

PROMOTION AND TENURE

1. Unless otherwise provided for in this Collective Agreement, this Article applies only to Members of the Bargaining Unit who are Full-Time members of the academic staff of the University with Tenured or Probationary Appointments.
 - 1.1 This Article may also be used to provide process and criteria to enable consideration for Promotion of Members with Limited-Term Appointments who are at the rank of Assistant or Associate Professor and who have Academic Responsibilities in each of Teaching, Research and Service; however, the provisions for the granting of Tenure shall not apply.
 - 1.2 For the purposes of this Article, Schools in the Faculties of Health Sciences and Schulich School of Medicine & Dentistry shall be treated in the same manner as Departments, and Directors of these Schools as Chairs.
2. The University of Western Ontario Act, 1982 empowers the Board of Governors to promote and grant Tenure to academic staff on the recommendation of the President. The Employer shall promote Members and grant Tenure to Members in accord with the provisions of this Article.
3. Promotion and the granting of Tenure by the Employer shall be on the basis of a sufficiently strong record of performance established by the candidate in Teaching, Research, and Service. The range of duties encompassed by each of Teaching, Research and Service is defined in the Article *Academic Responsibilities of Members*. The performance in Research shall be evaluated with reference to the national and international standards within the candidate's discipline. When a candidate is considered for Promotion and/or Tenure, evidence shall be provided to the Promotion and Tenure Committee so it can decide whether the candidate has established a record of performance consistent with the requirements above and in accord with the following criteria for evaluating the record of performance.
 - 3.1 The criteria for evaluating the candidate's record shall be:
 - 3.1.1 Performance in Teaching. The evaluation of performance in Teaching shall be based on a teaching record which may include any material deemed by the candidate to be relevant to the work of Teaching. The Chair or Dean shall formally solicit the written opinions of current and former graduate and undergraduate students and members of faculty about the candidate's performance in Teaching. The teaching record shall also include any available student evaluations of Teaching.
 - 3.1.2 Performance in Research. The evaluation of the record of performance in Research shall take into account quality, creativity and significance for the discipline and, where relevant, for the profession in question, as well as productivity. The research record may include any material deemed by the candidate to be relevant including non-refereed articles, unpublished documents, works in progress and creative works as described in the Articles *Academic Responsibilities of Members* and *Annual Performance Evaluation*. However, in accord with Clause 3 of this Article, Promotion and the granting of Tenure by the Employer is on the basis of an established record of performance and not on the basis of potential to

establish such a record; in evaluating the record of performance, unpublished documents, work in progress, and outcomes of activities in the area of Research that have not undergone peer review shall be weighted accordingly. The written opinion of at least three arm's-length experts in the candidate's area of specialization who are not members of the University shall be obtained.

- 3.1.3 Performance in Service. Such contributions may take the form of administrative committee work, or other forms of significant Service which contribute to the University's functions.
- 4. Each candidate for Promotion and/or the granting of Tenure is expected to establish a record of performance in each of Teaching, Research and Service.
 - 4.1 Subject to the provisions of Clause 4.2 below, the significance accorded to Teaching and Research shall be approximately equal and, in all cases, each shall be accorded greater significance than Service. The records of performance in both Teaching and Research must be sufficiently strong to warrant the granting of Tenure and/or Promotion at The University of Western Ontario. While a candidate must have achieved a satisfactory record of performance in Service, the meritorious performance of these duties shall not compensate for an insufficiently strong record of performance in Teaching or Research. However, an unsatisfactory record of performance in Service contributions may be an important factor in the denial of Tenure and/or Promotion.
 - 4.2 The relative significance accorded to Teaching and Research by a Promotion and Tenure Committee shall be subject to any arrangements described in the Letter of Appointment and any arrangements made under any of the provisions of this Collective Agreement.
 - 4.3 The conferral of the rank of Professor shall recognize high achievement in Teaching and Research. A candidate for Appointment at, or promotion to, the rank of Professor shall have sustained the record of performance in Teaching and in Research required to warrant Appointment at, or promotion to, the rank of Associate Professor, and shall also have established a record of performance in at least one of these criteria that significantly surpasses that standard.
 - 4.3.1 While the recommendation for Appointment or Promotion to the rank of Professor shall be based primarily on Teaching and Research, a candidate must also have established a significant record of performance in Service contributions.
 - 4.3.1.1 In assessing the record of performance in Teaching, Research and Service during consideration for Promotion to the rank of Professor, any alterations achieved through the provisions of this Collective Agreement that greatly increase the balance of a Member's workload in the area of Service shall be taken into account.
 - 4.3.2 Although sustained high achievement shall normally be expected of a successful candidate for the rank of Professor, length of service shall not be a criterion for Promotion.

