article 41.2.1 and the Dean (or delegate) as Chair, as provided in Article 41.2.5. The abridged Selection

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Committee shall consult with the members of the Department, and if it concludes that there is a clear Departmental consensus in favour of renewal, it shall recommend to the Provost and Vice-Principal (Academic) or delegate that the Head be renewed. If the Committee concludes that there is no clear consensus, the Dean shall, if so requested, provide the incumbent with a summary of all letters received by the Committee. The full Committee shall then be constituted and the full selection process shall be followed;

(b) for a third or subsequent term, subject to Article 41.4.2, the full Committee shall be constituted and the full selection process shall be followed.

- 41.3.4 If an external search is authorized, the Committee shall act as an Appointments Committee, notwithstanding Article 25.5.1, and shall comply with Article 24.
- 41.3.5 The names of the members of the Selection Committee, including the Chair, shall be announced in For the Record, and members of the University community shall be invited to submit nominations for the Headship and to comment on the present state and future prospects of the Department.
- 41.3.6 The Chair of the Committee shall write to all faculty and staff of the Department asking them to submit names of possible candidates and the reasons for supporting a candidate. In addition, the Chair shall advise that all letters shall be reviewed by the Committee and become part of the record of decision-making. Faculty and staff shall be asked to comment on the current state and future prospects of the Department and to identify the characteristics desirable in a Head. At the request of either the Department members or the Committee, a meeting shall be arranged for the Department and the Committee to ascertain the Department's views on the qualities required in a Department Head.
- 41.3.7 The Committee shall establish a short list after undertaking any further inquiries that it deems appropriate and relevant, and after considering the present state and future prospects of the Department. In establishing this list the Committee shall consider the qualities of the candidates in terms of academic excellence, leadership and administrative abilities.
- 41.3.8 Once the short list has been established it will be distributed to members of the Department. The Committee shall consult with members on the merits of the respective candidates. The Committee shall give serious consideration to the views of the members of the Department.

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41.3.9 Recommendation to the Provost and Vice-Principal (Academic) or delegate must be by majority vote of the Committee.

41.3.10 Following deliberations by the Committee, the Chair shall transmit to the Provost and Vice-Principal (Academic) or delegate the following:

- (a) The Committee's recommendation;
- (b) The results of the consultation process; and
- (c) The short list.

41.4 Term of Office

41.4.1 The term of office for a Head shall normally be for five (5) years. A term of office for a Head shall normally commence on July 1.

41.4.2 The term of office may be renewed once, to a total maximum of two (2) five- (5-) year terms. Any subsequent renewal must follow the full selection review process in accordance with Article 41.3.3(b).

41.4.3 Acting Heads may be appointed by the Provost and Vice-Principal (Academic) or delegate for up to one (1) year in emergency circumstances, between successive terms of a re-appointed Head, or in the event of a planned leave or temporary reassignment. With the agreement of a majority of Members of the Department, Acting Heads need not be current Members of the Bargaining Unit.

41.4.4 An Interim Head may be appointed by the Provost and Vice-Principal (Academic) or delegate prior to or during the search for a Head. Such appointment shall not exceed two (2) years. With the agreement of a majority of Members of the Department, Interim Heads need not be current Members of the Bargaining Unit.

41.5 Representation of the Department

41.5.1 The Head represents the interests and concerns of her/his Department in the University.

41.5.2 The types of representation by the Head to the Dean include academic development within the Department, budget, appointments, renewal, tenure, promotions, leaves, and other matters as agreed to by the Parties or as specified in this Agreement.

