

## Final EDII report April 13, 2022

### Summary

This report summarizes the proposed changes to the collective agreement, as discussed by our committee over the past 10 months. While we did not accomplish everything we would have liked and there is still much left to do, we have drafted some significant changes in relation to Article 24 on Equity, revising definitions and providing more detailed information on the special equity appointments process. We also removed statements in Article 24 indicating that ‘academic excellence’ is the primary criterion in appointments.

We also drafted some significant changes to Articles 28.2 Reporting and 30.6, Renewal, Tenure and Promotion criteria, so that more weight is given to EDII-related work. Our goal here was to clearly iterate the different forms that equity work may take, providing detailed examples so that both members and assessors can properly take account of equity-related work and accord it more weight where appropriate. The rationale for these suggestions can be found in the 2021 American Council on Education Report on workload which indicates that equity goals are furthered by having transparent and clear indicators of expectations, providing concrete examples and guidelines where possible; <https://www.acenet.edu/Documents/Equity-Minded-Faculty-Workloads.pdf>. Art 28 governs reporting, and 28.2.2 prescribes the standardized form – our focus was on the reporting form so that the forms themselves can provide guidance to members, and those who assess the reports will be more likely to give proper weight to these factors.

The committee also recommends the removal of Articles 29.1. 5 and 29.3.7, which require that data derived from QSSET be placed in members’ official file and included in assessment of teaching; while the removal of this provision would leave the QSSET process in place, the use of that data in employment processes would be at the discretion of the member in the future. Some changes to articles 24 and 25 on Equity include revised definitions and improved processes for monitoring and reporting on equity compliance. Finally, we recommend that changes be made to Art. 36.1.1 to require consistent and equitable distribution of resources across the university on facilities and support.

We acknowledge that there are still some very important issues left to be addressed. Perhaps most importantly, the process for hiring term adjuncts often fails to meet equity requirements, and more generally we have noted procedural difficulties with the implementation of the QEAP process and lack of accountability on hiring committees. The committee has also discussed the problems related to timetabling, and we acknowledge the need for improved responsiveness to equity concerns in this realm, but we do not have concrete recommendations as to how to improve the timetabling process at this point. Finally, we have observed the general failure at Queen’s to make use of the DEAP tool (<https://www.queensu.ca/gazette/stories/expanding-use-deap-tool>), and we urge the bargaining team to make this a priority.

## PROPOSED CHANGES – ORIGINAL CA IN BLACK, OUR CHANGES IN RED

### ARTICLE 2 DEFN'S – ADD IN FAMILY STATUS DEFN FOR BEREAVEMENT FROM ART 33

## ARTICLE 24 - EMPLOYMENT EQUITY AND DIVERSITY

### 24.1 General

24.1.1 In accordance with the University's equity goals, the Parties' commitment to non-discrimination **under the *Ontario Human Rights Code* (hereinafter referred to as *OHRC*)**, as contained in Article 9 of this Agreement, and to the principles of employment equity, the University and the Association recognize the responsibility and the need to promote equity and diversity in the employment of women, visible minorities (**including Black and other racialized minorities**), Aboriginal peoples, persons with disabilities, LGBTQ persons and such other groups as may be designated by legislation. **The parties also recognize the need to promote diversity in the workplace by identifying and addressing the barriers in the workplace presented to persons who have historically been discriminated against on grounds enumerated in the *OHRC*.**

### 24.1.2 Definitions

~~In this Article, "Designated Groups" refers to women, members of visible minorities, Aboriginal peoples, and persons with disabilities (and such other groups as may be included in the definition of "designated groups" in the *Employment Equity Act*, S.C. 1995, c.46, as amended from time to time). "Equity-seeking groups" includes the four Designated Groups plus LGBTQ persons.~~ **In this Article, "Equity-seeking groups" includes the four Designated Groups plus LGBTQ persons.**

24.1.3 Consistent with principles of employment equity **and the *OHRC***, the University shall act to eliminate or modify those policies, practices, and systems, whether formal or informal, shown to have an unfavourable effect on the hiring, retention, and promotion of members of equity-seeking groups, and to recognize the value that diversity adds to the academic activities of the University.

24.1.4 Consistent with principles of employment equity **and the *OHRC***, the Parties agree that for appointment to positions to the University,

- a) ~~the primary criterion is academic and professional excellence, and this criterion may~~ **the parties will** take into account the diverse experiences of applicants and the many forms that scholarship can take;

- b) the criteria adopted in an appointment process must not **systemically** discriminate against members of equity-seeking groups;
- c) applicants shall not be disadvantaged by reason of ~~minor career interruptions~~ disruption caused by **family responsibilities and/or disability or for other reasons requiring accommodation under the OHRC.**; ~~or by reason of minor career interruptions caused by disability; and~~
- d) no candidate shall be recommended who does not meet the criteria for the appointment in question.

24.1.5 Consistent with principles of employment equity **and diversity**, the Parties agree that in the evaluation of applicants for renewal, tenure and promotion,

- a) the **application of the** criteria ~~adopted~~ for **renewal, tenure and promotion** must not **have a discriminatory impact** on members of equity-seeking groups, ~~and shall be reviewed periodically to ensure that they do not~~ **including by undervalue undervaluing** work which is done predominantly by members of the equity seeking groups. **This work will include service on search committees, ad hoc and standing equity committees, as well as monitoring and supervising students, assisting student groups, and student activism, responding to discriminatory incidents on campus, through participation in meetings following such incidents, assisting in preparation of university responses, and providing support and guidance to students through teaching student groups and one-on-one meetings; and**
- b) applicants shall not be disadvantaged by reason of ~~minor career interruptions~~ **disruption** caused by **family or community** responsibilities, **disability or for other reasons requiring accommodation under the OHRC.**

## 24.2 (new) Special Equity Appointments Processes

The appointment processes referenced here will be done in accordance with the rules for a Special Program required by the Ontario Human Rights Tribunal ( the OHRT) or the rules required by the Federal Government Employment Act (“the Act”) that govern all programs managed by the Tri-agency Institutional Programs Secretariat, (TIPS), including the Canada Research Chairs Program.