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5. Members on a Probationary Appointment shall receive an annual review from their Dean or designate (as described in Clauses 5.1 through 5.3 below) on their progress toward meeting the expectations for Promotion and/or Tenure described in their Letter of Appointment. Before the review, the Dean, or designate, may solicit comments from the Probationary Member, other Members, colleagues from the discipline within the University, and/or the Chair of the Department (if applicable). In his or her response to the Dean's solicitation, the Member may suggest the names of Members and/or colleagues in the discipline within the University from whom comments may be solicited. Where the Member does so, the Dean shall solicit comments from the individuals named by the Member.
- 5.1 No later than April 30 of each Calendar Year, the Dean, or designate, shall hold an annual interview with each of the Probationary Members in the Faculty. An important purpose of these interviews is to provide mentoring for Probationary Members. This interview shall also include discussion of the Annual Performance Evaluation. This interview need not occur if the Probationary Member has already been approved for Tenure in accordance with the provisions of Clause 18.3 of this Article.
 - 5.1.1 Within two weeks of this meeting, the Dean, or designate, shall provide a written report of the meeting to the Member. This report shall also be placed in the Member's Promotion and/or Tenure File, defined in Clause 6.4 of this Article.
 - 5.1.2 The report of an annual interview provided by the Dean, or designate, shall not include any additional comments or information other than a record of the discussion that took place in the interview.
 - 5.1.3 A Member has the right to respond to the report and this response, which shall be in writing and supplied to the Dean within two weeks of the Dean's report, shall be kept in the Member's Promotion and/or Tenure File alongside the original report.
 - 5.1.4 Those present at the annual interview shall be the Member, his or her Dean, or designate, and his or her Department Chair (if applicable). If the Member so wishes, and upon notice to the Dean, the Member has the right to be accompanied by a colleague from his or her Department or Faculty, or by a person appointed by the Association.
- 5.2 The reports produced in accord with Clause 5.1.1 above shall not be considered relevant to any decision affecting a Member's career beyond the decision to confer (or not to confer) Tenure and shall be included only in the Promotion and/or Tenure File.
- 5.3 In the case of a Member who holds a Joint Appointment that is in more than one Faculty, a single annual interview shall be conducted with both Deans, or designates, present.
6. For each Probationary Member at the rank of Assistant Professor or Associate Professor, a Promotion and Tenure File shall be established by the Dean, or designate, at the time of the initial Appointment of the Probationary Member.

- 6.1 A Promotion File shall be established by the Dean, or designate, for:
- a) each Tenured Member at the rank of Associate Professor;
 - b) each Member with a Limited-Term Appointment eligible under the provisions of Clause 1.1 of this Article.
- 6.2 The Promotion and Tenure Committee of each Department or School or Faculty, excluding the Dean and external members, shall meet before November 30 in each year to consider the Promotion File of each Member of a Department or School or Faculty who is not already a Professor. The Committee shall provide its advice to the Dean on whether or not each such Member should be invited to undergo consideration for Promotion in the following year's cycle. In cases where the Committee advises that consideration is warranted, the Dean shall report the Committee's advice to the Member by December 20.
- 6.2.1 The provisions in Clause 6.5 below do not apply to this process.
- 6.3 In the case of a Member who holds a Joint Appointment that is in more than one Faculty, the File shall be established and maintained by the Dean, or designate, of the Home Unit designated in the Letter of Appointment.
- 6.4 The Promotion and/or Tenure File shall contain:
- a) a copy of the *curriculum vitae*, submitted with the Member's Annual Report unless updated by the Member before March 1 of each year;
 - b) the Letter of Appointment provided to the Member at the time of the initial Appointment, and all revised Letter(s) of Appointment;
 - c) in the case of Probationary Members, the report of each annual interview with the Dean(s), or designate(s), along with the Member's response to the reports, if any; and
 - d) any documentation concerning arrangements made under any of the provisions of this Collective Agreement that alters the balance between the Member's duties in the areas of Teaching, Research and Service.
- 6.5 Subsequent to any consideration of the File under Clause 6.2 of this Article and at least one week before the Committee on Promotion and Tenure meets to begin its consideration and evaluation of the Promotion and/or Tenure File, the Dean, or designate, shall add the following to the Promotion and/or Tenure File:
- a) an updated *curriculum vitae*;
 - b) a Teaching Dossier containing a teaching record as specified in Clause 3.1.1;
 - c) letters received following a public solicitation for comments on the Member's performance. Such public solicitation shall occur before the end of May of the

