

ARTICLE 20. PROMOTIONS

20.A Promotions for Faculty Members

20.A.1 General Provisions

20.A.1.1 Promotions from one rank to another shall be based upon the contribution that the faculty member has made to his/her discipline and to his/her department, faculty/school and the University at his/her current rank over a period of time, taking into account the criteria and weightings established by the dean/director pursuant to s. 20.A.1.3, his/her academic attributes and his/her performance of assigned and other duties. The duties specifically assigned to the faculty member during the period under consideration must be taken into account in the application of the criteria and weightings.

20.A.1.2 Academic attributes (not necessarily in order of importance) to be considered in determining the criteria to be used in assessing the suitability of a faculty member for promotion normally shall include, but are not limited to:

20.A.1.2.1 Research, Scholarly Work and Other Creative Activities

Factors that may be considered include: the publication of books, monographs, and contributions to edited books; papers in both refereed and nonrefereed journals; papers delivered at professional meetings; participation in panels; unpublished research including current work in progress both supported and nonsupported; editorial and refereeing duties; creative works and performances; and scholarship as evidenced by the candidate's depth and breadth of knowledge and general contributions to the research life of the University. The quality and originality of both published and unpublished work shall be evaluated.

20.A.1.2.2 Teaching

Factors that may be considered include: course work and all related activities; supervision of the work of honours and graduate students; participation in seminars and colloquia; innovative methods in teaching and other contributions to the teaching activities of the University. The written opinions of students and/or fellow faculty members shall normally be sought.

20.A.1.2.3 Service

Factors that may be considered include: participation in University, faculty, departmental and staff committees; counselling students; service in professional organizations; general administrative duties; community service where the individual has made an essentially nonremunerative contribution by virtue of special academic competence. Service includes internal and external activities related to the research and teaching function of the University.

20.A.1.3 Provisions for Promotion Guidelines

20.A.1.3.1 The dean/director, shall ensure that each faculty/school establishes promotion guidelines, in accordance with s. 20.A.1.3.3 which:

- (a) establish the promotion committee structure to be used;
- (b) establish the criteria for promotion and the weightings of these criteria, if any, to be used in the making of a promotion recommendation, and
- (c) establish faculty/school-level procedures for the making of a promotion recommendation, provided that no such procedures are inconsistent with anything in this Article.

20.A.1.3.2 These criteria and weightings shall remain in effect from year to year until changed by the dean/director in accordance with s. 20.A.1.3.3.

20.A.1.3.3 The dean/director shall:

- (a) convene a meeting of Members and associate deans/directors who:
 - (i) hold a primary appointment within the faculty/school; and
 - (ii) are present and able to participate and vote during the course of the meeting. The dean/director shall not vote at this meeting.

for the purpose of electing an advisory committee and in the case of the Faculty of Health Sciences, the meeting shall be convened by the dean/director of each College. Each College shall elect two Members to the advisory committee.

- (b) convene meetings of the elected advisory committee to prepare or revise the promotion guidelines for the faculty/school;
- (c) act as a member, or assign a delegate to act as a member of the advisory committee;
- (d) the dean/director or delegate in his/her role as a member of the advisory committee shall ensure that the promotion criteria and weightings are fair and appropriate for all disciplines within the faculty/school/college, consistent with this Agreement, consistent with the University's policies, and consistent with the law, before the promotion guidelines are presented for a vote;
- (e) if the promotion criteria and weightings do not meet the conditions set out in subsection (d) above, return them to the advisory committee for further consideration. If they meet the conditions set out in subsection (d) above, present the advisory committee's majority recommended promotion guidelines and any dissenting views to a meeting of Members and associate dean/directors who:
 - (i) hold a primary appointment within the faculty/school/college; and
 - (ii) are present and able to participate and vote during the course of the meeting;

for the purpose of a vote on the recommended promotion guidelines. The dean/director shall not vote at this meeting.

- (f) adopt the promotion guidelines if the majority votes to accept the recommendation;
- (g) return the matter to the advisory committee if the majority votes to reject the recommendation; and
- (h) where there have been two consecutive votes to reject recommended promotion guidelines, determine whether to keep the current promotion guidelines or to adopt the most recently recommended promotion guidelines, and provide written reasons for the decision to all Members within the faculty/school.