### 24.2.1 Special Program Hires

Before posting a position as part of a Special Program under the OHRT, the University must take the following steps:

- a) advise QUFA of the intent and purpose of the program;

- b) collect and share data that supports the need for the special hiring program, including the current numbers of the equity seeking group currently on staff (adjunct or tenure as applicable), and share that data with the JCAA;
- c) agree to identify barriers in the workplace that have historically blocked members of the equity seeking group from accessing jobs, promotions, training and funding ;
- d) agree to develop a plan to remove the barriers presented by both formal and informal practices in the workplace, including addressing policies and rules that discriminate or are not bona fide;
- e) agree to work collaboratively with QUFA to meet their obligations in (b), (c) and (d) above in a timely way;
- f) agree on a date to review and report on the outcome of the program.

#### 24.2.2 Appointments under the Act

Before posting for a position funded under a Federal Program managed by the TIPS, the University must do the following:

- a) Collect and share data supporting the need for the restricted posting, including the number of hires required by the TIPS and the current status of compliance with the program.

For the purposes of determining whether Designated Groups are under-represented in Tenure-track, Tenured, Continuing-track or Continuing Appointment positions, joint appointments are counted in conformity with the fraction of their appointment in each Unit.

- b) Provide an updated report of the number of faculty Members who have self-identified as Aboriginal Persons, persons with a disability, visible minorities, Black persons and women in the Unit to the JCAA.

#### 24.3 Appointment Processes and Personnel Committees (re-numbered, is old 24.2)

- 24.3.1. (this is old 24.2.1, has been renumbered) Persons (excluding students) chosen to serve on Appointments Committees for Faculty, Librarian or Archivist positions, or on Personnel (Renewal/Reappointment, Tenure/Continuing Appointment and Promotion) Committees and administrators with a recommendatory or decision-making role in an appointments or personnel process may only carry out such functions after successfully completing within the previous ~~10~~ 3 years or last amended training workshop, whichever comes first, a familiarization and training workshop which shall cover the principles, objectives, recent history, best practices, and rules and institutional expectations with respect to employment equity. The program of such workshops shall be agreed between the Parties, with advice from the HREO Equity Office.

24.3.2 While all Appointments Committee and Personnel Committee members shall adhere to the principles of employment equity, one (1) Member (normally with tenure) of each such Committee shall be designated as the Equity Representative and shall have explicit responsibility for the Committee adhering to the rules and expected practices that assure equity, and for data collection and reporting per Article 24.4. The Committee member charged with this responsibility shall be selected by the Committee, and shall be a person who understands and is sympathetic to the objectives of this Article. Persons with this responsibility will require training in excess of that foreseen in Article 24.2.1 unless waived by the Parties.

24.3.3 The appointment process referenced here will be done in accordance with the rules for a special program as set out by the OHRT or the requirements of the Act, whichever is applicable. For the term of this Agreement the University agrees to utilize search procedures in Units that require an active search for qualified members of equity-seeking groups, including the following:

- a) Advertisements and postings shall include the following statement: “The University invites applications from all qualified individuals. Queen's is strongly committed to employment equity, diversity, and inclusion in the workplace and encourages applications from Black, racialized/visible minority and Indigenous/Aboriginal people, women, persons with disabilities, and 2SLGBTQ+ persons”; the posting will also indicate if the position is a Special Hire under the OHRC or a TIPS appointment under the Act:
- b) Advertisements shall be placed on the University and Unit websites, and in appropriate professional journals, and other venues intended to reach prospective candidates from equity-seeking groups;
- c) Copies of all such advertisements shall be transmitted to the HREO ~~Equity Office~~ and to QUFA;
- d) The appropriate Dean and/or Unit Head or Director, University Librarian or University Archivist, as applicable, shall communicate to their counterparts in other Canadian universities inviting all qualified individuals, including women, visible minorities, Aboriginal peoples, persons with disabilities, and persons of any sexual orientation or gender identity to apply for advertised positions;
- e) Other measures as authorized by the Dean, University Librarian or University Archivist, in consultation with the Unit Head or Director or equivalent representative of Members of the Department or Unit, and/or the HREO ~~Equity Office~~; and
- f) Other measures as recommended by either Party or by the HREO ~~Equity Office~~, and agreed to by the Parties.

~~The Parties further agree that with regard to any grievance arising from an alleged failure to meet Article 24.3.1(c), the overturning of an appointment process cannot be a remedy to the grievance.~~

**Old 24.3.2 (would now be 24.3.4, new numbering from here on in)**

~~Consistent with the principle that the primary criterion for appointment to positions at the University is academic and professional excellence, and~~ In order to address the employment equity goals of the University to adequately reflect the diversity of Canadian society, Appointments Committees shall

- (a) take special care not to eliminate at early stages potentially strong candidates from equity-seeking groups; and
- (b) invite for an interview any candidate in these groups, who, if the candidate were to perform very well at the interview, would be viewed as competitive with other interviewed candidates.