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Calendar Year in which the Promotion and/or Tenure File is to be considered by the Promotion and Tenure Committee;

- d) letters from at least three arm's-length referees, external to the University, and expert in the Member's discipline, commenting on the Member's performance in Research;
 - (i) the letters from the referees shall be solicited by the Dean of the Member's Faculty.
 - (ii) the referees shall be chosen by the Dean, from a list supplied by the Member. Where possible, the number of external referees listed by the Member shall be at least three times the number of external referees to be chosen. The 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 Dean on the grounds of their lack of expertise or because of some direct academic or personal dispute. Any such objection shall be placed in the Member's Promotion and/or Tenure File and shown to the Committee prior to a decision. Where possible, at least one half of the referees shall be chosen from the Member's list. Should any prospective external referee on the Member's list be unable or unwilling to serve, the Member shall, at the Dean's request, supply another name for the list.
 - (iii) the list of names supplied by the Member shall include a description of the qualifications of each referee, and of any previous interactions with the referee that might lead to a perception of bias in the referee's assessment of the Member's performance in Research.
 - (iv) where a Member's activities are in more than one disciplinary area, the Member may supply the list referred to in Clauses 6.5 d) (ii) and 6.5 d) (iii) of this Article in a manner that places each potential referee into one of the relevant disciplinary areas, up to a maximum of three disciplinary areas. The referees shall be selected so as to ensure representation from, and expert comment on, the relevant disciplinary areas. Where the Member elects to provide lists of external referees in more than one disciplinary area, the number of external referees listed in each disciplinary area shall be at least three times the number of referees to be chosen from that disciplinary area, where possible. Should any prospective external referee in a disciplinary area of the Member's list be unable or unwilling to serve, the Member shall, at the Dean's request, supply another name for the list.
 - (v) the Dean shall provide to the referees a brief statement from the candidate if the candidate feels such a statement is necessary to convey an adequate picture of his or her achievements.
- e) any written submissions that the candidate deems relevant to the case; and

- f) a table of contents listing all documents in the Promotion and/or Tenure File, signed by the Member and the Dean, or designate.
- 6.5.1 Once the Member has signed the table of contents referred to in Clause 6.5 f) of this Article, no further documentation shall be added to the Promotion and/or Tenure File, except as provided for subsequently in this Article, or by mutual agreement of the Member and the Dean.
- 6.5.1.1 Any letters from external referees solicited by the Dean under the provisions of Clause 6.5 d) of this Article that arrive after the table of contents has been signed by the Member and before the Promotion and Tenure Committee 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 the provisions of Clause 6.6 of this Article) at least seventy-two hours before the Committee on Promotion and Tenure meets to begin its consideration and evaluation of the File. During this time the Member may add to the Promotion and/or Tenure File under the provisions of Clause 6.5 e) of this Article.
- 6.6 A Member shall have the right to a copy of any document in his/her Promotion and/or Tenure File, including the letters of evaluation from the external referees solicited in accord with 6.5 d) above. However, in accord with the University's policy of maintaining confidentiality, before the Member receives a copy of a letter from an external referee, all traces of the letter's place of origin and authorship shall be removed.
- 6.7 It is the Member's responsibility to provide the items described in Clauses 6.4 a), 6.5 a), 6.5 b), 6.5 d)(iii) and 6.5 e) within four weeks of any request by the Dean that the Member do so.
7. Faculties with Departments. In such Faculties, each Department shall have a Committee on Promotion and Tenure. The composition of the Committee shall be:
- a) the Dean, who shall chair the Committee, but shall not vote except to break a tie;
 - b) the Chair of the Department;
 - c) three Full-Time Tenured Members from the Department elected by the Full-Time Members appointed in the Department. Where a Department has five or fewer Tenured Members, including the Chair, the Department shall elect two Tenured Members from within the Department and one Tenured Member from outside the Department within the Faculty;
 - d) one Full-Time Tenured Member appointed within the Faculty who is not a member of the Department, elected by the Faculty Council, and who has been a member of a Promotion and Tenure Committee within the previous five years; and

