PROMOTION, TENURE AND CONTINUING STATUS

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, Continuing or Probationary Appointments on either the Tenure Track or Teaching Scholar (TS) Track.

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 or Continuing status 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 or Continuing status to Members in accord with the provisions of this Article.

3. For the Tenure Track, 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 For the Teaching Scholar Track, promotion and the granting of Continuing status by the Employer shall be on the basis of a sufficiently strong record of performance established by the candidate in Teaching, Scholarship Activities, and Service. The range of duties encompassed by each of Teaching, Scholarship Activities, and Service is defined in the Article Academic Responsibilities of Members. The performance in Scholarship Activities shall be evaluated with reference to the national and international standards within the candidate's discipline. When a candidate is considered for Continuing status, evidence shall be provided to the Promotion, Tenure and Continuing Status 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.
3.2 The criteria for evaluating the candidate’s record shall be:

3.2.1 Performance in Teaching. For Members on the Tenure or Teaching Scholar Track, 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 evidence of teaching effectiveness such as peer reviews of teaching, as well as information about student experience in the classroom as reflected by data from Student Questionnaires on Courses and Teaching for all courses taught by the Member, where available. For each course, such data shall consist of class size, response rates, and the distribution of ratings, as well as other factors on which the Member provides comment, for example course characteristics such as elective or required status and mode of delivery. Such data shall not contain arithmetic averages. Evaluations of a Member’s performance in Teaching shall take into account factors that may bias any measures submitted. Any consideration of data from Student Questionnaires on Courses and Teaching shall take into account the possibility that they may be biased. A decision to deny Promotion and/or Tenure or Continuing status shall not solely be based on data from Student Questionnaires on Courses and Teaching.

3.2.2 Performance in Research. For Members on the Tenure Track, 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 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.

3.2.2.1 Whether and how research done before the Member’s Appointment will be included as part of the research record must be stated in the Member’s Letter of Appointment.
3.2.3 Performance in Scholarship Activities. For Members on the Teaching Scholar Track, the evaluation of the record of performance in Scholarship Activities shall take into account quality, creativity, and significance for teaching within the discipline, as well as productivity. The scholarship activity record may include any material deemed by the candidate to be relevant including documentation of curriculum development and/or educational leadership and/or mentoring, presentations and scholarship on teaching or pedagogy, mentoring, or research into the efficacy of different pedagogical approaches. Impact of educational leadership and/or achievement could be demonstrated through innovation of methods that enhance student learning; through creation and/or development of models of effective teaching; through advances in the delivery of education in a discipline or profession; through engagement in the scholarly conversation via professional activity and/or publications. Work in progress may be included in the dossier. However, in accord with Clause 3.1 of this Article, Promotion and the granting of Continuing status 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 and work in progress shall be weighted accordingly. The written opinion of at least three arm’s-length experts in the scholarship of teaching and learning and/or the candidate’s area of specialization who are not members of the University shall be obtained.

3.2.4 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 Tenured or Probationary Tenure Track 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, Tenure and Continuing Status 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.

4.3.2 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. For example, the necessary quality and quantity of the record of performance in Research should be equivalent to that of a Member with a Normal Workload balance, but the time taken to achieve this record may be longer for a Member with a substantially higher Service workload balance.

4.3.3 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.

5. Each Continuing status or Probationary Teaching Scholar Track candidate for Promotion and/or the granting of Continuing status is expected to establish a record of performance in each of Teaching, Scholarship Activities and Service.

5.1 Subject to the provisions of Clause 5.2 below, Teaching shall be accorded greater significance than Scholarship Activities and Service. However, the records of performance in both Teaching and Scholarship Activities must be sufficiently strong to warrant the granting of Continuing status 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 Scholarship Activities. However, an unsatisfactory record of performance in Service contributions may be an important factor in the denial of Continuing status and/or Promotion.

5.2 The relative significance accorded to Teaching and Scholarship Activities by a Promotion, Tenure and Continuing Status 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.
5.3 The conferral of the rank of Professor, TS shall recognize high achievement in Teaching and Scholarship Activities. A candidate for Appointment at, or promotion to, the rank of Professor, TS shall have sustained the record of performance in Teaching and in Scholarship Activities required to warrant Appointment at, or promotion to, the rank of Associate Professor, TS and shall also have established a record of performance in at least one of these criteria that significantly surpasses that standard.