**Old 24.3.3** ~~Consistent with the principle that the primary criterion for appointment to positions at the University is academic and professional excellence, Unless there is a demonstrably superior candidate the following decision-tree shall be used by Appointments Committees in distinguishing between two or more equally-ranked leading candidates who have been interviewed and who fulfill the position requirements:~~

**24.4 Data Collection, Monitoring and Reporting (main change here is requiring reports to be posted to website)**

24.4.1 When notified that an Appointment Committee is commencing a search process under this Agreement, the ~~HREO Equity Office~~ HREO will provide an updated report of the number of faculty Members who have self-identified as Aboriginal peoples, persons with a disability, visible minorities and women in the Unit to the Appointments Committee member designated as the Equity Representative pursuant to Article 24.2.2. The report will also identify which Designated Groups are under-represented (using the diversity of the populations of Canada as the benchmark) so that Committees may comply with Articles 24.3.3 through 24.3.4 (these numbers will need to be changed).

24.4.2 The Committee's Equity Representative shall have explicit responsibility for the Committee adhering to the rules and expected practices that assure equity, data collection, and submitting requisite information to ~~the Equity Office~~ HREO. ~~Where an Appointment Committee has not submitted this information, the HREO will include data on this noncompliance in its report and identify the units that have not complied.~~

24.4.3 The form of data collection and reporting on process of Appointments Committees for Faculty, Librarian and Archivist positions, or on Personnel Committees (at each stage) shall be agreed upon by the Parties within six (6) months following ratification of this Agreement, but should be detailed enough to allow a monitoring function by the Parties.

24.4.4 The ~~Equity Office~~ HREO shall monitor the progress made in employment equity in the Bargaining Unit, and report its findings every ~~year~~ ~~three years to the Parties~~ and post these reports on their website. The report of the Equity Office will document the progress made in meeting the goals of Article 24.1 and Article 9. The JCAA shall review the report of the Equity Office and shall (i) discuss means for improving employment equity, and (ii) report any recommendations for improving employment equity to the ~~Council on Employment Equity~~ (CEE now defunct - new group? PAGEE?), the Deans of Faculties, and the Senate.

## ARTICLE 25 – APPOINTMENTS

### ARTICLE 25 APPOINTMENTS

25.3.3 Faculty Members who have earned a degree, usually a doctorate, that is considered a prerequisite for a tenure-track appointment in the discipline shall not be appointed below the rank of Assistant Professor.

25.3.4 Term Adjuncts shall normally be appointed at the rank of:

- a) Lecturer if they have not yet earned a degree that is considered a prerequisite for a Tenure-track appointment in the discipline.
- b) Assistant Professor if they have earned a degree, usually a doctorate that is considered a prerequisite for a Tenure-track appointment in the discipline.
- c) Associate Professor if they qualify for appointment at the Assistant Professor rank and meet the following criteria:
  - (i) A record as a very good teacher committed to academic and pedagogical excellence; and
  - (ii) A record of high quality and expert peer-assessed scholarly or creative work which is normally demonstrated by presentation or publication in a suitable academic or artistic forum. Writing and research on pedagogy and innovative teaching shall be assessed as scholarly activity. The diverse backgrounds of

Members and the type of scholarship appropriate to their research areas shall be taken into account when assessing the quality of scholarly or creative work.

(d) Professor if they meet one of the following criteria:

- (i) Combined scholarly or creative work or professional experience judged to be distinguished with very good teaching; or
- (ii) Combined continuing high-quality scholarly work or professional experience with exceptional contributions in teaching.

(e) Professor Emeritus.

**25.3.5** Only the Principal or delegate can approve a Term Adjunct's first appointment at the rank of Associate Professor or Professor.

**25.3.6** Following a Term Adjunct's first appointment with the University, their rank shall only change as a result of having received promotion through the process set out in Article 32.6.

## **25.4 Equity**

**25.4.1** Appointment procedures and practices shall conform to the requirements of Article 24 (Employment Equity).

## **25.5 Appointments Committee and Procedures for All Appointments Other Than Term Adjunct Appointments**

**25.5.1** An Appointments Committee shall be established in each Unit, excluding Units in the School of Medicine in which the majority of members of the Academic Staff are excluded from the Bargaining Unit, by no later than May 1 in each year as follows:

- a) The Appointments Committee may be the standing Renewal, Tenure/Continuing Appointment and Promotion (RTP/RCP) Committee as established by Article 30 or Article 31, or may be constituted separately by a separate election. In either case, up to two (2) student representatives (which in this context shall include residents in the Faculty of Health Sciences) may be members of the Appointments Committee. The Appointments Committee shall be chaired by the Unit Head or their respective delegate. The Head of a Unit that is too small to form a representative committee (fewer than three (3) Members) should invite representatives from related Units to serve as members;

- b) When a search is to be conducted to fill a joint appointment, the Appointments Committee shall be constituted in accordance with Article 25.5.1(a), with the exception that the elected Members shall be elected in equal numbers from among and by the Members in the several Units that will jointly host the appointment. The Chair of the Committee shall be a Unit Head (or delegate) of one of these Units;
- c) When a search is to be conducted to fill a joint appointment to be hosted by an identified primary Unit and another Unit, the identity of which depends on the disciplinary expertise of the successful candidate, a composite Appointments Committee shall be constituted as follows: three elected Members shall be drawn from the primary Unit; an additional Member shall be elected by each of the potential partner Units. **In these elections, all Members should be mindful of the importance of representation of equity-seeking groups on the Committee.** The Unit Head (or delegate) of the primary Unit shall serve as Chair of the Committee;
- d) When a search is to be conducted to fill an interdisciplinary appointment (such as an appointment that is to be connected with an established interdisciplinary research group) and the eventual appointee's home Unit cannot be identified at the time, the members of a composite Appointments Committee shall be elected by and from among the Members of the interdisciplinary group. An additional member may be elected to the Committee by each of the Units that are most likely to host the appointment. The Committee shall elect its own Chair;
- e) Exceptions to Appointments Committee structures shall be made only with the approval of the JCAA; and
- f) For Units in the School of Medicine in which the majority of members of the academic staff are excluded from the Bargaining Unit, an Appointments Committee shall be established when the need for an Appointments Committee is identified.