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- e) two Full-Time Tenured Members who are not appointed within the Faculty, elected by the Faculty Council, and who have been members of a Promotion and Tenure Committee within the previous five years.
8. Faculties without Departments. Each Faculty without Departments shall have a Committee on Promotion and Tenure. The composition of the Committee shall be:
 - a) the Dean, who shall chair the Committee, but shall not vote except to break a tie;
 - b) four Full-Time Tenured Members appointed within the Faculty and elected by the Faculty Council; and
 - c) three Full-Time Tenured Members who are not appointed within the Faculty, elected by the Faculty Council, and who have been members of a Promotion and Tenure Committee within the previous five years.
 9. Joint Appointments. For Joint Appointments, the composition of the Joint Committee on Promotion and Tenure shall be:
 - a) the Dean of the Home Unit, who shall chair the Committee, but shall not vote except to break a tie;
 - b) the Dean of the non-Home Unit, who shall be without vote;
 - c) the heads of the two academic Units in which the Joint Appointment is held (the Dean of a Faculty without Departments or the Chair of a Department, as applicable);
 - d) three members from each of the Promotion and Tenure Committees in the Units in which the Joint Appointment is held, elected by the members of each Promotion and Tenure Committee, including one member from each Committee who is not appointed within the Faculty. If the head of the Home Unit named in Clause 9 c) coincides with the Dean of the Home Unit named in Clause 9 a), then an additional Member shall be elected from that Unit's Promotion and Tenure Committee.
 - 9.1 For Joint Appointments between a Home Unit that is not in the Schulich School of Medicine & Dentistry or is a Basic Science Department in the Schulich School of Medicine & Dentistry and a Clinical Department in the Schulich School of Medicine & Dentistry, the composition of the Joint Promotion and Tenure Committee shall be as defined in the Article *Basic Scientists in Clinical Departments*.
 10. Any nominating committee charged with proposing Members for election to a Committee on Promotion and Tenure shall do so with regard to achieving a representative gender balance on the Committee.

11. The terms of the Members of a Committee on Promotion and Tenure shall be:
 - a) of those elected by a Department or, in the case of Faculties without Departments, by the Faculty Council: three years, staggered to ensure continuity.
 - b) of those elected by the Faculty Council of a Faculty with Departments: three years, not renewable for three years, and staggered to ensure continuity.
12. In the event that a member of a Committee on Promotion and Tenure is to be considered for Promotion and/or Tenure, he/she shall retire from that Committee during that Academic Year and an appropriate replacement shall be elected.
13. The membership of each Committee on Promotion and Tenure shall be reported annually by the Dean to the Office of Faculty Relations, and made available on request to the Senate, the Board and the Association.
14. Each Committee shall be convened by its chair.
- 14.1 In consideration of any Promotion and/or Tenure File, should any member of the Committee have a conflict of interest as described in the Article *Conflict of Interest and Conflict of Commitment*, that person shall withdraw from consideration of the relevant case or cases and a replacement shall be elected. Should a Dean have a conflict of interest, the Provost shall appoint a substitute.
- 14.2 Quorum shall consist of the Committee chair and four of the seven voting members, including, where this Committee is within a Faculty with Departments, the Chair of the Department. In the case of a Joint Appointments Promotion and Tenure Committee, the quorum shall include the head of each academic Unit.
- 14.2.1 Any stenographic or other notes, including originals, taken during meetings of the Committee on Promotion and Tenure by someone who is not a member of the Committee on Promotion and Tenure shall be placed in the Promotion and/or Tenure 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 18.1 and 18.2 of this Article. For the purposes of Clause 6.6 of this Article, such notes shall be treated in the same manner as letters from external referees, i.e., information enabling identification of an external referee shall be removed.
- 14.3 Subject to the provisions of Clauses 14.1 and 14.2 of this Article, all members of a Committee on Promotion and Tenure present at the Committee's deliberations must 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 member present at these deliberations may abstain from voting, even if such a Member has not been present at all previous meetings to consider a given File.