5.3.1 While the recommendation for Appointment or Promotion to the rank of Professor, TS shall be based primarily on Teaching and Scholarship Activities, a candidate must also have established a significant record of performance in Service contributions.

5.3.1.1 In assessing the record of performance in Teaching, Scholarship Activities, and Service during consideration for Promotion to the rank of Professor, TS, 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. For example, the necessary quality and quantity of the record of performance in Scholarship Activities should be equivalent to that of a Member with a Normal Workload balance, but the time taken to achieve this record may be longer for a Member with a substantially higher Service workload balance.

5.3.2 Although sustained high achievement shall normally be expected of a successful candidate for the rank of Professor, TS, length of service shall not be a criterion for Promotion.

6. Members on a Probationary Appointment shall receive an annual report from their Dean or designate (as described in Clauses 6.1 through 6.3 below) on their progress toward meeting the expectations for Promotion and/or Tenure or Continuing status described in their Letter of Appointment. This report shall be based on an annual interview between the Dean and the Probationary Member, as described in Clause 6.1 below; on consideration of the Probationary Member's Performance Evaluation; and on written comments that the Dean may solicit from the Probationary Member, other Members, colleagues from the discipline within the University, and/or the Chair of the Department (if applicable). In their response to the Dean's solicitation of such comments, 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.

6.1 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 and for the Member to satisfy themself so that they understand the expectations for meeting the criteria for Tenure or Continuing status. This
interview shall address the Member's progress towards generating a record of performance in each of Teaching, Research or Scholarship Activities, and Service sufficient to meet the criteria for Promotion and Tenure or Continuing status, and aspects of performance in each of the three applicable areas that need to be strengthened. This interview shall also include discussion of the Probationary Member's Performance Evaluation, while recognizing that the criteria for Performance Evaluation are separate and distinct from the criteria for Promotion and Tenure or Continuing status. This interview need not occur if the Probationary Member has already been approved for Tenure or Continuing status in accordance with the provisions of Clause 19.4 of this Article.

6.1.1 Those present at the annual interview shall be the Member, their Dean, or designate, and their 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 their Department or Faculty, or by a person appointed by the Association.

6.1.2 Within two weeks of this interview, the Dean, or designate, shall provide a written report of the interview to the Member. For Probationary Tenure Track faculty, this report shall comment on the progress being made by the Member in generating a record of performance in each of Teaching, Research, and Service that is sufficiently strong to satisfy the criteria for Promotion and/or the granting of Tenure, and shall advise the Member on any aspects of performance in each of the three areas that need to be strengthened. The report shall also be placed in the Member's Promotion and/or Tenure File, defined in Clause 7.3 of this Article. For Probationary Teaching Scholar Track faculty, this report shall comment on the progress being made by the Member in generating a record of performance in each of Teaching, Scholarship Activities, and Service that is sufficiently strong to satisfy the criteria for Promotion and/or the granting of Continuing status, and shall advise the Member on any aspects of performance in each of the three areas that need to be strengthened. The report shall also be placed in the Member's Promotion and/or Continuing Status File, defined in Clause 7.3 of this Article.

6.1.3 This report shall not include any additional comments or information other than a record of the discussion that took place in the interview.

6.1.4 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 or Continuing Status File alongside the original report.

6.2 The reports produced in accord with Clause 6.1.2 above shall not be considered relevant to any decision affecting a Member's career beyond the decision to confer (or not to confer) Tenure or Continuing status and shall be included only in the Promotion and/or Tenure or Continuing Status File.
6.3 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. Where applicable, the Chair(s) of the Departments where the Joint Appointment is held shall also be present.

7. For each Probationary Tenure Track 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. For each Probationary Teaching Scholar Track Member at the rank of Assistant Professor, TS or Associate Professor, TS, a Promotion and Continuing Status File shall be established by the Dean, or designate, at the time of the initial Appointment of the Probationary Member.

7.1 A Promotion File shall be established by the Dean, or designate, for:

a) each Tenured Member at the rank of Associate Professor;

b) each Continuing status Member at the rank of Associate Professor, TS

c) each Member with a Limited-Term Appointment eligible under the provisions of Clause 1.1 of this Article.

