

PROMOTION AND CONTINUING APPOINTMENT

General Clauses

1. Unless otherwise provided for in this Collective Agreement, this Article applies only to Members with Probationary or Continuing Appointments, as defined in the Article *Appointments*.

2. The Employer shall promote Members only in accordance with the provisions of this Article.

3. Successful performance in Professional Practice will be considered the primary criterion for Promotion and Continuing Appointment. For Members with Responsibilities in the area of Academic Activity, the performance in Academic Activity shall meet the expectations for the current Rank if the Member is considered for Continuing Appointment, and shall meet the expectations for the desired Rank if the Member is considered for Promotion. Contributions to Service shall be recognized as a criterion in Promotion and Continuing Appointment.

3.1 In the application of the provisions of this Article, the relative significance accorded to Professional Practice, Academic Activity, and Service shall be subject to any arrangements described in the Letter of Appointment and any other arrangements made under the provisions of the Collective Agreement.

Committee on Promotion and Continuing Appointment

4. With the exception of the chair position, Members shall elect a Committee on Promotion and Continuing Appointment annually by July 1.

4.1 The Committee on Promotion and Continuing Appointment shall include:

a) the University Librarian or designate from Western Libraries who shall chair the Committee, but shall not vote except to break a tie;

b) four (4) voting Members at large, elected by the Members, who shall serve for the consideration of all Members' Files;

c) one (1) voting archivist Member, elected by the Members, who shall serve only for the consideration of archivist Members' Files; and

d) one (1) voting librarian Member from a Unit that is not part of Western Libraries, elected by the Members, who shall serve only for the consideration of non-Western Libraries Members' Files.

4.1.1 One (1) Member shall be elected as an alternate who shall replace a Member who must withdraw.

4.1.2 Where the candidate being considered is from a Unit that is not part of Western Libraries, the Dean of the Faculty hosting that Unit may elect to be a member of the Committee or appoint a designate to the Committee. The Dean or designate shall be without vote.

4.2 All voting members of the Committee on Promotion and Continuing Appointment shall hold Continuing Appointments.

4.3 The term of elected members shall be two (2) years, staggered to ensure continuity.

4.3.1 Should a Committee on Promotion and Continuing Appointment have carriage of a Continuing Appointment file, it shall complete its work notwithstanding the election of a new Committee on Promotion and Continuing Appointment.

4.3.2 If there is a vacancy of elected members on the Committee on Promotion and Continuing Appointment, the Members shall elect a replacement.

4.4 The Committee shall consider all Promotion and Continuing Appointment applications.

4.5 Meetings of the Committee on Promotion and Continuing Appointment shall have quorum; quorum here is defined as two-thirds of the Committee plus the chair.

4.6 The Committee on Promotion and Continuing Appointment shall be convened by the chair.

4.7 If an elected member of the Committee on Promotion and Continuing Appointment is to be considered for Promotion, he or she shall retire from the Committee during that Academic Year and a replacement shall be elected by the Members.

4.8 In consideration of any application for Promotion or Continuing Appointment, should any voting member of the Committee on Promotion and Continuing Appointment have a conflict of interest as described in the Article *Conflict of Interest and Conflict of Commitment*, or where there is bias or a reasonable apprehension of bias, that member shall withdraw from consideration of the relevant case or cases and shall be replaced by the alternate member. Should the chair have a conflict of interest, the Provost shall appoint a replacement.

4.9 Subject to the provisions of Clauses 4.7 and 4.8 above, all voting members of the Committee on Promotion and Continuing Appointment present at the Committee's deliberations shall vote on the Committee's recommendations. While all members shall endeavour to participate in all meetings of the Committee, members who have missed meetings shall not be excluded from future meetings. No voting member present may abstain from voting, even if such a Member has not been present at all previous meetings to consider a given File.