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- 14.4 In conducting its work, a Promotion and Tenure Committee shall attend to available Files involving Tenure before attending to available Files involving Promotion only.
15. By the end of March of each year, the Dean, in consultation with the Department Chair (if applicable), shall review each Member's Promotion and/or Tenure File. In the case of Joint Appointments, the Dean shall also consult with the Dean and Chair (if applicable) of the Member's other Unit.
 - 15.1 In the case of a Member who is a Probationary Assistant Professor and will be entering the last year of his or her Appointment, the Dean shall initiate the consideration for Promotion and Tenure, so that the items described in Clause 6.5 can be added to the Promotion and/or Tenure File.
 - 15.2 In the case of a Member who is a Probationary Associate Professor and will be entering the last year of his or her Appointment, the Dean shall initiate consideration for Tenure, and Promotion if appropriate, so that the items described in Clause 6.5 can be added to the Promotion and/or Tenure File.
 - 15.3 For any Member on a Probationary Appointment, the Dean may, if the Member consents, initiate consideration for Tenure, and Promotion where appropriate, in any year of the Appointment before the last year.
 - 15.3.1 In the case of early consideration for Tenure, if the Committee on Promotion and Tenure does not recommend Tenure, the Member's Promotion and Tenure 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 6.5 d) of this Article and applicable to this initial consideration for Tenure. 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 Appointment, in accord with the provisions of Clauses 15.1 and 15.2 of this Article.
 - 15.4 Subject to Clause 15.3 of this Article, a Member who is a Probationary Assistant Professor will normally be considered for Promotion and Tenure in the sixth year of the Appointment only; however, if the Member has established an outstanding record of performance in Teaching and Research, the Member may request that consideration for Promotion and Tenure be started in the fourth year of the Appointment. Such a request must be made in writing by March 1 of the third year of the Appointment, and must be accompanied by the items referred to in Clause 6.5 that are reasonably available at the time. The remaining items, for example those specified in Clause 6.5 c) and d), shall be solicited by the Dean and added to the File as they become available.
 - 15.4.1 In the case of early consideration for Promotion and Tenure, if the Committee on Promotion and Tenure does not recommend Promotion and Tenure, the Member's Promotion and Tenure 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 6.5 d) of this Article and applicable to this initial consideration for Promotion and

Tenure. 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 Appointment, according to the provisions of Clause 15.1 of this Article.

- 15.4.2 Subject to Clause 15.5.1 of this Article, a Member with a Limited-Term Appointment who is an Assistant Professor may, in or after the fifth year of the Appointment, apply for consideration for Promotion; however, if the Member has established an outstanding record of performance in Teaching and Research, the Member may make this request in the third year of the Appointment. In either case, such requests must be made in writing by March 1 of the year before consideration, and must be accompanied by those items referred to in Clause 6.5 that are reasonably available at the time. The remaining items, for example those specified in Clause 6.5 c) and d), shall be solicited by the Dean and added to the File as they become available. Any subsequent application shall be made no earlier than three years following the previous application. Should the Member's Appointment end and not be renewed while the File is under consideration, consideration of the File shall also end.
- 15.5 In the case of a Member who is a Tenured Associate Professor, if the Dean, in consultation with the Department Chair (where applicable) determines that consideration for Promotion may be initiated, the Dean shall invite the Member to submit the items referred to in Clause 6.5. If the Member does not supply the items within two weeks of the invitation, the Member shall not be considered for Promotion at this time.
- 15.5.1 In the case of a Member with a Limited-Term Appointment who is an Assistant Professor or Associate Professor eligible for consideration for promotion under the provisions of Clause 1.1 of this Article, if the Dean, in consultation with the Department Chair (where applicable) determines that consideration for Promotion to Associate Professor or Professor may be initiated, the Dean shall invite the Member to submit the items referred to in Clause 6.5 that are reasonably available at the time. The remaining items, for example those specified in Clause 6.5 c) and d), shall be solicited by the Dean and added to the File as they become available. If the Member does not supply the available items within two weeks of the invitation, the Member shall not be considered for Promotion at this time.
- 15.6 In the case of a Member who is a Tenured Associate Professor, the Member may request that consideration for Promotion to Professor be started. Such a request shall be made in writing by March 1, and shall be accompanied by the items referred to in Clause 6.5 that are reasonably available at the time. The remaining items, for example those specified in Clause 6.5 c) and d), shall be solicited by the Dean and added to the File as they become available. The Member may make such a request no earlier than three years after Promotion of the Member to the rank of Associate Professor and may make any subsequent request no earlier than three years following the previous request.
- 15.6.1 In the case of a Member with a Limited-Term Appointment who is an Associate Professor eligible for consideration for promotion under the provisions of Clause 1.1 of this Article, the Member may request that consideration for Promotion to Professor be started. Such a request must be made in writing by March 1, and must be accompanied by the items