20.A.1.3.4 The dean/director shall communicate the promotion guidelines to all Members.

20.A.1. 4 In the event the criteria and weightings are changed in accordance with s. 20.A.1.3.3, while he/she is a faculty member the candidate for promotion has the right to have his/her application for promotion considered, if he/she so chooses, according to the previous criteria and weightings provided no more than five (5) calendar years have elapsed between the date upon which those previous criteria and weightings were changed and the date upon which the application for promotion is submitted to the department head. Where more than five (5) calendar years have elapsed since the date upon which the previous criteria and weightings were changed, the changed criteria and weightings apply.

20.A.1. 5 Normally promotion proceedings shall commence not later than September 15th and be completed by April 30th of the following year with the actual promotion taking effect on March 30 of the calendar year next following the calendar year in which the application is submitted. The University may consider applications for promotion at other times during the year when it deems appropriate.

20.A.2 **Promotion Committees**

20.A.2.1 Subject to, and in accordance with, the Guidelines established in s. 20.A.1.3.3, the dean/director, shall be responsible for establishing a faculty-based nucleus promotion committee to which shall be added representatives for each department. Where possible, the majority of the voting members of the promotion committee are to be persons from the candidate's department who have the expertise to judge the achievements of the candidate.

20.A.2.2 Gender parity will be sought on all promotion committees. Where gender parity is not feasible, there shall be at least one (1) member of each gender on each promotion committee.

20.A.2.3 The dean/director or his/her designate shall be the chairperson of each promotion committee and serve in a non-voting capacity.

20.A.2.4 The head of the candidate's department shall serve in a non-voting capacity.

20.A.2.5 **Research Metrics**

20.A.2.5.1 For the purposes of this provision, “research metrics” shall mean the product of the application of quantitative analysis and statistics used to assess the quality of a body of work (e.g, h-index, citation index, bibliometrics).

20.A.2.5.2 Any evaluation and/or assessment of a Member’s research shall be based on a full review of the quality of their contribution to research, scholarly work, and other creative activity.

20.A.2.5.3 Quantitative factors (such as the number of publications, research funding amounts, and number of conference presentations) have been an element of evaluation and/or assessment and shall continue to be an element in the evaluation and/or assessment of research, scholarly work, and creative activities.

20.A.2.5.4 Research metrics shall not be used as a substitute for a more comprehensive assessment of quality and quantity.

20.A.2.6 **Joint Tenure/Promotion Process**

In the event that an Assistant Professor applies for tenure and promotion in the same academic year, the tenure committee established under 19.D.1 may be asked to perform the functions of the tenure committee (as per Article 19) and the promotions committee (as per Article 20). The committee shall first make and forward a recommendation on tenure in accordance with the provisions of Article 19. If the recommendation for tenure is positive, the committee shall then make and forward a recommendation on promotion in accordance with the provisions of Article 20. If the tenure recommendation is negative, the committee shall not consider the promotion application. If tenure is subsequently granted, a new promotion committee shall be struck in accordance with Article 20. If an early tenure application is withdrawn, there shall be a new promotion committee struck in accordance with Article 20. Nothing herein interferes with the right of the applicant to withdraw his/her application for promotion in accordance with s. 20.A.3.1.1.

20.A.3 **Promotion Procedures**

20.A.3.1 Prior to the commencement of promotion proceedings, the matter of promotion shall be discussed by the department head and the faculty member at the initiation of either. Thereafter, the promotion application shall be initiated by the department head requesting the faculty member complete the appropriate application form or alternatively, by the faculty member completing and submitting to the department head the appropriate application form. The head shall transmit this form to the dean/director.

20.A.3.1.1 The faculty member may withdraw his/her application for promotion at any time prior to the recommendation being considered by the Board of Governors.

20.A.3.2 Before making a recommendation regarding promotion, each promotion committee shall seek the advice of members of the candidate's department and other faculty members in the faculty/school in accordance with procedures

established pursuant to s. 20.A.1.3.3. The procedures established shall include the soliciting of written opinions from faculty members on the applicant's teaching and scholarship and from students on the applicant's teaching. This soliciting shall be done by the dean/director. Where appropriate this information shall be sought through the departmental councils of any department in which the applicant teaches. The promotion committee may also solicit written opinions from outside experts in the candidate's field on the candidate's teaching and scholarship.