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- 41.5.3 Normally, the Department refers its views to the Dean through the Head. If the Department wishes to delegate particular administrative responsibilities to individual department members or department committees, the framework for such delegation shall be agreed upon at the time of the appointment of the Head and shall remain in place for the duration of the term.
- 41.5.4 Heads may make recommendations to the Dean but shall not make decisions regarding the terms of appointment, renewal, tenure and/or promotions of other Members.
- 41.6 Grievance Arising from Delegated Administrative Tasks
- 41.6.1 Prior to filing a grievance arising from delegated administrative tasks carried out by a Department Head, the Member shall meet with her/his Department Head to attempt to resolve the matter.
- 41.6.2 If the matter is not resolved, the Member shall notify the Dean in writing. The Dean shall confirm or alter the Head's decision within ten (10) days of receiving notification and shall advise the Member immediately of the decision.
- 41.6.3 Pursuant to Article 19, the Member may grieve the Dean's decision made under Article 41.6.2.
- 41.7 Recognition for Service as Department Head
- 41.7.1 Each Department Head shall receive an annual stipend to be indicated in the letter of appointment. The minimum annual stipend for the duration of this Agreement shall be as set out in Article 42.2.6.1.
- 41.7.2 In each academic year, a Department Head shall receive a reduction in other workload duties commensurate with her/his delegated administrative responsibilities.
- 41.7.3 A Member who serves as Department Head shall be evaluated annually on the basis of the performance of his/her delegated administrative responsibilities and other workload duties and shall be granted administrative merit on the basis of their performance as Department Head.
- 41.7.4 The Member who serves as a Department Head is eligible for one (1) year of administrative leave at full salary for each five (5) year term served. Articles 33.1.1,

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33.1.3.4(b), 33.1.3.4(c), 33.1.4, 33.1.5, 33.1.7.6, 33.1.7.7 and 33.1.8 governing Academic Leaves shall apply to administrative leaves. The administrative leave is accumulated at the rate of twelve (12) months per each five (5) year term.

41.7.5 Department Heads do not accumulate credit towards Academic Leave during their terms as Heads. However, service acquired prior to their holding a headship counts towards an Academic Leave.

41.8 **Library 'Department' Heads**

41.8.1 Heads

41.8.1.1 There shall be heads in the Library who perform delegated administrative responsibilities.

41.8.1.2 In the event a 'department' head position is abolished, the University Librarian or delegate shall negotiate the reassignment of the Member and any compensation that may be appropriate in the circumstances with the incumbent. In the event that agreement cannot be reached between the Member and the Library, either party shall have the right to refer the matter to the JCAA for resolution.

41.8.1.3 Except by mutual agreement of the Parties, only Continuing-track or Continuing Members are eligible to serve as Heads.

41.8.1.4 The provisions of Article 24.1 and Article 24.2 apply to the selection of 'department' heads, unless a full search is authorized in which case all of Article 24 applies.

41.8.2 Term of Office

41.8.2.1 The term of office for a Library 'department' head shall normally be for five (5) years. A selection committee may, with the agreement of the Library 'department' head being appointed, recommend a longer or shorter term.

41.8.3 **'Department' Head Renewal**

41.8.3.1 Renewal of Library 'department' heads shall proceed as follows:

- (a) 'Department' heads shall indicate in writing to the University Librarian at least five (5) months before their term ends whether or not they wish to be renewed.

- (b) Within thirty (30) calendar days of receiving the 'department' head's written indication, the University Librarian shall inform the Unit that the 'department' head is seeking renewal, post the current position guide and create a Renewal Committee as specified below. If the 'department' head does not wish to be renewed the selection process in Article 41.8.4 shall be followed.
- (c) Renewal of a 'department' head's appointment shall be granted after a renewal process if the incumbent continues to demonstrate the ability to assume the responsibilities of the position, and when the major obligations of the position are consistently and fully met. In coming to a decision about renewal, there shall be a presumption in favour of renewal.
- (d) A Member whose term as Library 'department' head is not renewed retains her/his Continuing or Continuing-track appointment. Renewal or Continuing appointment of Members will follow the provisions of Article 31.
- (e) A Renewal Committee shall be created, which shall conform to the following rules:
- (i) A majority of regular voting members of the Committee shall be from within the Bargaining Unit.
 - (ii) There shall be at least four (4) professional librarian Members on the Committee.
 - (iii) Two (2) librarian Members shall be elected for one (1) academic year by all professional librarian Members. At least one (1) of these shall hold an administrative position as defined in Article 41.8.1.
 - (iv) Two (2) librarians shall be selected as follows for each renewal review. Where there are librarian Members in the Library 'department' of the person whose appointment is being considered for renewal, one (1) librarian from the 'department' will be elected by the Members in the 'department' and one (1) librarian from a cognate 'department' will be appointed by the University Librarian in consultation with the elected librarian Members. Where there are no additional librarians in the 'department', two (2) librarians from cognate 'departments' will be appointed by the University Librarian in consultation with the elected librarian Members.
 - (v) One (1) Library Technician or one (1) general staff person shall be elected from among the Library Technicians and general staff of the 'department' whose head is being considered for renewal. One (1) Library Technician or general staff member shall be appointed by the