**25.5.2** For all Appointments Committees under Article 25.5,

- a) the Chair shall be a voting member of the Appointments Committee;
- b) members of the Appointments Committee shall familiarize themselves with Article 18 (Conflict of Interest, Conflict of Commitment and Reasonable Apprehension of Bias) and shall not participate in the deliberations or recommendations relating to any search where they are in a conflict of interest or where there may be a reasonable apprehension of bias with respect to any applicant(s);
- c) members of the Appointments Committees shall maintain confidentiality regarding the Committee's deliberations and decisions. Any member who knowingly violates this requirement of confidentiality shall be removed from the Committee; and

- d) members of the Appointments Committee shall observe the proceedings of the Committee to ensure that they promote equity principles as per Art 24. If any member of the Committee has concerns about conformity with equity requirements, they should consult the Equity Representative on the Committee and/or the QUFA Grievance Officer.
- e) notwithstanding Article 25.5.2(c), Committee members must disclose violations of the Collective Agreement to the QUFA Grievance Officer or the Faculty Relations Office as soon as they become aware of them.
- f) the Equity Representative has the primary responsibility for overseeing compliance with equity requirements, and all members of the Committee share that responsibility. Where an Equity Representative or any other member of the Committee has concerns about a possible failure to comply with equity requirements, including those specified in Article 24.3.2, they may take the following steps:
  - i) Raise this apparent lack of compliance with the Appointments Committee to discuss the matter;
  - ii) consult with the QUFA Grievance Officer, who may in turn consult with Faculty Relations to address the problem in a timely manner;
  - iii) request that the Chair of the Committee pause the process until the apparent lack of compliance has been addressed, prior to any offers being made

**25.5.3** If, for any reason, a Department has failed to follow the procedures stipulated in Article 25.5.1 and Article 25.5.2, remedial measures ~~may~~ shall be taken as specified in Appendix D as approved by the JCAA. Remedial processes for Committees are outlined in Appendix D.

## **25.6** Appointments Procedures for All Appointments Other Than Term Adjunct Appointments

**25.6.1** When the Unit Head has received approval to advertise a position, the Appointments Committee shall:

- a) recommend the academic and/or professional qualifications and experience required for the position to be filled, after consultation with the other Members of the Unit(s) concerned;
- b) recommend on the content of any advertisement or notice of the position, recommend on the placement of such advertisements or notices, and assist in seeking and finding qualified individuals who are interested in applying for the position;

- c) review and assess on sound academic and professional grounds and in accordance with Article 24, all materials provided by applicants, taking into account diverse backgrounds and experiences of applicants and the many forms scholarship can take;
- d) prepare a short list of applicants, which along with the file for each short-listed applicant, shall be made available in the Unit office(s) for review by Members of the Unit(s). Members of the Unit(s) may submit written opinions to the Appointments Committee on the worthiness of the applicants. A short list must consist of more than one (1) applicant unless the Appointments Committee, after reviewing each applicant's file, is satisfied that only one (1) applicant has met the minimum qualifications for the position as determined by the Appointments Committee and reflected in the advertisement, and the Appointments Committee does not decide to re-advertise;
- e) evaluate short-listed candidates through interviews and, where appropriate, other relevant means of evaluation, and invite all Members in the Unit(s) to meet the short-listed applicants and submit written opinions to the Committee when the candidates visit the campus to be interviewed and to make presentations; and
- f) make written recommendations on appointments, with reasons given and taking into account only the complete file.

**25.6.2** Once an Appointments Committee has commenced the Article 25.6.1(c) stage, if it has not made a recommendation by the time a succeeding Appointments Committee is constituted pursuant to Article 25.5.1, the original Appointments Committee shall remain seized of the process that it commenced. The succeeding Appointments Committee shall deal with all new appointment matters.

**25.6.3** The Dean or University Librarian is responsible for ensuring that any file forwarded to the Provost and Vice-Principal (Academic) or delegate for decision includes

- (a) all materials provided by the applicant;
- (b) all letters of assessment, including written submissions from Unit Members pursuant to Article 25.6.1(e);
- (c) the Appointments Committee's equity report; and
- (d) the written recommendation with reasons of
  - (i) the Appointments Committee, including any written dissenting recommendation with reasons provided by any Appointments Committee member;
  - (ii) the Head (in a departmentalized faculty), who has taken into account only the complete file and any prior recommendation(s); and

- (iii) the Dean or University Librarian, who has taken into account only the complete file and any prior recommendation(s).

## 25.7 Exceptions to the Appointments Procedures

(Our committee recommends that the bargaining team consider developing a more transparent spousal appointments process, since 25.7.1 (ii) is currently being misused to create new appointments. Elizabeth Hanson has further recommendations on this issue.)

25.7.1 Exceptions to the appointments procedures may be made in the following circumstances:

- (a) Advertising of a position may be waived in exceptional circumstances
  - (i) by the Provost and Vice-Principal (Academic) or delegate for Tenure- track or Tenured appointments;
  - (ii) by the appropriate Dean or University Librarian for all other positions except Term Adjunct faculty; and
  - (iii) by the Unit Head for Term Adjunct faculty positions.
- (b) Assessment by an Appointments Committee is always required for Tenure- track, Tenured, or Continuing Appointments; Assessment by a Modified Appointments Committee is always required for Continuing Adjunct appointments. ~~However, other types of appointments may be made without a recommendation from such a committee only if a need to fill a vacancy has occurred by reason of an emergency. An emergency is an unforeseen circumstance in which there is not enough time to follow regular appointment procedures and the program requires that the course(s) be offered.~~ Any departure from this process must be approved in advance by the President of QUFA and Faculty Relations.
- (c) New or vacant Library or Archivist positions may be either posted internally only or posted internally and externally at the same time, as determined by the University Librarian or delegate. Any Member who applies for a posted position shall be considered for that position. If qualified, the Member shall be short- listed for that position.
- (d) If the spouse or partner of a successful candidate for an academic position at the University or the spouse or partner of a person already holding an academic appointment at the University applies for an advertised academic position at the University, the spouse's or partner's file shall be reviewed by the Appointments Committee of the Unit that has advertised the position, and if qualified, shall be short-listed for that position.
- (e) In appointments pursuant to Article 25.5.1(c) and Article 25.5.1(d), the searches shall

be conducted by the composite Appointments Committees with the exception that the Appointments Committees of the respective and potential primary Units will be consulted about potential short-listed candidates, and no candidate shall be short-listed or recommended for appointment who does not have the support of the Appointments Committee of the respective primary Unit.