- 20.A.3.3 Subject to s. 20.A.2.5, the faculty member shall supply the promotion committee with whatever material and information he/she or the committee deems necessary to support his/her application for promotion.
- 20.A.3.4 The faculty member being considered for promotion shall have an opportunity to meet at least once with the promotion committee.
- 20.A.3.5 If a promotion committee cannot make a positive recommendation as a result of its deliberations, the chairperson of the committee shall so inform the faculty member in writing. The written notification shall indicate in general terms the area(s) of concern that the committee will wish to discuss, and establish a date for a meeting between the faculty member and the chairperson at which time the chairperson shall give the faculty member an oral account of the nature of any reservations or negative considerations that the committee may have. The written notification shall also stipulate that at the meeting between the chairperson and the faculty member, a date will be set for the faculty member to meet with the committee to speak to these concerns.
- 20.A.3.6 The chairperson in consultation with the faculty member shall establish the date for a subsequent meeting with the promotion committee where the faculty member shall be given the opportunity to speak to these concerns.
- 20.A.3.7 A reasonable time will be allowed the faculty member to seek advice, solicit opinion and provide further documentation in order to prepare for such a meeting.
- 20.A.3.8 The promotion committee shall evaluate the application and supporting evidence and shall make its recommendation to the dean/director. The chairperson shall report in writing all recommendations, together with the specific reasons therefor related to the criteria and weightings established pursuant to this Article, to the faculty member, department head and dean/director.
- 20.A.3.9 Following receipt of the promotion committee's report the head of the candidate's department shall make a recommendation on promotion to the dean/director for each faculty member who has submitted the appropriate application form and has not subsequently withdrawn it. The recommendation of the head shall be in writing and accompanied by the specific reasons therefor related to the criteria and weightings established pursuant to this Article. The head shall deliver a copy of his/her recommendation, together with the specific reasons therefor related to the criteria and weightings established pursuant to this Article, to the faculty member. The dean/director shall transmit the promotion committee's recommendation, his/her own and that of the department head to the Provost and Vice-President (Academic). The recommendation of the dean/director shall be in writing and accompanied by the specific reasons therefor related to the criteria and weightings

established pursuant to this Article. The dean/director shall deliver a copy of his/her recommendation, together with the specific reasons therefor related to the criteria and weightings established pursuant to this Article, to the faculty member.

- 20.A.3.10 The Provost and Vice-President (Academic) shall transmit his/her own written recommendation, together with the specific reasons therefor related to the criteria and weightings established pursuant to this Article, and those of the promotion committee, department head and dean/director to the President unless he/she believes that the promotion committee has misapplied the criteria and weightings established pursuant to this Article, in which case he/she may refer the matter back to the promotion committee for clarification and/or review. The Provost and Vice-President (Academic) shall deliver a copy of his/her recommendation, together with the specific reasons therefor related to the criteria and weightings established pursuant to this Article, to the faculty member.
- 20.A.3.11 If the recommendation of the department head, dean/director or Provost and Vice-President (Academic) is different from that of the promotion committee then he/she shall so advise the promotion committee in writing.
- 20.A.3.12 If the applicant is not to be recommended for promotion, the President shall notify him/her in writing of this fact, together with the specific reasons, within forty (40) working days of the date of the recommendation of the promotion committee to the dean/director as provided in s. 20.A.3.8 or, where applicable, the reconsideration of the committee as provided for in s. 20.A.3.10 above and shall at the same time advise him/her of the right to appeal in accordance with the grounds set out in s. 20.D of this Article.
- 20.A.3.13 A Member shall be notified of the status of the recommendation regarding his/her promotion to the Board of Governors not later than ten (10) working days following the meeting at which the recommendation was considered.