7.2 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.

7.3 The Promotion and/or Tenure File or Continuing Status shall contain:

a) a copy of the *curriculum vitae*, submitted with the Member’s Performance 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 (for Tenured or Probationary Tenure Track Members) or in the areas of Teaching, Scholarship Activities and Service (for Continuing or Probationary Teaching Scholar Track Members).
7.4 At least one week before the Committee on Promotion, Tenure and Continuing Status meets to begin its consideration and evaluation of the Promotion and/or Tenure or Continuing Status File, the Dean, or designate, shall add the following to the Promotion and/or Tenure or Continuing Status File:

a) an updated *curriculum vitae*;

b) Teaching Dossier containing a teaching record as specified in Clause 3.2.1;

c) for Members on the Tenure Track, a Research Statement in which the Member gives an account of their research record as described in Clause 3.2.2 and for Members on the Teaching Scholar Track, a Statement of Scholarship Activities in which the Member gives an account of their record of scholarship activities as described in Clause 3.2.3;

d) 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 Calendar Year in which the Promotion and/or Tenure or Continuing Status File is to be considered by the Promotion, Tenure or Continuing Status Committee. The soliciting document shall indicate that the purpose of the solicitation is to provide information about whether the candidate’s performance of Academic Responsibilities meets the relevant criteria in Clauses 3 through 5.3.2 of this Article for Promotion and/or Tenure and Continuing Status. Should these letters contain any unsubstantiated allegations of wrongdoing and/or misconduct that would, if substantiated, warrant discipline against the Member, the Member may submit a request to the Dean to have the excerpt(s) of the letter(s) containing the allegations removed from the Promotion and/or Tenure or Continuing Status File. The Dean shall consider the Member’s request and, if the Dean determines there are grounds to remove the excerpt(s) of the letter(s), the excerpt(s) shall be removed from the letter(s) in the Promotion and/or Tenure or Continuing Status File. If the Dean does not grant the Member’s request, the Dean shall provide reasons in writing.

e) letters from at least three arm’s-length referees, external to the University, and expert in the Member’s discipline. For Tenured and Probationary Tenure Track Members, arm’s length referees will be invited to comment on the Member’s performance in Research. For Continuing status and Probationary Teaching Scholar Track Members, arm’s length referees will be invited to comment on the Member’s performance in Scholarship Activities;

(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 they do so, the Dean shall provide a description of the qualifications of each referee suggested and 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 or Continuing Status 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. For candidates undergoing consideration for promotion to the rank of Associate Professor the referees chosen shall be at the rank of Associate Professor or Professor or equivalent; for candidates undergoing consideration for promotion to the rank of Professor the referees chosen shall be at the rank of Professor or equivalent. For candidates undergoing consideration for promotion to the rank of Associate Professor, TS the referees chosen shall normally be at the rank of Associate Professor, TS or Professor, TS or equivalent; for candidates undergoing consideration for promotion to the rank of Professor, TS the referees chosen shall normally be at the rank of Professor, TS or equivalent.

(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, where the Member is Tenured or Probationary Tenure Track, or Scholarship Activities where the Member is Continuing or Probationary Teaching Scholar Track.
(iv) Where a Member’s activities are in more than one disciplinary area, the Member may supply the list referred to in Clauses 7. e) (ii) and 7. e) (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 also provide to the referees the criteria for Promotion and Tenure or Continuing status as they are set out in Clauses 3 through 5.3.2, of this Article.

(vi) 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 their achievements.

f) any written submissions that the candidate deems relevant to the case; and

g) a table of contents listing all documents in the Promotion and/or Tenure or Continuing Status File, signed by the Member and the Dean, or designate.

7.4.1 Once the Member has signed the table of contents referred to in Clause 7.4 g) of this Article, no further documentation shall be added to the Promotion and/or Tenure or Continuing Status File, except as provided for subsequently in this Article, or by mutual agreement of the Member and the Dean.

7.4.1.1 Any letters from external referees solicited by the Dean under the provisions of Clause 7.4 e) of this Article that arrive after the table of contents has been signed by the Member and before the Promotion, Tenure and Continuing Status 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 7.5 of this Article) at least seventy-two hours before the Committee on Promotion, Tenure and Continuing Status meets to begin its consideration and evaluation of the File. During this time the Member may add to the Promotion and/or Tenure or Continuing Status File under the provisions of Clause 7.4 f) of this Article.