## **25.8 Decision-making**

**25.8.1** The Provost and Vice-Principal (Academic) or delegate shall consider the recommended applicant's file and the recommendations, and shall grant or deny the appointment.

**25.8.2** If the decision is to deny, the Dean, University Librarian, Department Head (if applicable) and Appointments Committee shall be promptly advised in writing, with reasons.

**25.8.3** The Dean or University Librarian shall advise the recommended applicant of the decision.

## **25.9 Offer and Acceptance**

**25.9.1** To enable candidates to obtain advice or assistance on terms and conditions of employment,

a) the advertisement required by Article 25.6.1(b) and Article 25.10 shall provide that the academic staff at Queen's are governed by a collective agreement between QUFA and the University which is posted at <http://www.queensu.ca/facultyrelations/faculty-librarians-and-archivists/collective-agreement> and at <http://www.qufa.ca>; and

b) any offer shall be accompanied by a reference to this Agreement, information on how the Association and its representatives can be contacted and any other materials which the Parties to this Agreement feel will be useful to a new Member.

**25.9.2** The successful candidate shall receive, in duplicate, a letter of appointment from the Provost and Vice-Principal (Academic) or delegate specifying the Unit(s) of appointment, rank, salary, type of appointment, starting date, date of eligibility for Renewal, Tenure or Continuing Appointment (if applicable), duration of appointment, and any other terms and conditions agreed to between the University and the appointee, as well as a statement that the appointment is subject to this Agreement. The letter of appointment shall contain no terms that are inconsistent with this Agreement.

**25.9.3** Candidates for Tenured, Tenure-track, Continuing, Special and Non-renewable appointments shall not be offered a starting salary that is lower than the existing salaries in the discipline, Library or Archives at Queen's for someone with their years of experience and accomplishments. The minimum starting salary for Tenured, Tenure-track, Special and Non-renewable faculty appointments shall be the floor for Assistant Professors, except for appointments made at the rank of Lecturer. The minimum starting salary for librarian/archivist appointments shall be the floor for General Librarians/General Archivists.

**25.9.4** Where a Member is appointed as a Lecturer in a discipline normally requiring a doctorate degree because they have not yet obtained a doctorate and their starting salary has been determined by the University so as to reflect that they have not yet attained a doctorate degree, and then they are subsequently promoted to Assistant Professor upon obtaining a doctorate degree, then the Member's salary will be reassessed and revised as may be required to accord with Article 25.9.3.

**25.9.5** Research initiation grants or other support for teaching and research consistent with the current practice in the discipline shall be offered to all candidates on an equitable basis.

**25.9.6** The candidate accepts the offer by signing and returning one copy to the Provost and Vice-Principal (Academic) or delegate. A copy of the letter of appointment signed by the Member shall be sent to the Association.

**25.9.7** The Head or Dean shall advise all unsuccessful applicants that they have not been selected and the appointment shall be announced in *For the Record*.

## **25.10 Appointments Procedures for Term Adjuncts**

### **25.10.1 Posting of Available Term Adjunct Appointments**

**25.10.1.1** A Unit Head shall post a notice of an available Term Adjunct Appointment per Article 25.10.1.2, unless the Unit Head determines that

- a) a Term Adjunct who has a Right of Reappointment per Article 32 is available to instruct and evaluate that course or course-section (or part thereof); or
- b) ~~There is a reason to waive~~ waiving the posting requirement for the course or course-section (or part thereof) **is permitted under** ~~per~~ Article 25.10.1.5.

**25.10.1.2** Subject to Article 25.10.1.5, notices for available Term Adjunct Appointments shall

- (a) be posted on the Unit website on or before March 1 (for Summer Term courses); June 1 (for Fall Term and Fall-Winter Term courses); and October 15 (for Winter Term courses);
- (b) remain on the Unit website for at least ten (10) working days from the first day of posting;
- (c) be circulated internally via listserv that includes Term Adjuncts within the Unit within the first week of posting on the Unit website; and
- (d) include the following information:
  - (i) The date of the posting of the notice;
  - (ii) The Unit offering the course or course-section;
  - (iii) The course name, number, type (e.g., lecture, seminar), level (introductory undergraduate, upper-year undergraduate, graduate) and location (if not offered on the main campus);
  - (iv) The percentage responsibility for the course or course-section available (if less than 100%);
  - (v) The expected enrolment for the course or course-section available, subject to Article 25.10.1.3 and Article 25.10.1.4;
  - (vi) Any requirements for supervision of laboratory/practicum work;
  - (vii) The required qualifications;
  - (viii) The required application materials, including those specified in Article 25.10.2.4;
  - (ix) The application deadline;
  - (x) The start and end dates of the appointment; and
  - (xi) The employment equity statement per Article 24.3.1(a).

**25.10.1.3** Notices for available Term Adjunct Appointments may indicate that appointments are subject to funding or enrolment criteria.

