



One University. One World. Yours.

Saint Mary's University Faculty Appointment Procedures

Collective Agreement

- Collective Agreement negotiated between the University and the Faculty Union sets out the process for faculty appointment
- Each Department is required to follow the same procedures for appointment
- The provisions are mandatory, Art. 10.1.20 provides, “no candidate shall be appointed without adherence” to the appointment procedures
- The collective agreement is the only relevant document with respect to the appointment process
- This document provides only a summary of key excerpts of the collective agreement. It is not binding. Refer to the collective agreement for greater detail.

Collective Agreement

- The term of the current collective agreement is from September 1, 2012 to August 31, 2015
- Previous collective agreements were very similar with respect to the terms on appointment
- For example, 2009-2012 agreement was the same with respect to majority approval required of candidates being recommended to the Dean, and with respect to the best candidate always being recommended.
- In the previous agreement, Art. 10.5 (previously Art. 10.4), provided that when two candidates judged to be equal, and one was a woman, the woman would be recommended. The current collective agreement expanded the preference to include visible minorities, aboriginal peoples, and peoples with disabilities.

Department vacancies and advertisements

“Departmental allotments ...shall be established by the University, after consultation with the Departments and Deans.” “no later than Oct. 31...”

10.1.20 (a)



“Deans ..inform the VP A&R of ..any vacancies.... Vacancies shall be advertised... . Ads... prepared by Chairperson, approved by Department, forwarded to Dean. ... VP A& R shall place the ads...and .. supply a copy to the UAC and ... Union”

10.1.20 (b)



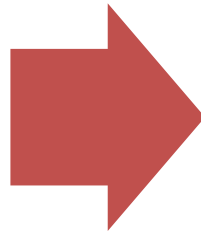
“Applications for appointment shall be directed to the appropriate Department Chairperson. The Chairperson shall make all the applications and dossiers available to the Department, and on request, to the Dean.”

10.1.20 (c)

Recruitment

“Prior to making any appointment, the Employer shall make a positive attempt to recruit women, aboriginal peoples, visible minorities, and people with disabilities as candidates.”

10.4.3



“The Employer will determine, in consultation with each academic unit, whether or not there are serious imbalances in the composition of Employees with respect to [women, aboriginal peoples, visible minorities, and people with disabilities. Where it has been determined a serious imbalance exists, reasonable goals shall be addressed to address the imbalances...in writing. “

10.4.2

Establishment of Departmental Selection Committee:

“Each Dept. shall establish a Selection Committee of 3 members who hold [certain] appointments and who are elected by the Dept. At the discretion of the Dept. all Dept. Members holding [certain] appointments may comprise the Selection Committee”
10.1.20 (d)



“The Selection Committee shall include at least 1 member from one of the groups ...[women, aboriginal peoples, visible minorities, and people with disabilities].”
10.4.4

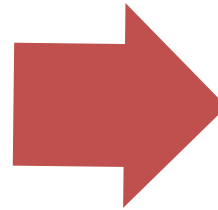


The Selection Committee shall have a Chair.
10.1.20(h)

Work of Selection Committee

“The Selection Committee shall examine all dossiers... treating them as confidential documents.”

10.1.20 (d)



“The Selection Committee shall establish a list of applicants and submit their dossiers to the Dept.”

10.1.20(e)

Selection Committee: Establishment of short list

The Selection Committee has “discussion with the Department Members” on the short list of 3 candidates to be presented to the Dean.
10.1.20(e)



“Establishment of the short list and the ranking of the applicants on it shall be based solely on academic merit and teaching capability.”
10.1.20 (e)



The Selection Committee will present a short list of no more than 3 recommended applicants for each position and their dossiers, in order of priority, to the Dean.”
10.1.20(e)



The short list will [include] a written statement outlining the reasons for the choice of candidates on the short list.”
10.1.20 (e)

Interviews and Meetings with Candidates

“The Chairperson, with approval of Dean and Selection Committee, shall arrange for interviews, including, where possible, meetings between the candidates and the Dean, AVP, the President and the Department. Notice of ...meetings shall be circulated to all Dept. Members through internal mail at least 1 week prior to the meeting.”

10.1.20 (f)




“Interviews shall be conducted by the Selection Committee and the Department shall schedule a meeting with the Candidate involving the Department and the Candidate.”

10.1.20 (g)

Departmental approval of Selection Committee's recommendation of a specific candidate

Before recommending a specific candidate to the Dean, the Selection Committee must obtain "majority approval of those Departmental Members holding [certain] appointments."

10.1.20 (h)



Note: there is no limitation in the Collective Agreement as to how the approval of Department Members is to be obtained. It can be in an in-person meeting, by conference call, or by online or email voting or a combination thereof. There is no requirement that those who vote have reviewed dossiers or attended meetings with the candidates.

Departmental approval of Selection Committee's recommendation of a specific candidate

“Faculty who are eligible to be included in the Dept. approval hold appointments

- a) “that confer tenure”
- b) “those that confer probationary status, it being understood that the ... Member will become entitled to consideration for promotion, renewal and tenure” and
- g) “Lecturer stream appointments.”