7.5 A Member shall have the right to a copy of any document in their Promotion and/or Tenure or Continuing Status File, including the letters of evaluation from the external referees solicited in accord with 7.4 e) above. However, in accord
with the University's policy of maintaining confidentiality, before the Member sees or receives a copy of a letter from an external referee, all traces of the letter's place of origin and authorship shall be removed.

7.6 It is the Member's responsibility to provide the items described in Clauses 7.3 a), 7.4 a), 7.4 b), 7.4 c), 7.4 e)(iii) and 7.4 f) within four weeks of any request by the Dean that the Member do so.

8. **Faculties with Departments.** In such Faculties, each Department shall have a Committee on Promotion, Tenure and Continuing Status. The composition of the Committee shall be:

a) the Dean, or designate, 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 Members on Faculty Council, and who has been a member of a Promotion and Tenure Committee within the previous five years; and

e) two Full-Time Tenured Members who are not appointed within the Faculty, elected by the Members on Faculty Council, and who have been members of a Promotion and Tenure Committee within the previous five years.

f) one Member with Continuing status from the Department, where available, elected by the Full-Time Members appointed in the Department, who shall serve only for the consideration of the Teaching Scholar files.

9. **Faculties without Departments.** Each Faculty without Departments shall have a Committee on Promotion, Tenure and Continuing Status. The composition of the Committee shall be:

a) the Dean, or designate, 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 Members on Faculty Council; and

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c) three Full-Time Tenured Members who are not appointed within the Faculty, elected by the Members on Faculty Council, and who have been members of a Promotion and Tenure Committee within the previous five years.

d) one Member with Continuing status from the Faculty, where available, elected by the Full-Time Members appointed in the Faculty, who shall serve only for the consideration of the Teaching Scholar files.

10. Joint Appointments. For Joint Appointments, the composition of the Joint Committee on Promotion, Tenure and Continuing Status shall be:

a) the Dean, or designate, of the Home Unit, who shall chair the Committee, but shall not vote except to break a tie;

b) the Dean, or designate, 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, or designate, of a Faculty without Departments or the Chair of a Department, as applicable);

d) three members from each of the Promotion, Tenure and Continuing Status Committees in the Units in which the Joint Appointment is held, elected by the members of each Promotion, Tenure and Continuing Status Committee, including one member from each Committee who is not appointed within the Faculty. If the head of the Home Unit named in Clause 10 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, Tenure and Continuing Status Committee.

10.1 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, Tenure and Continuing Status Committee shall be as defined in the Article Basic Scientists in Clinical Departments.

11. Any nominating committee charged with proposing Members for election to a Committee on Promotion, Tenure and Continuing Status shall do so with regard to gender balance and to general consideration of equity of representation on the Committee. One member on each Committee on Promotion, Tenure and Continuing Status shall be designated the Committee’s Equity Representative as identified in Clause 9 of the Article Employment Equity.

12. The terms of the Members of a Committee on Promotion, Tenure and Continuing Status 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.

c) of those elected by the Faculty Council of a Faculty with Departments: three years, not renewable for three years, and staggered to ensure continuity.

13. All members of any Promotion, Tenure and Continuing Status Committee under this Article shall respect the confidentiality of the Committee's deliberations, documents, consultations and proceedings. This constraint shall also apply to all other persons who may from time to time be required to appear before, or otherwise be involved in the proceedings. This provision shall not be interpreted as preventing a Member from consulting the Association about procedural concerns.

14. In the event that a member of a Committee on Promotion, Tenure and Continuing Status is to be considered for Promotion and/or Tenure or Continuing status, that member shall retire from this Committee during that Academic Year and an appropriate replacement shall be elected.

15. The membership of each Committee on Promotion, Tenure and Continuing Status 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.

16. Each Committee shall be convened by its chair. At the Committee's first meeting, the Chair shall fully explain the requirements of committee confidentiality, shall inform the Committee of its duties under the Article Employment Equity, and shall inform the external members of the Committee of their special responsibilities to ensure that the Committee's process and decisions benefit from comprehensive extra-Unit scrutiny.