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referred to in Clause 6.5 that are reasonably available at the time. The remaining items, for example those specified in Clause 6.5 c) and d), shall be solicited by the Dean and added to the File as they become available. Any subsequent request shall be made no earlier than three years following the previous request.

16. In reaching its recommendation, the Committee shall evaluate whether or not the Member has established a sufficiently strong record of performance as described in Clauses 3 and 4 of this Article, and ensure the application of a uniformly high standard across the University for meeting the provisions of Clauses 3 and 4 of this Article.
- 16.1 Should the Committee be considering a negative recommendation or have concerns about the candidate's record of performance, it shall 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/or Tenure File. If, upon considering the additional information, the Committee is still considering a negative recommendation, the Committee must request, in writing, a consultation with the candidate. Each of these letters shall include a statement that the Member may be accompanied by an Academic Colleague or Association representative at the consultation meeting.
 - 16.1.1 Before such consultation with the Member, the Committee shall, through its chair, provide the Member with a written statement describing matters of concern to the Committee. Only those issues identified in the letter may be discussed during the consultation. This statement shall be added to the Promotion and/or Tenure File.
 - 16.1.2 Should the Member fail to meet with the Committee within two weeks of a request for a consultation, the Member shall be deemed to have declined to meet with the Committee.
 - 16.1.2.1 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 two-week period.
 - 16.1.3 Should the Member so wish, and upon notice to the Dean, he or she may be accompanied at the consultation by an Academic Colleague from his/her Department or Faculty, or by a person appointed by the Association.
 - 16.1.4 The Member may provide additional documentation at this consultation, and any documentation provided by the Member shall be added to the Promotion and/or Tenure File.
- 16.2 A Member may withdraw his or her File from consideration by the Promotion and Tenure Committee at any time prior to the Committee's formulation of its recommendation. Such withdrawal must be in writing and submitted to the Dean. 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 from external referees obtained in accord with Clause 6.5 d) of this Article.