**25.10.1.4** The expected enrolments specified in Article 25.10.1.2(d)(v) shall be provided for information only and may be subject to change.

**25.10.1.5** Exceptions to the posting requirements may be made as follows:

- (a) Notices may **only** be posted after the dates provided in Article 25.10.1.2(a)
  - (i) if a Term Adjunct appointment becomes unexpectedly open due to

the unavailability of an appointed Member or other faculty member, ~~or due to the funding of an additional course or course-section, or other unforeseen circumstances; or~~

- (ii) for available Term Adjunct appointments in the Aboriginal Teacher Education Program (ATEP).

~~(b) At the discretion of the Unit Head, posting of an available Term Adjunct appointment may be waived, or the period of posting shortened, should a Term Adjunct appointment become open fewer than twenty (20) working days before the first day of the Academic Term or Academic Session in which the course or course-section is to be offered.~~

(c) At the discretion of the Unit Head, posting of an available Term Adjunct appointment may be waived when there is an opportunity to

~~(i) integrate a distinguished member of a professional community into the academic program of a Unit;~~

~~(ii) assign the course or course section to a Post Doctoral Fellow at Queen's; or~~

(iii) reappoint, on the advice of the Term Adjunct Appointments Committee, a Term Adjunct with a record of good teaching for the course, except in circumstances where a complete job search did not occur at the time of the Term Adjunct's original appointment for the course or course- section.

**25.10.1.6** The Association **Grievance Officer** shall be notified **prior to an appointment being made** of all appointments made under Article 25.10.1.5 **Where the Grievance Officer determines that the terms of Article 25.10.1.5 have not been met, they will immediately notify the Dean who must halt the process until the matter has been resolved to both parties' satisfaction.**

## **25.10.2 Appointment Process for Term Adjuncts**

**25.10.2.1** Each Unit shall have an advisory committee on the appointments of Term Adjuncts. This Committee shall be the Unit Head (or delegate), and two elected members. One of the elected members of the Committee shall ~~have explicit responsibility for the committee adhering to the rules and practices that assure equity per Article 24~~ **serve as the equity representative under the terms of 24.3.1 (old 24.2.2) The Adjunct Appointments Committee shall make recommendations to the Dean only on appointments to posted Term Adjunct positions. (moved from old 25.10.2.3 to 25.10.2.1)**

**25.10.2.2** A student representative from the undergraduate and/or graduate level in the Unit may also be named to the Adjunct Appointments Committee through procedures developed in the Unit.

**25.10.2.3** (new – similar to 25.5.2) For all Term Adjunct Appointments Committees:

- a) the Chair shall be a voting member of the Appointments Committee;
- b) all members of the Appointments Committee shall familiarize themselves with Article 18 (Conflict of Interest, Conflict of Commitment and Reasonable Apprehension of Bias) and shall not participate in the deliberations or recommendations relating to any search where they are in a conflict of interest or where there may be a reasonable apprehension of bias with respect to any applicant(s);
- c) all members of the Appointments Committees shall maintain confidentiality regarding the Committee's deliberations and decisions. Any member who knowingly violates this requirement of confidentiality shall be removed from the Committee; and
- d) all members of the Appointments Committee shall observe the proceedings of the Committee to ensure that they promote equity principles as per Art 24. If any member of the Committee has concerns about conformity with equity requirements, they should consult the Equity Representative on the Committee and/or the QUFA Grievance Officer.
- e) notwithstanding Article 25.10.2.3 (c), Committee members must disclose violations of the Collective Agreement to the QUFA Grievance Officer or the Faculty Relations Office as soon as they become aware of them.
- f) the Equity Representative has the primary responsibility for overseeing compliance with equity requirements, and all members of the Committee share that responsibility. Where an Equity Representative or any other member of the Committee has concerns about a possible failure to comply with equity requirements, including those specified in Article 24.3.2, they may take the following steps:
  - i) Raise this apparent lack of compliance with the Appointments Committee to discuss the matter;
  - ii) consult with the QUFA Grievance Officer, who may in turn consult with Faculty Relations to address the problem in a timely manner;

- iii) request that the Chair of the Committee pause the process until the apparent lack of compliance has been addressed, prior to any offers being made

**25.10.2.4** An applicant for a posted Term Adjunct appointment shall submit an application in writing to the Unit Head. The application shall include

- (a) a complete and current curriculum vitae (CV);
- (b) any other materials the applicant wishes to submit (such as a teaching dossier); and
- (c) the names of two referees who may be contacted.

**25.10.2.5** Any applicant who has held an academic appointment in the Unit in the twelve (12) months preceding a posting may apply for a posted position by submitting a letter of interest and referring to relevant materials in their Official File.

**25.10.2.6** The materials referred to in Article 25.10.2.4 and Article 25.10.2.5 shall be provided to the Adjunct Appointments Committee. When applicable, relevant material from an applicant's Official File, including the record of employment and teaching and other evaluations, shall be provided to the Unit's Adjunct Appointments Committee.

**25.10.2.7** In reviewing applications for posted positions, the Adjunct Appointments Committee and the Dean shall assess applicants taking into account diverse backgrounds and experiences of applicants and the many forms scholarship can take, and in accordance with the following criteria:

- (a) The applicant has the requisite academic qualifications for the position (i.e., the relevant academic degree or certificate, education in the academic specialty, other relevant qualifications including scholarship in the field) and/or relevant professional training or experience;
- (b) The applicant has a record of good teaching; and
- (c) The applicant has teaching experience in the available course or similar courses.
- (d) The applicant has assumed greater than normal formal or informal equity-related responsibilities by virtue of membership in an equity-seeking group.

Examples of equity-related work may include, but are not confined to the following:

Service work could include service on search committees, ad hoc and standing equity committees. Service work may include assisting the university in responding to racist or other discriminatory comments or incidents on campus, participation in meetings following such incidents, and assisting in the preparation of a university response.