10.1.20 (g)



“No Employee shall knowingly participate in procedures for appointment ... of an individual with whom the Employee has an immediate marital, familial, sexual or significant financial relationship. Employees having such a conflict of interest ... shall notify in writing his/her Dean ...”

15.3.30 (a)



Faculty members who are not eligible to participate in the approval process due to type of appointment are entitled to review the candidate applications and to participate in Departmental meetings with candidates.

10.1.10(I)

Departmental approval of Selection Committee's recommendation of a specific candidate

“Evaluation of candidates shall be based solely on the requirements of the prospective job ... The candidate who is clearly the best shall be recommended...”

10.4.5



“...when candidates are equal, the best candidate with respect to the four groups [women, aboriginal peoples, visible minorities and people with disabilities] shall be recommended.”

10.4.5

Departmental approval of Selection Committee's recommendation of a specific candidate

Step 1:

Determine who is clearly the best of the 3 shortlisted candidates based on the requirements of the job.

10.4.5



Step 2:

If a majority of the Dept. decides that not one of the 3 candidates is clearly the best based on the requirements of the job, and that either 2 or 3 of the candidates are equal, then the best candidate who is either a woman, an aboriginal person, a visible minority, or a person with a disability, shall be recommended, only if the unit has not met goals set under Art. 10.4.2

10.4.5

Dept. approval of Selection Committee's recommendation re Lecturer Stream

If appointment is to a Lecturer stream position:

“Evaluation of candidates shall be based solely on the requirements of the prospective job ... The candidate who is clearly the best shall be recommended...”

10.4.5



“Evaluation of candidates shall be based solely on the requirements of the prospective position. The candidate who is clearly the best qualified shall be recommended, but when candidates are judged to be equally qualified, the best qualified candidate holding a part-time faculty appointment (Art. 10.1.21) shall be recommended for the Lecturer Stream Appointment.”

10.1.26 (8)

Selection Committee advises Dean of its recommended candidate

“..the Selection Committee, through its Chairperson, shall recommend a specific Candidate at a specific rank ...with a rationale for the candidate’s suitability for the appointment at that rank. The Chairperson of the Selection Committee shall also send the recommended Candidate’s file to the Dean.”

10.1.20 (h)

Dean provides recommendation to VP Academic & Research

“Should the Dean question the Selection Committee’s (“SC”) recommendations he/she shall meet with the SC to discuss his/her reservations.”

10.1.20 (h)



“the Dean may make a separate assessment of the Candidate and forward it along with the SC’s rec’d and the ...file to the AVP. The Dean may also forward to the AVP his/her comments on the suitability of other candidates who have applied and ..must comment on the SC’s rec’d in the context of Articles 10.4.1 to 10.4.5.”

10.1.20 (h)



The Dean shall submit his/her recommendations and comments to the AVP within 5 working days of receipt of the Selection Committee report, except in cases where the Dean has questioned the ... Committee’s recommendation. In any case, the Dean shall submit his or her recommendation within 10 days of the receipt of the ... Report. “

10.1.20(h)

University Appointments Committee recommendation

“The AVP shall convene a meeting of the Appointments Committee at least every 10 working days, unless no files are waiting...”

10.1.20 (i)



“The responsibilities of the UAC shall be to review the dossiers... and recommendations from the Dept. and Dean. These recommendations should include an explanation of why the ... candidate is best suited for the position. ... should also report on the gender of applicants...”

10.1.20 (b) (i)



“The Appointments Committee shall render its recommendation within 7 working days of the most recent meeting.”

10.1.20 (i)

VP Academic & Research provides recommendation

“The AVP shall submit the Selection Committee’s recommendation to the President accompanied by the ... minutes of the Appointments Committee and the outcome of the vote, whether positive or negative, but not the vote count...”

10.1.20(j)



“Should the AVP not be in receipt of written recommendations from the Appointments Committee within 5 working days from the ... meeting, the AVP shall submit his or her own written recommendation to the President and the reasons why the Appointments Committee failed to provide a recommendation.”

10.1.20(j)

President makes final decision

“The final decision on the appointment shall rest with the President, if practicable, within 5 working days of receiving a recommendation from the AVP.”

10.1.20(k)



“[If] the President ... rejects the recommendation of the UAC, the President shall communicate his or her written reasons to the Dept. and the Dean and shall meet jointly ... to discuss ... within 10 working days of receiving a recommendation from the [UAC].”

10.1.20(k)



After the meeting with the Dept and Dean they “may, within 5 days ... submit to the President separate written responses and the reasons for it. Within 5 working days of receiving such responses, the President shall communicate his or her final decision [with] reasons, to the Committee, the Dept. And the Dean.”

10.1.20(k)

Negotiations with candidate

“Preliminary negotiations of the terms of the appointment shall be the responsibilities of the Dean and may be delegated to the Dept. Chair. Such negotiations are done in consultation with the Selection Committee.”

10.1.20(m)



“The UAC and the Department shall be informed of all acceptances and rejections of candidates.”

10.1.20(o)