20.B **Promotion for Academic Librarians**

20.B.1 **General Provisions**

- 20.B.1.1 Promotions from one rank to another shall be based upon the contribution that the academic librarian has made to the library profession, to his/her discipline, or other relevant disciplines, and to his/her department/regional library, the University of Manitoba Libraries, and the University at his/her current rank over a period of time taking into account the criteria in s. 20.B.1.2 hereof and his/her performance of assigned and other duties.
- 20.B.1.2 Academic attributes (not necessarily in order of importance) to be considered in determining the criteria to be used in assessing the suitability of an academic librarian for promotion shall normally include but are not limited to:

20.B.1.2.1 **Professional Performance**

The primary criterion for promotion in rank for academic librarians shall be the ability to perform at a high professional level in areas which contribute to the educational and research mission of the Library and the University, such as reference service, collection development, bibliographic organization and control.

Factors that may be considered include: performance of professional responsibilities and all related activities, e.g. subject and bibliographic expertise, informal instruction in research methods and library use, managing the operations of a unit of the library; consistency of performance; ability to innovate; other contributions to the activities of the libraries through significant service on internal committees and task forces.

20.B.1.2.2 **Research, Scholarly Work and Other Creative Activities**

The quality and originality of both published and unpublished work shall be evaluated.

Factors that may be considered include: the publication of books, monographs, and contributions to edited books; papers in both refereed and nonrefereed journals; papers delivered at professional meetings; participation in panels; both supported and nonsupported unpublished research including current work in progress; editorial and refereeing duties; creative works and performances; and scholarship as evidenced by the candidate's advanced study and research in library and information science and/or a subject specialization, his/her depth and breadth of knowledge and general contributions to the research of the University.

20.B.1.2.3 **Service**

This includes internal and external activities related to the research and teaching functions of the Library and the University. Factors that may be considered include: participation in University, Library, faculty, departmental and staff committees; providing advice and assistance to faculty and students; service in professional organizations; general administrative service (other than normal administrative functions); community service where the individual has made an essential nonremunerative contribution by virtue of special academic and/or professional competence.

20.B.1.2.4 **Teaching**

This involves competence and effectiveness in teaching and/or supervision of students.

Factors that may be considered include: course work and all related activities; supervision of the work of honours and graduate students; participation in seminars and colloquia; innovative methods in teaching and other contributions to the teaching activities of the University.

20.B.1.3 **Provisions for Promotion Guidelines**

20.B.1.3.1 The University Librarian, shall ensure that the libraries establishes promotion guidelines in accordance with s. 20.B.1.3.3 which:

- (a) establish the criteria for promotion and the weightings of these criteria, if any to be used in the making of a promotion recommendation; and

- (b) establish libraries level procedures for the making of a promotion recommendation, provided that no such procedures are inconsistent with anything in this Article.

20.B.1.3.2 These criteria and weightings shall remain in effect from year to year until changed by the dean/director in accordance with s. 20.B.1.3.3.

20.B.1.3.3 The University Librarian shall:

- (a) convene a meeting of Members in the Libraries and associate University Librarians who:
 - i. hold a primary appointment within the Libraries; and
 - ii. are present and able to participate and vote during the course of the meeting.

for the purpose of electing an advisory committee. The University Librarian shall not vote at this meeting.

- (b) convene meetings of the elected advisory committee to prepare or revise the promotion guidelines for the libraries;
- (c) act as a member, or assign a delegate to act as a member of the advisory committee;
- (d) the University Librarian or delegate in his/her role as a member of the advisory committee shall ensure that the promotion criteria and weightings are fair and appropriate for all academic librarians, consistent with this Agreement, consistent with the University's policies, and consistent with the law, before the promotion guidelines are presented for a vote;
- (e) if the promotion criteria and weightings do not meet the conditions set out in subsection (d) above, return them to the advisory committee for further consideration. If they meet the conditions set out in subsection (d) above, present the advisory committee's majority recommended promotion guidelines and any dissenting views to a meeting of Members in the libraries and associate University Librarians who:
 - i. hold a primary appointment within the Libraries; and
 - ii. are present and able to participate and vote during the course of the meeting.

for the purpose of a vote on the recommended promotion guidelines. The University Librarian shall not vote at this meeting.

- (f) adopt the promotion guidelines if the majority votes to accept the recommendation;
- (g) return the matter to the advisory committee if the majority votes to reject the recommendation; and

- (h) where there have been two consecutive votes to reject recommended promotion guidelines, determine whether to keep the current promotion guidelines or to adopt the most recently recommended promotion guidelines, and provide written reasons for the decision to all Members within the libraries.