University Librarian, it being understood that at least one (1) Library technician shall be on the Committee.

- (vi) The University Librarian may, after consultation with the rest of the Committee, appoint a committee member from outside the Library system if appropriate.
 - (vii) The Committee may agree to involve the Library human resource officer in the deliberations of the Committee as a resource person.
 - (viii) The University Librarian or delegate will chair the Committee but shall only vote to break a tie.
 - (ix) Any recommendation by the Committee to the Provost and Vice-Principal (Academic) or delegate must be by majority vote of the Committee.
- (f) Following the deliberations of the Committee, the University Librarian shall transmit to the Provost and Vice-Principal (Academic) or delegate the recommendation of the Committee, the recommendation of the University Librarian, and the results of any consultative processes undertaken.
- (g) The University Librarian will announce to the Unit the Provost and Vice-Principal (Academic)'s (or delegate's) decision as soon as possible.

41.8.4 **'Department' Head Selection**

41.8.4.1 The following procedures will commence at least four (4) months prior to a planned retirement/resignation or within thirty (30) days should the position of a head become vacant:

- (a) The University Librarian shall post a current position guide in the Unit and create a Selection Committee conforming to the following rules:
 - (i) A majority of regular voting members of the Committee shall be from within the Bargaining Unit.
 - (ii) There shall be at least four (4) professional librarian Members on the Committee.
 - (iii) Two (2) librarian Members shall be those elected to the Renewal Committee if one exists that year, or they shall be elected as specified in Article 41.8.3.1(e)(iii).

- (iv) Two (2) librarians shall be selected as follows: One (1) librarian from the 'department' shall be elected by the Members in the 'department' and one (1) librarian from a cognate 'department' will be appointed by the University Librarian in consultation with the elected librarian Members. Where there are no additional librarians in the 'department', two (2) librarians from cognate 'departments' shall be appointed by the University Librarian in consultation with the elected librarian Members.
 - (v) One (1) Library Technician or one (1) general staff person shall be elected from among the Library Technicians and general staff of the 'department'.
 - (vi) The University Librarian may, after consultation with the rest of the Committee, appoint a member from outside the Library system if appropriate.
 - (vii) The Committee may agree to involve the Library human resource officer in the deliberations of the Committee as a resource person.
 - (viii) The University Librarian or delegate will chair the Committee but shall only vote to break a tie.
 - (ix) Any recommendation by the Committee to the Provost and Vice-Principal (Academic) or delegate must be by majority vote of the Committee.
- (b) The Chair of the Committee shall write to all members of the Unit asking them to submit names of possible candidates and the reasons for supporting a candidate, and to comment on the present state and future prospects of the 'department'. In addition, the Chair shall advise that all letters will be reviewed by the Committee and become part of the record of decision-making. At the request of either the 'department' members or the Committee, a meeting will be arranged with the 'department' and the Committee to ascertain their views on the qualities required in a 'department' head.
- (c) The Committee shall invite comments from appropriate user groups within the University community.
- (d) The Committee shall consider the present state and future prospects of the 'department', review and assess all materials provided by applicants on sound academic and professional grounds and prepare a short list of applicants.