Teaching may include mentoring and supervising students, assisting student groups, and student activism. Teaching might also require additional responsibilities in teaching on racism/colonialism, developing new courses and additional work to establish credibility. Finally, teaching may include providing support and guidance to students when racist incidents occur, through teaching, student groups and one-on-one meetings.

Research may include establishing and maintaining relationships with community stakeholders and developing a formal community-researcher partnership, learning about and researching topics most salient to community members, writing and presenting community-focused reports to individual and organizational community stakeholders (not necessarily peer reviewed), and training community members (or working with trainers) to conduct research.

**25.10.2.8** No offer of appointment shall be made before the application deadline posted per Article 25.10.1.2(d)(ix).

## **ARTICLE 28 – REPORTING**

**Note:** Please note that the lettered items above have also been re-ordered, putting new section on equity work first, and moving up admin and professional service, so that it comes before publications, research, etc.

**28.2.2** The Member’s Annual/Biennial Report shall be completed on standardized forms which are proposed by the Faculties/Library/Archives and approved by the Parties and may include additional material provided by the Member. **Under each of the following sections, members should strive to include equity-related work where possible. The following description of the kinds of work in 28.2.2 (a) is not exhaustive and is intended to provide guidance to so that equity-based work may be properly assessed as an important part of merit.**

The form shall include:

- a) Examples of equity-related work, including but not confined to the following:

University-level work may include assisting the university in responding to racist or other discriminatory comments or incidents on campus, participation in meetings following such incidents, assisting in the preparation of a university response, and providing support and guidance to students during these times through teaching, student groups and one-on-one meetings.

Administrative work could include service on search committees, ad hoc and standing equity committees, as well as mentoring and supervising students, assisting student groups, and student activism. Teaching might require additional responsibilities in teaching on racism/colonialism, developing new courses and additional work to establish credibility.

Research work could include establishing and maintaining relationships with community stakeholders and developing a formal community-researcher partnership, learning about and researching topics most salient to community members, writing and presenting community-focused reports to individual and organizational community stakeholders (not necessarily peer reviewed), and training community members (or working with trainers) to conduct research.

- b) teaching responsibilities, including courses taught and supervision of graduate and undergraduate theses;
- c) administrative service responsibilities; as per Article 15.5.1;
- d) professional service responsibilities as per Article 15.5.2; (both same, moved up from end)
- e) publications with full citation;
- f) conference papers and/or artistic performances or exhibits presented;
- g) research, creative and other scholarly work in progress;
- h) research grants and contracts currently held, awarded or applied for, name of granting body, research title, amounts and term awarded;
- i) awards and honours received;

## ARTICLE 29 - ASSESSMENT OF TEACHING

The current CA mandates the inclusion of student opinion surveys (the QSSET) in the assessment of teaching under Article 29. There was general agreement among committee members that such opinion surveys are inherently flawed because they tend to replicate bias, and that these surveys must not be required or maintained in a member's official file due to their inherently discriminatory impact. We acknowledge the recent improvements in the QSSET and agree that these surveys should continue to provide feedback for instructors as part of their professional development (perhaps we should include a statement to this effect in Article 29 somewhere?). However, student opinion surveys should no longer be required as part of a member's file and assessment of teaching. Many members will likely want to include the results of these surveys and should be permitted to do so at their discretion; this may be especially important for term adjuncts who will rely on that data, since their research is not part of their employment contract.

**The following two provisions should be deleted from the new CA:**

29.1.5 Any person or Committee reviewing a Member's teaching shall consider all relevant information, including but not limited to

~~(i) assessments by students and/or colleagues as sought through formal procedures pursuant to this Agreement; and~~

~~29.3.7 Data derived from surveys that conform to the provisions of Article 29.3.5, and which have been placed in the Member's Official File, in conformity with the instructions provided per Article 29.3.6, shall be considered in the University's assessment of a Member's teaching performance.~~

**ARTICLE 30.6 - RENEWAL, TENURE AND PROMOTION CRITERIA**

The changes made to this article parallel the changes made to Art. 28, once again iterating some of the different forms that equity work may take and providing detailed examples, so that both members and assessors can properly take account of equity-related work and accord it more weight where appropriate. Our focus was on tenure criteria, and we did not make significant changes to either the renewal or promotion provisions; there was some discussion as to whether the renewal process should be less onerous for both members and heads (eliminating the requirement for external referees, for example), but we did not reach any conclusions on this point.

**Article 30.6 Criteria – New Version**

**30.6.1 Renewal** for Tenure-track faculty shall be granted when there is clear evidence of a commitment to academic excellence, some demonstrated professional growth, and the

prospect (based on the record of accomplishments to date) of future development, as reflected in the following:

- (a) A record as a good teacher; and
- (b) Clear evidence of high quality scholarly or creative work which is normally, but not necessarily, demonstrated by presentation or publication in a suitable academic or artistic forum. Writing and research with respect to pedagogy and innovative teaching shall be assessed as scholarly activity. The diverse backgrounds of Members and the type of scholarship appropriate to their research areas shall be taken into account when assessing the quality of scholarly or creative work.

Where a Member has assumed greater than normal formal or informal equity-related responsibilities (by virtue of membership in an equity-seeking group?), that work shall be considered as central in assessment of the file.

**30.6.2** In a decision about Renewal, there shall be a presumption in favour of Renewal. In order to refuse an appointment, the University must be able to demonstrate that the weight of evidence is in favour of non-Renewal.