- 16.2.1 In the case of a Member who is a Tenured Associate Professor and who withdraws his or her File from consideration under the provisions of Clause 16.2 of this Article, the Member may subsequently request consideration for Promotion to Professor no earlier than three years following the previous request.
- 16.2.2 In the case of a Member who is in a Probationary Appointment, and who is being considered in the last year of his or her probationary period, and who withdraws his or her file from consideration by the Promotion and Tenure Committee under the provisions of Clause 16.2 of this Article, the Member's employment at the University shall cease at the end of the Member's Probationary Appointment.
- 16.2.3 The Dean shall be released of the obligations of Clause 6.5 a)-f) of this Article if a candidate withdraws his or her File before the Committee commences its consideration of the File.
17. For Files involving Tenure, not later than the first day of November in each year, the chair of the Committee on Promotion and Tenure shall place the Committee's recommendation along with his/her own recommendation, in each case with written reasons, in the Promotion and/or Tenure File and forward the File to the Provost. For Files involving Promotion only, this deadline shall be November 15. These deadlines may be extended if the application of Clause 16.1 of this Article makes an extension necessary. In all cases where the process specified in Clause 16.1 has not occurred, the Provost shall review Files involving Tenure as they are received, and in advance of Files for Promotion only. Thus, the timelines stated in subsequent clauses shall apply primarily to Files involving Tenure; however, every effort shall be made to review Promotion-only Files in a timely manner.
- 17.1 In reaching their recommendations, the Promotion and Tenure Committee and Dean shall consider only matters that are part of the Promotion and/or Tenure File.
- 17.2 The recommendation of the Committee, including reasons, shall be written by a member of the Committee other than the Dean. Where the Home Unit of the Member being considered for Promotion and/or Tenure is a Department or a School, the Committee's recommendation and reasons shall be written by the Home Unit Department Chair or School Director, respectively. Where the Member's Home Unit is a Faculty without Departments or Schools the Committee's recommendation and reasons shall be written by a member of the Committee who has been elected by the members of the Committee to undertake this task. The Committee shall discuss the recommendation letter's content, and a draft of the letter shall be made available to Committee members for comment. All members of the Committee shall be provided with an opportunity to review and sign the Committee's recommendation to acknowledge that it is an accurate rendering of the Committee's decision.
- 17.3 A copy of the recommendations of the Committee and the Dean shall be sent to the Member and, where applicable, to the Member's Department Chair or School Director at the same time as the letter is sent to the Provost.

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- 17.4 These recommendations shall not be grievable, except as part of a Grievance initiated according to Clause 18.3.1 below.
- 17.5 In the case of a Joint Appointment between two Faculties, the Deans shall provide separate recommendations for inclusion in the Promotion and/or Tenure File.
18. The Provost shall review the Promotion and/or Tenure File and consider the recommendations of the Committee on Promotion and Tenure and of the Dean.
- 18.1 If the Provost determines that the File is incomplete, or if the Provost requires additional information in order to arrive at a decision, or if the Provost has other concerns about the recommendation of the Promotion and Tenure Committee and/or the Dean, the Provost may consult with the Dean and, if the Provost considers it appropriate, return the File to the Committee with a written statement describing matters of concern within six weeks of receipt of the File. A copy of this written statement shall be provided to the Member and shall be added to the File. The Member shall have two weeks from receipt of the written statement to provide the Promotion and Tenure Committee with any information that may be required to respond to the Provost's concerns. Such information shall be in writing and placed in the File. The Committee and Dean shall consider the Provost's concerns and any additional information that has been placed in the File in accord with the provisions of this Clause. Following this consideration, the Committee chair shall forward the Committee's response, along with his or her own response, to the Provost within an additional two weeks.
- 18.2 If the Provost is considering denial of a recommendation from the Promotion and Tenure Committee for the granting of Tenure, the Provost shall return the File to the Committee with a written statement describing matters of concern within two weeks of his or her receipt of the Committee's response provided in Clause 18.1 of this Article. A copy of this written statement shall be provided to the Member and shall be added to the File. The Member shall have two weeks from receipt of the written statement to provide the Promotion and Tenure Committee with any information that may be required to respond to the Provost's concerns. Such information shall be in writing and placed in the File. The Committee and Dean shall consider the Provost's concerns and any additional information that has been placed in the File in accord with the provisions of this Clause. Following this consideration, the Committee chair shall forward the Committee's response, along with his or her own response, to the Provost within an additional two weeks.
- 18.3 The Provost shall either approve or deny each recommendation of the Committee on Promotion and Tenure and the separate recommendation from the Dean, and shall so notify the Member, the chair of the Committee on Promotion and Tenure, and the Member's Department Chair or School Director (if applicable), in writing and with reasons, within six weeks of receipt of the Committee's recommendation or within two weeks of the Committee's subsequent response in either Clause 18.1 or 18.2 of this Article. If the Provost denies the recommendation of the Committee, a copy of the Provost's notification shall also be sent to the Association.