4.10 The Committee may call on the relevant expertise of persons not on the Committee.

4.11 All deliberations of the Committee on Promotion and Continuing Appointment shall be confidential.

4.11.1 The provisions of Clause 4.11 of this Article shall not override the provisions of the Articles *Employment Equity* and *Discrimination and Harassment*.

4.12 Any stenographic or other notes, including originals, taken during meetings of the Committee on Promotion and Continuing Appointment by someone who is not a member of the Committee shall be placed in the Promotion and Continuing Appointment File and shall be considered part of the File. This provision applies to such notes taken during any meetings of the Committee, including meetings before the Provost receives the File and meetings that may occur if the Provost returns the File to the Committee under the provisions in Clauses 22.1 and 22.2 of this Article. Such notes shall be treated in the same manner as letters under Clause 6.4 of this Article; i.e., information enabling identification shall be removed.

4.13 The Employer shall report the membership of the Committee on Promotion and Continuing Appointment to the Association by no later than July 30.

Promotion and Continuing Appointment File

5. The University Librarian or Dean shall open and maintain a Promotion and Continuing Appointment File for each Member eligible for Promotion or Continuing Appointment. The File shall include:

- a) an updated *curriculum vitae*, submitted by the Member;
- b) a copy of the Letter of Appointment provided to the Member at the time of initial Appointment.
- c) a copy of the Member's job description;
- d) a copy of each Annual Report and any addendum to each Report in accordance with Clause 4.6 of the Article *Annual Report and Review*, each Annual Review Report and any Member's written response(s) to the Reports, report(s) of any meeting(s) requested by the Member or the University Librarian or Dean in accordance with Clause 10.4 of the Article *Annual Report and Review* and any Member's written response(s) to those report(s); and
- e) copies of any Supervisor's Responses to the Annual Report(s) and any such documents that predate the ratification of this Collective Agreement; and

f) a copy of any document concerning arrangements made under any of the provisions of this Collective Agreement that alters the balance between the Member's Responsibilities.

5.1 At least one week before the Committee on Promotion and Continuing Appointment meets to begin its consideration and evaluation of the Promotion and Continuing Appointment File, the University Librarian or Dean shall add the following to the Promotion and Continuing Appointment File:

- a) an updated *curriculum vitae*, submitted by the Member;
- b) a letter of recommendation from the Member's immediate supervisor;
- c) a copy of any documents listed in Clause 12 of the Article *Annual Report and Review*, that are not already in the File;
- d) any letters of recommendation solicited by the Member, which shall be sent directly to the University Librarian or Dean;
- e) letters received by the University Librarian or Dean following a public solicitation for comments on the Member's performance;
- f) letters from arm's-length referees as required by Clauses 11.1, 11.1.1, 11.1.2, 15.1, and 16.1 of this Article;
 - (i) the letters from referees shall be solicited by the University Librarian or the Dean;
 - (ii) the referees shall be chosen by the University Librarian or Dean from a list supplied by the Member. The University Librarian or Dean may add names to this list, but if he or she does so, the Member shall be allowed the opportunity to object in writing to the names added by the University Librarian or Dean on the ground of the referee's lack of expertise or because of some direct academic or personal dispute. Any such objection shall be placed in the Member's Promotion and Continuing Appointment File;
 - (iii) the list of names supplied by the Member shall include a description of the qualifications of each referee, the areas of the Member's Responsibilities on which the referee might be expected to comment, and any previous interactions with the referee that might lead to a perception of bias in the referee's assessment of the Member's performance; and
 - (iv) each referee shall be asked to comment on the candidate's performance in the areas of Professional Practice, Academic Activity, and Service on the basis of the referee's knowledge of the candidate's work and/or the dossier submitted to the referee.

g) any written submissions from the Member relevant to the case; and

h) a table of contents listing all documents in the package, and signed by the Member and the University Librarian or Dean.

6. The Member shall be given advance notice of when the File will be ready for review, and shall have at least two (2) working days to complete the review and sign the table of contents.