20.B.1.3.4 The University Librarian shall communicate the promotion guidelines to all Members in the Libraries.

20.B.1.4 In the event the criteria and weightings are changed in accordance with s. 20.B.1.3.3, while he/she is an academic librarian the candidate for promotion has the right to have his/her application for promotion considered, if he/she so chooses, according to the previous criteria and weightings provided no more than five (5) calendar years have elapsed between the date upon which those previous criteria and weightings were changed and the date upon which the application for promotion is submitted to the department head. Where more than five (5) calendar years have elapsed since the date upon which the previous criteria and weightings were changed, the changed criteria and weightings apply.

20.B.1.5 Normally promotion proceedings shall commence not later than September 15th and be completed by April 30th of the following year with the actual promotion taking effect on March 30 of the calendar year next following the calendar year in which the application is submitted. The University may consider applications for promotion at other times during the year when it deems appropriate.

20.B.1.6 **Research Metrics**

20.B.1.6.1 For the purposes of this provision, “research metrics” shall mean the product of the application of quantitative analysis and statistics used to assess the quality of a body of work (e.g, h-index, citation index, bibliometrics).

20.B.1.6.2 Any evaluation and/or assessment of a Member’s research shall be based on a full review of the quality of their contribution to research, scholarly work, and other creative activity.

20.B.1.6.3 Quantitative factors (such as the number of publications, research funding amounts, and number of conference presentations) have been an element of evaluation and/or assessment and shall continue to be an element in the evaluation and/or assessment of research, scholarly work, and creative activities.

20.B.1.6.4 Research metrics shall not be used as a substitute for a more comprehensive assessment of quality and quantity.

20.B.2 **Promotion Committees**

20.B.2.1 The Promotion Committee shall consist of five (5) members including:

20.B.2.1.1 four (4) academic librarians holding continuing appointments: two (2) from the Librarian and Associate Librarian ranks, and two (2) from the Assistant and General Librarian ranks elected by academic librarians meeting in committee;

20.B.2.1.2 one (1) faculty member named by the Provost and Vice-President (Academic).

20.B.2.2 The head of the applicant's department shall serve on the committee in a non-voting capacity.

20.B.2.3 The University Librarian or his/her designate shall be the non-voting chairperson of the Promotion Committee.

20.B.3 **Promotion Procedures**

20.B.3.1 A promotion consideration may be initiated by an academic librarian, his/her head, or the University Librarian.

20.B.3.2 The matter of promotion shall be discussed by the candidate and his/her department head before a formal application for promotion is made.

20.B.3.3 The candidate shall complete and submit the appropriate application form to the appropriate department head. The department head shall forward the completed application form to the University Librarian.

20.B.3.3.1 The academic librarian may withdraw his/her application for promotion at any time prior to the recommendation being considered by the Board of Governors.

20.B.3.4 Before making a recommendation regarding promotion, the Promotion Committee shall seek the advice of members of the candidate's department and other academic librarians and/or faculty members in accordance with procedures established pursuant to s. 20.B.1.3.3 and directed by the University Librarian or his/her designate. For promotions from Associate Librarian to Librarian, these procedures shall include the soliciting of written judgments about the candidate's achievements from senior academic librarians in other universities. This soliciting shall be done by the University Librarian or his/her designate.

20.B.3.5 Subject to s. 20.B.1.6, the academic librarian shall supply the Promotion Committee with whatever material and information he/she or the Committee deems necessary to support his/her application for promotion.

20.B.3.6 The academic librarian being considered for promotion shall have the opportunity to meet at least once with the Promotion Committee.

20.B.3.7 If the Promotion Committee cannot make a positive recommendation as a result of its deliberations, the chairperson of the Committee shall so inform the academic librarian in writing. The written notification shall indicate in general terms the area(s) of concern that the Committee will wish to discuss, and establish a date for a meeting between the academic librarian and the chairperson at which time the chairperson shall give the academic librarian an oral account of the nature of any reservations or negative considerations that the Committee may have. The written notification shall also stipulate that at the meeting between the chairperson and the academic librarian a date will be set for the academic librarian to meet with the Committee to speak to these concerns.