16.1 In consideration of any Promotion and/or Tenure or Continuing Status 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. Where the member declaring the conflict is the Department Chair, the Full-time Members of the Unit shall elect, through normal balloting processes, another Full-time Member from the Unit to act as the Department Chair on the Committee.

16.1.1 If any Member is aware of, or suspects, a conflict of interest on the part of any Committee member, this shall be communicated immediately to the Dean in accord with the provisions of the Article Conflict of Interest and Conflict of Commitment. The Dean shall then follow the procedure laid out in Clauses 4 through 4.2 of that Article. Should a Dean have a conflict of interest, the Provost shall appoint a substitute.
16.2 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, Tenure and Continuing Status Committee, the quorum shall include the head of each academic Unit.

16.2.1 Any stenographic or other notes, including originals, taken during meetings of the Committee on Promotion, Tenure and Continuing Status by someone who is not a member of the Committee on Promotion, Tenure and Continuing Status shall be placed in the Promotion and/or Tenure or Continuing Status 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 20.2 and 20.3 of this Article. For the purposes of Clause 7.5 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.

16.3 Subject to the provisions of Clauses 16.1 and 16.2 of this Article, all members of a Committee on Promotion, Tenure and Continuing Status 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.

16.4 In conducting its work, a Promotion, Tenure and Continuing Status Committee shall attend to available Files involving Tenure or Continuing status before attending to available Files involving Promotion only.

17. By the end of March of each year, the Dean shall review the Promotion and/or Tenure or Continuing Status File of each Member in the Faculty who is at the rank of Associate Professor or Associate Professor, TS and who is not obliged to be considered for Tenure and/or Continuing status in the coming Academic Year. The purpose of this review is to determine whether a Member should be invited to undergo consideration for Promotion and/or Tenure or Continuing status in the coming Academic year. The Dean shall consult with the members of the Promotion, Tenure and Continuing Status Committee elected from the Member’s Home Unit. In the case of Joint Appointments, the Dean shall, if applicable, consult with the Dean of the non-Home Unit and with the members of the Promotion, Tenure and Continuing Status Committees elected from the Member’s Home Units.
17.1 In the case of a Member who is a Probationary Assistant Professor or Probationary Associate Professor, TS and will be entering the last year of their Appointment, the Dean shall initiate the consideration for Promotion and Tenure or Continuing status, so that the items described in Clause 7.4 can be added to the Promotion and/or Tenure or Continuing Status File.

17.2 In the case of a Member who is a Probationary Associate Professor or Probationary Associate Professor, TS and will be entering the last year of their Appointment, the Dean shall initiate consideration for Tenure or Continuing status, and Promotion if appropriate, so that the items described in Clause 7.4 can be added to the Promotion and/or Tenure or Continuing Status File.

17.3 For any Member on a Probationary Appointment, the Dean may, if the Member consents, initiate consideration for Tenure or Continuing status, and Promotion where appropriate, in any year of the Appointment before the last year.

17.3.1 In the case of early consideration for Tenure or Continuing status, if the Committee on Promotion, Tenure and Continuing Status does not recommend Tenure or Continuing status, all materials added to the Member’s Promotion and Tenure or Continuing Status File in accord with Clause 7.4 shall be removed from the File. 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 17.1 and 17.2 of this Article.

17.4 Subject to Clause 17.3 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, in the third year of the Appointment, that consideration for Promotion and Tenure be started in the fourth year of the Appointment. Similarly, a Member who is a Probationary Assistant Professor, TS will normally be considered for Promotion and Continuing status in the sixth year of the Appointment only; however, if the Member has established an outstanding record of performance in Teaching and Scholarship Activities, the Member may request, in the third year of the Appointment, that consideration for Promotion and Continuing status be started in the fourth year of the Appointment. Such a request must be made in writing by the end of March of the third year of the Appointment, and must be accompanied by the items referred to in Clause 7.4 that are reasonably available at the time. The remaining items, for example those specified in Clause 7.4 d) and e), shall be solicited by the Dean and added to the File as they become available.
17.4.1 In the case of early consideration for Promotion and Tenure, if the Committee on Promotion, Tenure and Continuing Status does not recommend Promotion and Tenure or Continuing status, all materials added to the Member’s Promotion and Tenure or Continuing Status File in accord with Clause 7.4 shall be removed from the File. 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 17.1 of this Article.