6.1 Once the member has signed the table of contents referred to in Clause 5.1 h) above, no further documentation shall be added to the Promotion and Continuing Appointment File, except as provided for subsequently in this Article, or by mutual agreement of the Member and the University Librarian or Dean.

6.2 Any letters referred to in Clause 5.1 above that arrive after the table of contents has been signed by the Member and before the Committee on Promotion and Continuing Appointment meets to begin its consideration and evaluation of the File shall be added to the File. In such circumstances, the Member shall be given the opportunity to examine and copy the letter(s) (subject to Clause 6.4 below) at least three (3) working days before the Committee on Promotion and Continuing Appointment meets to begin its consideration and evaluation of the File. During this time the Member may add to the Promotion and Continuing Appointment File under the provisions of Clause 5.1 g) above.

6.3 It is the Member's responsibility to provide the items described in Clauses 5.1 a), 5.1 f) iii) and 5.1 g) above within four (4) weeks of any request by the University Librarian or Dean that the Member do so. The University Librarian or Dean may extend this period in the event that circumstances beyond a Member's control make it impossible to respond within the four (4) week period.

6.4 A Member shall have the right to a copy of any document in his or her File, including letters. However, in accord with the University's policy of maintaining confidentiality, before the Member receives a copy of such a letter, all information that would reveal the identity of the author(s) shall be removed.

6.5 Subject to Clause 6.6 below, a Member may withdraw his or her File from consideration by the Committee on Promotion and Continuing Appointment at any time prior to the Committee's formulation of its recommendation. Such withdrawal must be in writing and submitted to the chair. In such a case, the Member's File shall continue, except that the Member may choose either to include all letters or to exclude all letters obtained in accord with Clause 5.1.d above.

6.6 If a Member who holds a Probationary Appointment, and who is being considered for a Continuing Appointment in the final six (6) months of his or her probationary period, withdraws his or her File from consideration by the Committee on Promotion and

Continuing Appointment under the provisions of Clause 6.5 above, the Member's employment at the University shall cease at the end of the Member's Probationary Appointment.

Consideration for Continuing Appointment and/or Promotion

7. By December 31 of each year, the University Librarian or Dean, in consultation with each Member's immediate supervisor, shall review each Member's Promotion and Continuing Appointment File.

7.1 For a Member holding a Probationary Appointment at the General Rank, the University Librarian or Dean shall initiate consideration for a promotion to a probationary appointment at the Assistant Rank, within the first month of the final six (6) months of the Member's probationary period at the General Rank and shall, at the same time, initiate the public solicitation for comments on the Member's performance as specified in 5.1 e) above.

7.2 For a Member holding a Probationary Appointment at the Assistant Rank or higher, the University Librarian or Dean shall initiate consideration for a Continuing Appointment within the first month of the final six (6) months of the Member's probationary period and shall, at the same time, initiate the public solicitation for comments on the Member's performance as specified in 5.1 e) above.

7.3 For a Member holding a Probationary Appointment at Associate or Senior Rank, the University Librarian or Dean may initiate consideration for a Continuing Appointment, at any time prior to the final six (6) months of the Probationary Appointment, by inviting the Member to apply.

7.4 A Member holding a Probationary Appointment at the Rank of Assistant Librarian or Assistant Archivist or above who believes he or she has met the relevant criteria as outlined in Clauses 10 and 11 of this Article may request that consideration for Continuing Appointment be started in the third year of her or his appointment or promotion to her or his current Rank. Such a request must be made in writing to the University Librarian or Dean during the month of January, and must be accompanied by the items referred to in Clauses 5.1 a), 5.1 f) (iii) and 5.1 g) above. The University Librarian or Dean shall acknowledge in writing the receipt of the request and accompanying items by March 1.

7.4.1 The Member who is requesting that consideration for Continuing Appointment be started early, in accordance with 7.4 above, may consult with her or his supervisor and/or the University Librarian or Dean before requesting such consideration.