- 20.B.3.8 The chairperson in consultation with the academic librarian shall establish the date for a subsequent meeting with the Promotion Committee where the academic librarian shall be given the opportunity to speak to these concerns.
- 20.B.3.9 A reasonable time will be allowed the academic librarian to seek advice, solicit opinion and provide further documentation in order to prepare for such a meeting.
- 20.B.3.10 The Promotion Committee shall evaluate the application and supporting evidence, and shall make its recommendation to the University Librarian. The chairperson shall report in writing all recommendations, together with the specific reasons therefor related to the criteria and weightings established pursuant to this Article, to the academic librarian, department head and the University Librarian.
- 20.B.3.11 Following receipt of the Promotion Committee's report the head of the candidate's department shall make a recommendation on promotion to the University Librarian for each academic librarian who has submitted the appropriate application form and has not subsequently withdrawn it. The recommendation of the head shall be in writing and accompanied by the specific reasons therefor related to the criteria and weightings established pursuant to this Article. The head shall deliver a copy of his/her recommendation, together with the specific reasons therefor related to the criteria and weightings established pursuant to this Article, to the academic librarian. The University Librarian shall transmit the Promotion Committee's recommendation, his/her own and that of the department head to the Provost and Vice-President (Academic). The recommendation of the Director shall be in writing and accompanied by the specific reasons therefor related to the criteria and weightings established pursuant to this Article. The University Librarian shall deliver a copy of his/her recommendation, together with the specific reasons therefor related to the criteria and weightings established pursuant to this Article, to the academic librarian.
- 20.B.3.12 The Provost and Vice-President (Academic) shall transmit his/her own written recommendation, together with the specific reasons therefor related to the criteria and weightings established pursuant to this Article, and those of the Promotion Committee, department head and University Librarian to the President unless he/she believes that the Promotion Committee has misapplied the criteria and weightings established pursuant to this Article, in which case he/she may refer the matter back to the Promotion Committee for clarification and/or review. The Provost and Vice-President (Academic) shall deliver a copy of his/her recommendation, together with the specific reasons therefor related to the criteria and weightings established pursuant to this Article, to the academic librarian.
- 20.B.3.13 If the recommendation of the department head, University Librarian or Provost and Vice-President (Academic) is different from that of the Promotion Committee then the University Librarian shall so advise the Promotion Committee in writing.
- 20.B.3.14 If the applicant is not to be recommended for promotion, the President shall notify him/her in writing of this fact, together with the specific reasons, within forty (40) working days of the date of the recommendation of the Promotion Committee to the University Librarian as provided in s. 20.B.3.10 or, where applicable, the reconsideration of the committee as provided for in s. 20.B.3.12 above and shall at the same time advise him/her of the right to appeal in accordance with the grounds set out in s. 20.D of this Article.

20.B.3.15 A Member shall be notified of the status of the recommendation regarding his/her promotion to the Board of Governors not later than ten (10) working days following the meeting at which the recommendation was considered.

20.C **Confidentiality**

Except where promotion procedures in s. 20.A.3 and s. 20.B.3 of this Article require the reporting of a recommendation and the nature of any negative considerations to the parties properly concerned with an application, and except where, in the event of an appeal, an appeal committee may require access to confidential information and proceedings, promotion committee meetings shall be closed and deliberations shall be confidential and any submission or recommendation and the reasons for it shall be available only to those persons properly chosen or authorized to consider an application or recommendation for promotion.

If a Member makes a public statement about the reasons for any recommendation in his/her case, the recommendation and reasons supplied may be treated by the University as being no longer confidential.

20.C.1 Notwithstanding the above, within ten (10) working days following receipt of a submission, the chair of the promotion committee shall forward to the candidate a copy of the submission with identifying marks removed.

20.C.2 It shall not be considered a breach of confidentiality for a Member to disclose to the chair of the promotion committee, to the University Librarian, to the Vice-Provost Academic Affairs, to Staff Relations, or to the Association, any facts or information pertaining to procedural defects (including bias) under this Article. Where the Association becomes aware of a concern, the Executive Director will contact the Director of Staff Relations to discuss the situation prior to taking any action.