17.4.2 Subject to Clause 17.5.1 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 the end of March of the year before consideration, and must be accompanied by those items referred to in Clause 7.4 that are reasonably available at the time. The remaining items, for example those specified in Clause 7.4 d), and e), 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.

17.5 In the case of a Member who is a Tenured Associate Professor or Associate Professor, TS with Continuing status, 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 7.4 that are reasonably available at the time. Such an invitation shall be made in writing. 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. The remaining items, for example those specified in Clause 7.4 d), e) and f), shall be solicited by the Dean and added to the File as they become available.

17.5.1 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 7.4 that are reasonably available at the time. Such an invitation shall be made in writing. The remaining items, for example those specified in Clause 7.4 d) and e), 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.
17.6 In the case of a Member who is a Tenured Associate Professor or Associate Professor, TS with Continuing status, the Member may request that consideration for Promotion to Professor or Professor, TS, respectively, be started. Such a request shall be made in writing by the end of March, and shall be accompanied by the items referred to in Clause 7.4 that are reasonably available at the time. The remaining items, for example those specified in Clause 7.4 d) and e), 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 or Associate Professor, TS and may make any subsequent request no earlier than three years following the previous request.

17.6.1 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 the end of March, and must be accompanied by the items referred to in Clause 7.4 that are reasonably available at the time. The remaining items, for example those specified in Clause 7.4 d) and e), 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.

17.7 Notwithstanding the provisions of this Article that require a Member be considered in the sixth year of a Probationary Appointment at the Assistant or Assistant, TS rank, or in the third year of a Probationary Appointment at the Associate or Associate, TS rank, where a Member in a Probationary Appointment has taken an Employer-approved Leave of Absence of more than 24 weeks, or a Leave in excess of 24 weeks under the provisions of the Article Pregnancy and Parental/Adoption Leave, the Member's Probationary Appointment shall be extended by one year for each Leave in excess of 24 weeks.

17.7.1 Notwithstanding the extension provided in Clause 17.7 of this Article, a Member may elect to be considered for Tenure or Continuing status, and where applicable, Promotion, in what would have been the final year of their Probationary Appointment but for the Leave(s) taken; such an election must be made by the Member in writing to the Dean before the end of March of the calendar year in which the consideration would commence.
17.7.2 A Member may request the Employer consider granting an extension to the Member’s Probationary Appointment where the Member has experienced extenuating circumstances which require accommodation under the Ontario Human Rights Code, and which have limited the Member’s ability to fully perform the duties of their position for a prolonged period such that progress toward tenure is materially jeopardized. The Member shall bring evidence of extenuating circumstances to the attention of the Employer at the time of occurrence, or as soon as possible where health reasons precluded bringing the circumstances to the Employer’s attention immediately.

18. 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, 4 and 5, and relevant subsections of Clauses 3, 4 and 5, of this Article, and ensure the application of a uniformly high standard across the University for meeting the provisions of Clauses 3, 4 and 5 of this Article and their relevant subsections.

18.1 Should the Committee or the Dean/Dean’s designate have questions or concerns about the candidate’s record of performance, the Committee Chair must request, in writing, additional information from the candidate. The request shall include a statement that the Member may consult with an Academic Colleague or Association Representative. The Committee chair shall forward this request to the candidate, and both the request and any information received within two weeks of the request shall be added to the Promotion and/or Tenure or Continuing Status File.

18.1.1 If, upon considering the additional information, the Committee is considering a negative recommendation, the Committee must request, in writing, a consultation with the candidate. This request shall include a statement that the Member may consult and/or be accompanied by an Academic Colleague or Association Representative. 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 or Continuing Status File.

18.1.2 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.

18.1.2.1 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.
18.1.3 Should the Member so wish, and upon notice to the Dean, the Member may be accompanied at the consultation by an Academic Colleague from their Department or Faculty, or by a person appointed by the Association.

18.1.4 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 or Continuing Status File.

18.2 A Member may withdraw their File from consideration by the Promotion, Tenure and Continuing Status 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, all materials added to the Member's File in accord with Clause 7.4 shall be removed.