7.4.2 In the case of early consideration for Continuing Appointment, if the Promotion and Continuing Appointment Committee does not recommend Continuing Appointment, the Member's Promotion and Continuing Appointment File shall continue, except that the Member may choose either to include all letters or to exclude all letters from

external referees obtained in accord with Clause 5.1 f) of this Article and applicable to this initial consideration for Continuing Appointment. The Committee's recommendation shall be placed in the File and the Member shall be considered again by the Committee once only, and in the final year of the Probationary Appointment .

7.5 If the University Librarian or Dean, in consultation with the Member's immediate supervisor, determines that consideration for Promotion to a higher Rank may be initiated, the University Librarian or Dean shall invite the Member to submit the items referred to in Clauses 5.1 a), 5.1 f) (iii) and 5.1g) above. The invitation shall be sent to the Member in the month of January and shall indicate that the Member's File shall be considered by the Committee in the next Academic Year. If the Member declines the invitation or does not supply the items within four (4) weeks of the invitation, the Member shall not be considered for Promotion at this time. The University Librarian or Dean may extend this period in the event that circumstances beyond a Member's control make it impossible to respond within the four (4) week period.

7.5.1 A Member who declines to apply for promotion may subsequently request consideration for promotion, but no earlier than one year from the last invitation or request.

7.6 A Member at Assistant Rank or Associate Rank may request that consideration for Promotion be started. Such a request must be made in writing to the University Librarian or Dean during the month of January, and must be accompanied by the items referred to in Clauses 5.1 a), 5.1 f) (iii) and 5.1 g) above. The University Librarian or Dean shall acknowledge in writing receipt of the request and accompanying items by March 1. The acknowledgement shall indicate that the Member's File shall be considered by the Committee in the next Academic Year.

7.6.1 A Member shall inform his or her immediate supervisor if he or she has made an application for Promotion.

Criteria

8. Criteria for Promotion and Continuing Appointment shall be applied in a consistent and uniform manner in accordance with the Appointment and with the Rank.

9. The Committee shall pay particular attention to the record of the Member's performance as evidenced by the documents listed in Clauses 5 d), 5 e), and 5.1 c) of this Article.

Criteria for Continuing Appointment

10. When a candidate is considered for Continuing Appointment, evidence relevant to the criteria listed in Clauses 14, 15, or 16 below shall be provided to the Committee. The Committee shall determine, based on the evidence, whether or not the candidate has established a record of performance within each area of the Member's

Responsibilities, consistent with the candidate's Workload and current Rank, that meets those criteria.

11. A Continuing Appointment shall be granted to a Member holding the Rank of Assistant or above upon his or her successful completion of the probationary period as specified in the Member's Letter of Appointment, while also exhibiting a commitment to professional excellence and growth. The Member shall also have met the criteria, as specified in Clauses 14, 15, or 16 below, established for achievement of the Rank the Member currently holds.

11.1 For Continuing Appointment at the Rank of Assistant Librarian or Assistant Archivist, there shall be three (3) referees, at least one (1) of whom may be external to the Bargaining Unit or the University.

11.1.1 For Continuing Appointment at the Rank of Associate Librarian or Associate Archivist, there shall be four (4) referees, at least two (2) of whom shall be external to the Bargaining Unit or the University.

11.1.2 For Continuing Appointment at the Rank of Senior Librarian or Senior Archivist, there shall be five (5) referees, at least three (3) of whom shall be external to the Bargaining Unit or the University.

Criteria for Promotion

12. Promotion through the Ranks shall be on the basis of performance in Professional Practice, Academic Activity, and Service, as specified in the Article *Responsibilities of Members*.