**30.6.3** Tenure as defined in Article 25.1.2.3 shall be granted when there is clear evidence of demonstrated professional growth and the promise of future development as reflected in the following:

- a) A record of profession, University or community service which has contributed to the Department, Unit, Faculty, University or broader academic community.
- b) A record as a very good teacher committed to academic and pedagogical excellence; and
- c) A record of high quality and expert peer-assessed scholarly or creative work which is normally demonstrated by presentation or publication in a suitable academic or artistic forum; writing and research with respect to pedagogy and innovative teaching shall be assessed as scholarly activity; the diverse backgrounds of Members and the type of scholarship appropriate to their research areas shall be taken into account when assessing the quality of scholarly or creative work;

(note that a, b, and c have been re-ordered to put service first)

Where a Member has assumed greater than normal formal or informal equity-related responsibilities (by virtue of membership in an equity-seeking group?), that work shall be considered as central in assessment of the file.

Examples of equity-related work may include, but are not confined to the following:

Service work could include service on search committees, ad hoc and standing equity committees. Service work may include assisting the university in responding to racist or other discriminatory comments or incidents on campus, participation in meetings following such incidents, and assisting in the preparation of a university response.

Teaching may include mentoring and supervising students, assisting student groups, and student activism. Teaching might also require additional responsibilities in teaching on racism/colonialism, developing new courses and additional work to establish credibility. Finally, teaching may include providing support and guidance to students when racist incidents occur, through teaching, student groups and one-on-one meetings.

Research may include establishing and maintaining relationships with community stakeholders and developing a formal community-researcher partnership, learning about and researching topics most salient to community members, writing and presenting community-focused reports to individual and organizational community stakeholders (not necessarily peer reviewed), and training community members (or working with trainers) to conduct research.

30.6.4 In order to be granted Tenure as defined in Article 25.1.2.3, the Member must show that the evidence favours granting Tenure.

**30.6.5 Promotion** is the recognition by academic peers and the University of increased status of the Member in their discipline. A faculty Member will be assessed for Promotion on their contributions to teaching, research and scholarship, and service to the Department, Unit, Faculty, University, and the broader academic community.

**30.6.6** In order to be promoted to the rank of Professor, the Member must show that the evidence favours granting the promotion.

**30.6.7** Subject to Article 30.6.5, the normal expectations for Promotion to the following faculty ranks are as follows:

(a) **Assistant Professor:** The Member must be a good teacher. In those disciplines where a Ph.D. is usually required, the Member normally will have completed the doctorate. Otherwise, evidence of the successful initiation of research and scholarly work or comparable professional or creative work is required. Writing and research with respect to pedagogy and innovative teaching shall be assessed as scholarly activity. The Member's participation in the operation of the Department, Unit, Faculty or University or contributions to their profession may be taken into consideration. Any tenure track Member who was initially appointed with the rank of Lecturer because they have not yet obtained their Ph.D. shall be appointed with the rank of Assistant Professor upon obtaining this degree without the need to apply for promotion under this Article.

(b) **Associate Professor:** For Members in Tenure-track appointments the criteria for the granting of Tenure shall apply. Article 30.6.3 outlines the expectations for Tenure.

(c) **Professor:** The Member must either combine:

(i) scholarly or creative work judged to be distinguished with very good teaching; or

(ii) continuing high quality scholarly work with exceptional contributions in teaching; or

(iii) scholarly or creative work judged to be distinguished with exceptional contributions in teaching; **and**

~~The Member is also expected to have made (iv) a contribution to the successful operation or transformation of the Department, Unit, Faculty or University via their administrative service responsibilities and to their profession or community via their professional service responsibilities. Contributions to their profession also are relevant.~~ Writing and research with respect to pedagogy and innovative teaching, **professional or community matters** shall be assessed as scholarly activity.

**Where a Member has assumed greater than normal formal or informal equity-related responsibilities (by virtue of membership in an equity-seeking group?); that work shall be considered as central in assessment of the file.**

Any positive recommendation with regard to promotion to the rank of Professor shall clearly indicate whether the recommendation is made on the basis of the criteria described at Article 30.6.7 (c)(i) or 30.6.7 (c)(ii) or 30.6.7 (c)(iii).

## **ARTICLE 36 - WORKING CONDITIONS**

While we did not make extensive changes to this article, our intention was that these changes should have an important impact on the equitable distribution of resources across the University. The committee observed that there are some significant disparities between units, so that some faculty in richer departments have lower teaching loads and better access to teaching assistance, disability services, support staff, and even cleaning services. This is a funding issue and we contend that the CA should include language providing for equal access to resources. To that end, we provide an inventory of necessary services as a kind of minimum guarantee, and key among these is the provision of centralized support for student accommodations.

### **Article 36.1 - GENERAL WORKING CONDITIONS**

**36.1.1** The University shall provide consistent and equitable distribution of resources across the university to ensure equal access to adequate facilities and support, so that

Members may fulfill their academic responsibilities as defined in Article 15.

These facilities shall include (but are not confined to) the following:

- centralized assistance for administration of all student accommodations, including determining eligibility, and scheduling, proctoring and finding space for all tests and exams that require extra time or other accommodations;
- accessible offices and provision of office equipment and furniture for those with both long and short term disabilities;
- uniform cleaning services and gender-neutral washrooms in all buildings; and
- computers in all classrooms, including seminar rooms

### **New 36.1.2 Teaching Support and Equity Requests (This is the old 36.5.2, amended)**

All teaching members shall receive comparable and consistent teaching support (such as markers, teaching assistants, IT and OnQ support, accompanists or other assistants) across the University.

The University shall make reasonable attempts to support ~~equity~~ the requests of a ~~an adjunct~~ Member concerning the scheduling of the Member's teaching. Such requests from Members should be made in writing, and where their requests are not met, the Dean must provide a written response to the Member prior to the timetable being finalized, providing reasons for the refusal of the request. **(or put this in 37.2.8 instead? Also re-order as done earlier)**