18.2.1 In the case of a Member who is a Tenured Associate Professor or Associate Professor, TS with Continuing status, and who withdraws their File from consideration under the provisions of Clause 18.2 of this Article, the Member may subsequently request consideration for Promotion to Professor, or Professor, TS, no earlier than three years following the previous request.

18.2.2 In the case of a Member who is in a Probationary Appointment, and who is being considered in the last year of their probationary period, and who withdraws their file from consideration by the Promotion, Tenure and Continuing Status Committee under the provisions of Clause 18.2 of this Article, the Member's employment at the University shall cease at the end of the Member's Probationary Appointment.

18.2.3 The Dean shall be released of the obligations of Clause 7.4 a) g) of this Article if a candidate withdraws their File before the Committee commences its consideration of the File.

19. For Files involving Tenure or Continuing status, not later than the first day of November in each year, the chair of the Committee on Promotion, Tenure and Continuing Status shall place the Committee's recommendation along with their own recommendation, in each case with written reasons that shall relate directly to the provisions of Clauses 3 through 5.3.2 of this Article, in the Promotion and/or Tenure or Continuing Status 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 18.1 of this Article makes an extension necessary. In all cases where the process specified in Clause 18.1 has not occurred, the Provost shall review Files involving Tenure or Continuing status 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 or Continuing status; however, every effort shall be made to review Promotion-only Files in a timely manner.
19.1 In reaching their recommendations, the Promotion, Tenure and Continuing Status Committee and Committee Chair shall attend strictly to the criteria for Promotion, Tenure and Continuing status as they are set out in Clauses 3 through 5.3.2 of this Article and shall consider only matters that are part of the Promotion and/or Tenure or Continuing Status File.

19.2 The recommendation of the Committee, including reasons, shall be written by a member of the Committee other than the Committee Chair. Where the Home Unit of the Member being considered for Promotion and/or Tenure or Continuing status 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.

19.3 A copy of the recommendations of the Committee and the Committee Chair 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.

19.4 These recommendations shall not be grievable, except as part of a Grievance initiated according to Clause 20.4.1 below.

19.5 In the case of a Joint Appointment between two Faculties, the Committee Chair shall provide a recommendation for inclusion in the Promotion and/or Tenure or Continuing Status File. The non-Home Unit Dean may provide a separate recommendation for inclusion in the Promotion and/or Tenure or Continuing Status File.

20. The Provost shall review the Promotion and/or Tenure or Continuing Status File and consider the recommendations of the Committee on Promotion, Tenure and Continuing Status and of the Committee Chair.

20.1 The Provost may consult the Vice-Provost (Academic Planning, Policy and Faculty) and/or the Vice-President (Research) regarding the File. Any such consultation shall be documented in writing, and this record shall be forwarded to the Member and to the Committee, and shall be included in the Promotion and/or Tenure or Continuing Status File.

20.2 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, Tenure and Continuing
Status 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, which shall relate directly to the provisions of Clauses 3 through 5.3.2 of this Article, 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, Tenure and Continuing Status 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 their own response, to the Provost within an additional two weeks.

20.3 If the Provost is considering denial of a recommendation from the Promotion, Tenure and Continuing Status Committee for the granting of Tenure or Continuing status, the Provost shall return the File to the Committee with a written statement describing matters of concern, which shall relate directly to the provisions of Clauses 3 through 5.3.2 of this Article, within two weeks of the Provost’s receipt of the Committee’s response provided in Clause 20.2 of this Article, or within six weeks of receipt of the File if the provisions of Clause 20.2 have not been applied. 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, Tenure and Continuing Status 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 their own response, to the Provost within an additional two weeks.

20.4 The Provost shall either approve or deny each recommendation of the Committee on Promotion, Tenure and Continuing Status and the separate recommendation from the Dean, and shall so notify the Member, the chair of the Committee on Promotion, Tenure and Continuing Status, and the Member’s Department Chair or School Director (if applicable), in writing and with reasons, which shall relate directly to the provisions of Clauses 3 through 5.3.2 of this Article, within six weeks of receipt of the Committee’s recommendation or within two weeks of the Committee’s subsequent response in either Clause 20.2 or 20.3 of this Article. A copy of the Provost’s notification shall also be sent to the Association.