13. When a candidate is considered for Promotion, evidence relevant to the criteria listed in Clauses 14, 15, or 16 below shall be provided to the Committee. The Committee shall determine, based on the evidence, whether or not the candidate has established a record of performance within each area of the Member's Responsibilities, consistent with the candidate's Workload and desired Rank, that meets those criteria.

14. A Member appointed or promoted to the Rank of Assistant Librarian or Assistant Archivist shall demonstrate a sustained record of achievement in Professional Practice, provide evidence of a proven ability to effectively use his or her professional education and demonstrate a capacity to develop and extend his or her expertise in Professional Practice and Academic Activity, as appropriate to his or her Responsibilities. The Member shall also demonstrate a satisfactory record of performance in the area of Service.

15. A Member appointed or promoted to the Rank of Associate Librarian or Associate Archivist shall demonstrate a sustained record of achievement in Professional Practice which demonstrates initiative, leadership and creativity. The Member shall demonstrate the ability to apply skill and critical thinking to problem-solving and shall provide

evidence of continued growth in his or her expertise in Professional Practice. As appropriate to his or her Responsibilities, the Member shall provide evidence of peer-reviewed results in Academic Activity. The Member shall also demonstrate a satisfactory record of performance in Service.

15.1 For Promotion to the Rank of Associate Librarian or Associate Archivist, there shall be four (4) referees, at least two (2) of whom shall be external to the Bargaining Unit or the University.

16. A Member appointed or promoted to the Rank of Senior Librarian or Senior Archivist shall demonstrate a sustained record of high accomplishment in the performance of Professional Practice and a record of sustained peer-reviewed results in Academic Activity recognized by peers and colleagues both within and outside of the University. The Member shall also demonstrate a satisfactory record of performance in the area of Service.

16.1 For Promotion to the Rank of Senior Librarian or Senior Archivist, there shall be five (5) referees, at least three (3) of whom shall be external to the University.

Consideration and Recommendations

17. The University Librarian or Dean or designate shall inform all members of the Committee on Promotion and Continuing Appointment that the Member's Promotion and Continuing Appointment File is available for review within five (5) working days of the Member signing the table of contents under Clause 5.1 h) of this Article. Members of the Committee shall have at least five (5) working days in which to review the File. The Committee shall meet within fifteen (15) working days of the notice of the availability of the File to consider the Member's application.

17.1 Recommendations by the Committee on Promotion and Continuing Appointment shall be based on the evidence in the Promotion and Continuing Appointment File and as otherwise set out in Clauses 18 and 18.4 below. In reaching its recommendation, the Committee shall evaluate whether or not the Member has established a sufficiently strong record of performance to meet the criteria for granting of Continuing Appointment or Promotion to the Rank in accordance with this Article.

18. Should the Committee be considering a negative recommendation it may request, in writing, additional information from the candidate. The chair shall forward this request to the candidate, and both the request and any information received shall be added to the Promotion and Continuing Appointment File. The Member shall respond to a request for additional information within 2 (two) weeks of receipt of the request. The Committee may extend this period in the event that circumstances beyond a Member's control make it impossible to respond to the Committee within the two (2) week period. If, after receiving additional information, the Committee is still considering a negative recommendation, the Committee shall request, in writing, a consultation with the candidate.

18.1 Before such consultation with the Member, the Committee shall, through its chair, provide the Member with a written statement describing the Committee's reasons for considering a negative recommendation. This statement shall be added to the Promotion and Continuing Appointment File.

18.2 Should the Member fail to meet with the Committee within four (4) weeks of a request for a consultation, the Member shall be deemed to have declined to meet with the Committee.

18.2.1 The Committee may extend this period in the event that circumstances beyond a Member's control make it impossible to meet with the Committee within the four (4) week period.

18.3 Should the Member so wish, he or she may be accompanied at the consultation by an Academic Colleague from his or her Unit, or by a person appointed by the Association.

18.4 The Member may provide additional documentation at this consultation, and any documentation provided by the Member shall be added to the Promotion and Continuing Appointment File.