- (e) Materials submitted by the short-listed candidates shall be made available in the Unit office for review by members of the Unit. Members of the Unit may submit written opinions to the Committee on the worthiness of the applicants.
- (f) The Committee shall interview the short-listed candidates and invite all members of the 'department' to meet with the candidates.
- (g) Following the deliberations of the Committee, the University Librarian shall transmit to the Provost and Vice-Principal (Academic) or delegate the written recommendation of the Committee, the recommendation of the University Librarian, and the results of any consultative processes undertaken.
- (h) The University Librarian will announce to the Unit the Provost and Vice-Principal (Academic)'s (or delegate's) decision as soon as possible.

41.8.5 **Acting and Interim 'Department' Heads**

41.8.5.1 Acting Library 'department' heads may be appointed by the Provost and Vice-Principal (Academic) or delegate for up to one (1) year in emergency circumstances, between successive terms of a re-appointed Library 'department' head, or in the event of a planned leave or temporary reassignment. With the agreement of a majority of Members of the Department, Acting Library 'department' heads need not be current Members of the Bargaining Unit.

41.8.5.2 An interim Library 'department' head may be appointed by the Principal or delegate prior to or during the search for a 'department' head. Such appointments shall not exceed two (2) years duration. With the agreement of a majority of Members of the Department, Interim Library 'department' heads need not be current Members of the Bargaining Unit.

41.8.5.3 Prior to recommending the appointment of an acting or interim 'department' head, the University Librarian or delegate shall invite Members of the 'department' to provide their views on Members suitable to serve as acting or interim Library 'department' head.

41.8.6 **Recognition for Service as Department Head**

41.8.6.1 Each 'department' head shall receive an annual stipend per Article 42.2.6.1.

41.8.6.2 In each academic year, a 'department' head shall have a workload commensurate with her/his delegated administrative responsibilities.

APPENDIX O
ABORIGINAL PARTICIPATION IN RENEWAL, TENURE – OR IN THE CASE OF
LIBRARIAN AND ARCHIVIST MEMBERS, CONTINUING APPOINTMENT – OR
PROMOTION COMMITTEES

1. In this Appendix, “Committee” refers to the Committee described in Article 30.2 in the case of faculty Members, and to the Committee described in Article 31.2 in the case of librarian and archivist Members. “Unit Head” refers to the Heads of both an Academic Unit and a Library ‘department’.
2. By May 15, for Renewal, Tenure — or in the case of librarian and archivist Members, a Continuing Appointment — or Promotion, a Member who is an Aboriginal person shall be advised that he/she may, by July 1, request that the Unit Head add an Aboriginal person as a participant to the Committee and may suggest to the Unit Head the name(s) of suitable participants. The Unit Head, upon receipt of this request, shall in consultation with the Aboriginal Council select a person who may or may not be an academic and who is at arm’s length from the candidate to be the Aboriginal participant in the relevant personnel process regarding this applicant.
3. The Aboriginal Council shall provide the Unit Head with the name and contact information of its recommendation(s) by August 1st.
4. Prior to being nominated to join a Committee as an Aboriginal participant, a person must undertake to be bound by the provisions of the Collective Agreement respecting confidentiality and confirm that he/she will be available to attend meetings within the time framework set out in the Collective Agreement.
5. The Unit Head shall advise the Committee Chair and the applicant of the name of any Aboriginal participant selected to join the Committee as soon as possible after s/he has been identified.
6. The role of the Aboriginal participant shall be to provide advice to the Committee on any aspect of the Aboriginal candidate’s Renewal/Tenure/Continuing/Promotion File which may be a reflection of the candidate’s heritage.
7. The Aboriginal participant shall be a member of the Committee with respect to the Aboriginal candidate, and shall attend meetings, have access to all documents, and be able to participate in all discussions about the Aboriginal candidate.
8. The Aboriginal participant will not vote on the Committee’s recommendation, but may prepare an independent report when the Committee’s discussions are concluded. Where the Aboriginal participant prepares such a report, it will go forward as part of the file along with the Committee’s recommendation to each successive level.
9. Subject to the disclosure obligations under the Collective Agreement, all recommendations and reports, including the report of the Aboriginal participant, shall remain confidential.