20.4.1 Any Grievance of this decision shall be commenced at Step 2, according to the provisions of the Article Grievance and Arbitration. For any Grievance of the
decision which is proceeding to Step 3 (Arbitration), the Employer shall provide to the Association’s Grievance Officer a complete record of all the Promotion and/or Tenure or Continuing status applications and decisions in the Unit for the most recent five (5) years, i.e. the year of the Grievor’s application and the four prior Promotion and Tenure or Continuing status cycles. The record provided to the Association’s Grievance Officer will be a copy of the version made available to the Member.

20.4.2 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.

20.4.3 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.

20.4.4 In arbitrations pursuant to this Article an arbitrator or arbitration board shall not have the power to award Promotion or Tenure or Continuing status, 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.

20.4.5 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 or Scholarship Activities and Service after the Provost’s decision in Clause 20.3 of this Article except by agreement of the Parties or as a consequence of an award or interim ruling of an arbitrator.

21. In the case of Probationary Appointments considered pursuant to Clauses 17.1 and 17.2, where the Provost approves a recommendation that Promotion and/or Tenure or Continuing status be denied, or where the Provost denies a recommendation that Promotion and/or Tenure or Continuing status be approved, the Member’s employment at the University shall cease at the end of the Member’s Probationary Appointment.

21.1 In the case of Probationary Appointments considered prior to the final year of Appointment under Clauses 17.3 or 17.4, where the Provost approves a recommendation that Promotion and/or Tenure or Continuing status be denied, or where the Provost denies a recommendation that Promotion and/or Tenure or Continuing status be approved, all materials added to the Member’s Promotion
and Tenure or Continuing Status File in accord with Clause 7.4 shall be removed from the File. 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 17.1 of this Article.

21.2 The provisions in Clauses 21 and 21.1 of this Article are subject to the outcome of any Grievance referred to in Clause 20.4.1 of this Article.

21.3 Where a Member on a Probationary Appointment has a Grievance arising from Clause 20.4.1 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 at least to the end of the Academic Term in which the Arbitrator’s decision is released.

21.3.1 Where a Member chooses not to grieve the denial of Tenure or Continuing status, they shall be entitled to a one-year, Limited-Term, extension of appointment with no change in terms and conditions except by mutual agreement. A Member who chooses not to grieve the denial of Tenure or Continuing status may elect to receive a payment of 50% of their annual salary in lieu of an extension of appointment.

22. Following the Employer’s notification described in Clause 20.4, the disposition of the Promotion and/or Tenure or Continuing Status File shall be as follows:

a) in the case of the Promotion and/or Tenure or Continuing Status File of a Member on a Probationary Appointment, and subject to the provisions of Clauses 17.3.1 and 17.4.1 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 20.4.1 of this Article;

b) in the case of a Member who has been considered for Promotion from Associate Professor to Professor or Associate Professor, TS to Professor, TS:

(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 be returned to the Dean of the Member’s Faculty and all materials added to the File in accord with Clause 7.4 shall be removed.
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 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.

(iii) if the Member has not been promoted, the File shall be returned to the Dean of the Member’s Faculty and all materials added to the File in accord with Clause 7.4 shall be removed.

23. 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 or Continuing Status Files considered under Clause 17 of this Article;

b) the number of Probationary Assistant Professors or Probationary Assistant Professors, TS considered for Promotion and/or Tenure or Continuing status under Clauses 17.1 and 17.3 of this Article;

c) the number of Probationary Associate Professors or Probationary Associate Professors, TS considered for Promotion and/or Tenure or Continuing status under Clauses 17.2 and 17.3 of this Article;

d) the number of Probationary Assistant Professors or Assistant Professors, TS requesting consideration for Promotion and/or Tenure or Continuing status under Clause 17.4 of this Article;

e) the number of Tenured Associate Professors or Associate Professors, TS with Continuing status invited to undergo consideration for Promotion under Clause 17.5 of this Article;

f) the number of Tenured Associate Professors or Associate Professors, TS with Continuing status requesting consideration for Promotion under Clause 17.6 of this Article; and

g) the number of eligible Members in Limited-Term Appointments undergoing consideration for Promotion under Clauses 17.4.2, 17.5.1 and 17.6.1.
23.1 For each set of data, also sorted in the same fashion, the Committee recommendations made under Clause 19 of this Article shall also be summarized, along with the Employer's decisions under Clause 20 of this Article.