19. The recommendation of the Committee, including reasons, shall be written by a member of the Committee other than the chair, who has been elected by the members of the Committee to undertake this task. All members of the Committee shall be provided with an opportunity to sign the Committee's recommendation to acknowledge that it is an accurate rendering of the Committee's decision.

19.1 A copy of the recommendation of the Committee shall be sent to the Member and the Member's immediate supervisor by the chair of the Committee.

20. In the case of a Member from a Unit other than Western Libraries, the Promotion and Continuing Appointment File shall also include a recommendation from the Dean of the Member's Unit. The chair shall request such recommendation from the Dean.

21. Not later than ten (10) working days following receipt of the Committee's recommendation, the chair of the Committee on Promotion and Continuing Appointment shall place the Committee's recommendation, and the recommendation from the University Librarian or Dean, as applicable, with written reasons, in the Promotion and Continuing Appointment File and forward the File to the Provost.

21.1 These recommendations shall not be grievable, except as part of a Grievance initiated according to Clause 23 below.

22. The Provost shall review the Promotion and Continuing Appointment File and consider the recommendations of the Committee on Promotion and Continuing Appointment and of the University Librarian or Dean, as applicable.

22.1 If the Provost determines that the File is incomplete, or requires additional information in order to arrive at a decision, or has other concerns about the recommendation of the Committee on Promotion and Continuing Appointment and/or the University Librarian or Dean, he or she may return the File to the Committee with a written statement describing matters of concern. A copy of this written statement shall be provided to the Member and shall be added to the File. The Member shall have four (4) weeks from receipt of the written statement to provide the Committee on Promotion and Continuing Appointment with any information that may be required to respond to the Provost's concerns. Any information received from the Member shall be in writing and shall be placed in his or her File. The Committee shall consider the Provost's concerns and any additional information that has been placed in the File in accordance with the provisions of this Clause.

22.2 If the Provost is considering denial of a recommendation from the Committee on Promotion and Continuing Appointment, he or she shall return the File to the Committee with a written statement describing matters of concern. A copy of this written statement shall be provided to the Member and shall be added to the File. The Member shall have four (4) weeks from receipt of the written statement to provide the Committee on Promotion and Continuing Appointment with any information that may be required to respond to the Provost's concerns. Any information received from the Member shall be in writing and shall be placed in the File. The Committee shall consider the Provost's concerns and any additional information that has been placed in the File in accordance with the provisions of this Clause. Following this consideration, the Committee Chair shall forward the Committee's response to the Provost within two (2) weeks.

22.3 The Provost shall either approve or deny each recommendation for Continuing Appointment or Promotion made by the Committee on Promotion and Continuing Appointment and shall notify the Member, the Chair of the Committee on Promotion and Continuing Appointment, and the Member's immediate supervisor, in writing of his or her decision, within four (4) weeks of receipt of the Committee's recommendation or subsequent response.

22.3.1 In the case of a denial, the Provost shall provide reasons for his or her decision.

22.4 In the case of Probationary Appointments considered pursuant to Clauses 7.1, 7.2 and 7.3 above, if the Provost approves a recommendation that Continuing Appointment be denied, or if the Provost denies a recommendation that Continuing Appointment be approved, the Member's employment at the University shall cease at the end of the Member's Probationary Appointment.

Grievance

23. Any Grievance of a denial of Continuing Appointment and/or Promotion shall be commenced at Step 2, according to the provisions of the Article Grievance and Arbitration.

23.1. Where the grounds for a Grievance of this decision are based in whole or in part on allegations of discrimination, as defined in the Article Discrimination and Harassment, the procedures of this Article and the Article Grievance and Arbitration shall apply in place of those in the Article *Discrimination and Harassment*.