20.D **Appeals of Negative Recommendations Regarding Promotion**

20.D.1 **Eligibility and Deadline**

The Member may appeal the decision not to recommend for promotion only on the grounds set out in s. 20.D.4.2 below by delivering a written notice of appeal to the Provost and Vice-President (Academic) within fifteen (15) working days of the receipt of such notice from the President. The written notice of appeal shall specify the grounds for appeal and the evidence supporting it. Copies of the notice to appeal shall be delivered by the Provost and Vice-President (Academic) to the Staff Relations Officer, Human Resources, the Association and the convener of the Standing Promotion Appeal Panel within ten (10) working days of the receipt of the notice of appeal.

20.D.2 **Establishment of Appeal Committee**

20.D.2.1 Promptly after the signing of this Agreement a Standing Promotion Appeal Selection Committee shall be established to consist of three (3) persons appointed

by the Association and three (3) persons appointed by the University. The Association and the University shall each appoint persons of each gender. Human Resources will convene the first meeting of this Committee. The Committee shall elect a chairperson from among its membership.

20.D.2.2 The Standing Promotion Appeal Selection Committee shall then appoint from among the academic staff of the University with faculty or academic librarian rank four (4) persons to serve as regular members of the Standing Promotion Appeal Panel and four (4) persons to serve as alternate members. There shall be gender parity among the regular and alternate members of the Standing Promotion Appeal Panel. The chairperson of the Standing Promotion Appeal Selection Committee shall be the convener of the Standing Promotion Appeal Panel. All appointments shall be for a two (2) year term.

20.D.2.3 For each appeal, the appeal shall be heard by two (2) members of the Standing Promotion Appeal Panel and a third member from the appellant's faculty, school or the libraries, as appropriate, all of whom shall be selected by the Standing Promotion Appeal Selection Committee. No appeal committee shall be composed entirely of persons of one gender.

20.D.2.4 The promotion appeal committee established in s. 20.D.2.3 shall meet within ten (10) working days of receiving the notice of appeal. The committee may make whatever investigations it deems necessary in order to make a decision.

20.D.2.5 In cases where the workload of appeals is heavy the Standing Promotion Appeal Selection Committee may assign appeal cases to a committee using one or both of the alternate members.

20.D.3 **Rights and Procedures of an Appeal Committee**

20.D.3.1 The appeal committee shall inform the Member and the dean/director in writing of the substance, but not the source, of any evidence submitted to it during the course of its investigations. All such evidence shall be treated as confidential by all members of the committee, by the Member and by the dean/director. Proceedings of the appeal committee shall be confidential.

20.D.3.2 The Member and the dean/director shall be given the opportunity to appear before the appeal committee after five (5) working days have elapsed from receipt of the documentation referred to in s. 20.D.3.1 above in order to respond to the evidence before the committee and to answer any questions put by the committee.

20.D.4 **Decisions of the Appeal Committee**

20.D.4.1 The decision of the appeal committee, together with a written statement of its reasons including dissenting or minority opinions, shall be delivered by the chairperson of the appeal committee to the Member and to the President within forty (40) working days of receiving the Member's statement of appeal. At the same time, the President shall also be given the written statement of appeal.

20.D.4.2 The appeal committee may sustain an appeal only on the grounds of procedural defects which affected the intended recommendation to the Board of Governors.

Procedural defects include but are not limited to misapplication of the criteria and weightings, bias or denial of natural justice in the recommendation for promotion procedures.

20.D.4.3 If the appeal is sustained, the President shall within fifteen (15) working days of the date of receipt of the appeal committee's decision initiate repetition of the promotion recommendation process as set out in s. 20.A.3 for faculty members/instructors and in s. 20.B.3 for academic librarians, but with such changes in personnel and/or procedures as the appeal committee shall deem necessary to ensure a fair hearing. This process shall be completed within sixty (60) working days of the date of the receipt of the decision of the appeal committee by the President or within such additional time as is mutually agreed to by the appellant and the chairperson of the appeal committee.

20.D.4.4 There shall be no right to appeal the decision arrived at as the result of repetition of the promotion procedures.

20.E **Grievance**

Grievances filed pursuant to the provisions of this Article shall be limited to claims of noncompliance with procedural requirements (including bias and denial of natural justice) which affect the promotion decision.