- 18.3.1 Any Grievance of this decision shall be commenced at Step 2, according to the provisions of the Article *Grievance and Arbitration*.
- 18.3.2 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*.
- 18.3.3 Without in any way limiting the powers of an arbitrator or an arbitration board 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 or arbitration board 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.
- 18.3.4 In arbitrations pursuant to this Article an arbitrator or arbitration board shall not have the power to award Promotion or Tenure, 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.
- 18.3.5 In arbitrations pursuant to this Article, and in any reconsideration of the case, no materials shall be added to the record of performance in Teaching, Research and Service after the Provost's decision in Clause 18.3 of this Article except by agreement of the Parties or as a consequence of an award or interim ruling of an arbitrator.
19. In the case of Probationary Appointments considered pursuant to Clauses 15.1 and 15.2, where the Provost approves a recommendation that Promotion and/or Tenure be denied, or where the Provost denies a recommendation that Promotion and/or Tenure be approved, the Member's employment at the University shall cease at the end of the Member's Probationary Appointment.
- 19.1 In the case of Probationary Appointments considered prior to the final year of Appointment under Clauses 15.3 or 15.4, where the Provost approves a recommendation that Promotion and/or Tenure be denied, or where the Provost denies a recommendation that Promotion and/or Tenure be approved, the Member's Promotion and/or Tenure 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 6.5 d) of this Article and applicable to this initial consideration for Promotion and/or Tenure. The Provost's written reasons 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 Appointment, according to the provisions of Clause 15.1 of this Article.
- 19.2 The provisions in Clauses 19 and 19.1 of this Article are subject to the outcome of any Grievance referred to in Clause 18.3.1 of this Article.
- 19.3 Where a Member on a Probationary Appointment has a Grievance arising from Clause 18.3.1 of this Article and pending beyond the end of the final year of the Member's

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Probationary Appointment, the Member's Appointment shall be extended at least to the end of the Academic Term in which the Arbitrator's decision is released.

- 19.3.1 Where a Member chooses not to grieve the denial of Tenure, he or she shall be entitled to a one-year, Limited-Term, extension of appointment with no change in terms and conditions except by mutual agreement.
20. Following the Employer's notification described in Clause 18.3, the disposition of the Promotion and/or Tenure File shall be as follows:
- a) in the case of the Promotion and/or Tenure File of a Member on a Probationary Appointment, and subject to the provisions of Clauses 15.3.1 and 15.4.1 of this Article, the File shall be retained by the Employer for a period of seven years and then destroyed. The File shall be available for the purposes of any Grievance referred to in Clause 18.3.1 of this Article;
 - b) in the case of a Member who has been considered for Promotion from Associate Professor to Professor:
 - (i) if the Member has been promoted, the Promotion File shall be retained by the Employer for a period of seven years and then destroyed.
 - (ii) if the Member has not been promoted, the File shall continue as the Promotion File and shall be returned to the Dean of the Member's Faculty. The *curriculum vitae* present in the File at this point shall remain in the File, alongside any future updated *curriculum vitae*.
 - c) in the case of Members in Limited-Term Appointments:
 - (i) if the Member has been promoted to Professor, the Promotion File shall be retained by the Employer for a period of seven years and then destroyed.
 - (ii) if the Member has not been promoted, or if the Member has been promoted to Associate Professor, the File shall continue as the Promotion File and shall be returned to the Dean of the Member's Faculty. The *curriculum vitae* present in the File at this point shall remain in the File, alongside any future updated *curriculum vitae*.
21. Before the conclusion of each Academic Year the Employer shall report to Senate, the Board and the Association the following data, sorted by gender and by such other designated groups for which data are available:
- a) the number of Promotion and/or Tenure Files considered under Clause 15 of this Article;
 - b) the number of Probationary Assistant Professors considered for Promotion and Tenure under Clauses 15.1 and 15.3 of this Article;

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- c) the number of Probationary Associate Professors considered for Promotion and/or Tenure under Clauses 15.2 and 15.3 of this Article;
- d) the number of Probationary Assistant Professors requesting consideration for Promotion and Tenure under Clause 15.4 of this Article;
- e) the number of Tenured Associate Professors invited to undergo consideration for Promotion under Clause 15.5 of this Article;
- f) the number of Tenured Associate Professors requesting consideration for Promotion under Clause 15.6 of this Article; and
- g) the number of eligible Members in Limited-Term Appointments undergoing consideration for Promotion under Clauses 15.4.2, 15.5.1 and 15.6.1.

21.1 For each set of data, also sorted in the same fashion, the Committee recommendations made under Clause 17 of this Article shall also be summarized, along with the Employer's decisions under Clause 18 of this Article.