24. Without in any way limiting the powers of an arbitrator under the Ontario Labour Relations Act, 1995, S.O. 1995, c.1, Sched. A with respect to any matter covered by this Collective Agreement, in arbitrations pursuant to this Article, the arbitrator shall have the jurisdiction to examine and grant a remedy on any aspect of the process or decision leading to the Grievance, including but not limited to substantive or procedural errors, and/or bias or reasonable apprehension of bias.

24.1. In arbitrations pursuant to this Article an arbitrator shall not have the power to award Promotion or Continuing Appointment, but may prescribe other remedies, including but not limited to extension of the probationary period and/or remitting the case for reconsideration, possibly with different material and/or different assessors.

24.2 The provisions in Clause 22.4 of this Article are subject to the outcome of any Grievance referred to in Clause 23 of this Article.

24.3 If a Member on a Probationary Appointment has a Grievance arising from Clause 23 of this Article and pending beyond the end of the final year of the Member's Probationary Appointment, the Member's Appointment shall be extended for an additional four (4) months.

Disposition of the Promotion and Continuing Appointment File

25. Following the Employer's notification described in Clause 22.3 above, the disposition of the Promotion and Continuing Appointment File shall be as follows:

a) in the case of a Member at General Rank who has been considered for Promotion to the Rank of Assistant:

(i) if the Member has been promoted, the Promotion and Continuing Appointment File shall be returned to the University Librarian or Dean, as appropriate, and retained for future consideration for Continuing Appointment and/or Promotion; or

(ii) if the Member has not been promoted, the File shall be returned to the University Librarian or Dean and retained for a period of seven (7) years and shall then be disposed of by confidential destruction. The File shall be available for the purposes of any Grievance referred to in Clause 23 above.

b) in the case of a Member at Assistant Rank who has been considered for Promotion to the Rank of Associate, whether the Member is granted or denied

the promotion, the Promotion and Continuing Appointment File shall be returned to the University Librarian or Dean, as appropriate, and retained for future consideration in Promotion and, where applicable, Continuing Appointment;

c) in the case of a Member who has been considered for Promotion to the Rank of Senior:

(i) if the Member has been promoted, the Promotion and Continuing Appointment File shall be retained by the University Librarian or Dean for consideration for Continuing Appointment, if applicable, or for a period of seven (7) years once the Member has obtained Continuing Appointment and shall then be disposed of by confidential destruction; or

(ii) if the Member has not been promoted, the Promotion and Continuing Appointment File shall be returned to the University Librarian or Dean for future consideration for Promotion and/or Continuing Appointment. The *curriculum vitae* present in the File at this point shall remain in the File, along with a copy of any future updated *curriculum vitae*.

d) in the case of a Member on a Probationary Appointment at a Rank below Senior, who has been granted a Continuing Appointment, the File shall be returned to the University Librarian or Dean for the purposes of Promotion;

e) in the case of a Member on a Probationary Appointment at the Rank of Senior, who has been granted a Continuing Appointment, the File shall be returned to the University Librarian or Dean and retained for a period of seven (7) years and shall then be disposed of by confidential destruction; and

f) in the case of a Member on a Probationary Appointment, who has been denied a Continuing Appointment, the File shall be retained by the University Librarian or Dean for a period of seven (7) years and shall then be disposed of by confidential destruction. The File shall be available for the purposes of any Grievance referred to in Clause 23 above.

Data to be Sent to Senate

26. Before the conclusion of each Academic Year the Employer shall report to Senate, the Board and the Association the following data both on an annual and a cumulative basis, sorted by gender and by such other designated groups for which data are available:

a) the number of Promotion and Continuing Appointment Files considered under Clause 7 of this Article; and

b) for each of Clauses 7.1, 7.2, 7.3, 7.4 and 7.5 of this Article, the number of Members considered for Promotion and/or Continuing Appointment.

26.1 For each set of data, also sorted in the same fashion, the Committee's recommendation made under Clause 19 of this Article shall also be summarized, along with the Employer's decisions under Clause 22.3 of this Article.