

NEW COLLECTIVE AGREEMENT PROVISIONS ON TENURE, PROMOTION AND CONTINUING APPOINTMENT: FAQ's

Frequently Asked Questions

1. How has the role of the DPC changed?

1a) Commencing in 2015, the DPC will no longer evaluate and provide a recommendation on Members' applications for Continuing Appointment, Tenure and Promotion to Associate Professor, or Promotion to Professor. Instead, once the DPC is provided with the list of applicants for its Department, the DPC will develop a list of at least five (5) nominees from the Department (or where necessary a closely related discipline) to serve on the Faculty Based Tenure, Promotion and Continuing Appointment Committee (TPCAC). The Dean, in consultation with the Chair, will appoint three (3) of the five (5) nominees to serve on the TPCAC to evaluate Members' applications in that Department.

1b) What if my Department consists of less than five people or if the DPC cannot prepare a list of at least five people for the Dean and the Chair to select from?

Where a Department has a sufficient number of tenured Faculty to serve on the TPCAC, such Faculty shall be nominated and shall serve on the TPCAC. If a Department doesn't have a sufficient number of tenured Department members, to nominate five members with tenure from their Department, the DPC will nominate up to three Department members who hold a probationary appointment at the rank of Assistant Professor to complete their list of five.

The Dean will ensure that at least two of the voting members of the TPCAC are from the applicant's Department, and at least three of the voting members (which include the nucleus members) hold tenure.

2. How are the members of the TPCAC selected?

The Dean is required to appoint two (2) nucleus committee members, who shall normally be from the Dean's faculty and shall normally be from different Departments. In 2015 (implementation year), the Dean will appoint one nucleus member for 1 year, and the second for 2 years. Subsequent appointments as nucleus committee members will be for 2 years.

The Dean will consult with the Chair of each Department to appoint three (3) committee members from the five (5) nominees submitted by the DPC to serve on the TPCAC. Appointments to the TPCAC will be based on the applications coming forward that year from the Department – considering expertise, rank, and potential conflicts of interest or reasonable apprehension of bias.

Departments who are unable to nominate the required five Members will nominate Members from other Departments in a closely related discipline.

3. When do the Faculty-based criteria come into effect?

The Faculty-based criteria will be posted in the fall of 2015, but will not be used by the TPCAC until the fall of 2016. These criteria will remain in effect for five years. In 2015-16, the conditions and general criteria in the current UWFA Collective Agreement will be used by the new committee structure.

The Faculty-based criteria will be used by the DPC's in the fall of 2015 to establish Department evaluation criteria, which, once approved by the Dean, will remain in effect for five years.

In order to allow DPC's sufficient time to become familiar with the Faculty-based criteria, DPC's will have until November 30 to establish their Department evaluation criteria.

4. What criteria will be used to assess applications in the current (2015-16) academic year?

The TPCAC will utilize the conditions and general criteria in the current UWFA Collective Agreement to assess applications.

5. What criteria will be used to assess application in the next (2016-17) academic year?

In accordance with the Letter of Understanding signed between the Employer and the UWFA, Members going up in 2016-17 will have the option of being evaluated pursuant to:

- a. The applicable conditions and general criteria set out in the Collective Agreement only; or
- b. Both the applicable conditions and general criteria set out in the Collective Agreement and the faculty-based criteria.

6. What criteria will be used to assess applications in subsequent academic years (2017-18 or later)?

Members who apply for tenure, promotion or continuing appointment in any subsequent year shall have their applications evaluated pursuant to both the applicable conditions and general criteria set out in the Collective Agreement and the faculty-based criteria.

7. Have the criteria for promotion changed?

No. The Faculty-based criteria are consistent with the conditions and general criteria in the UWFA Collective Agreement. They have been developed by the Deans with input from Associate Deans, Chairs, DPC Chairs and the Vice-President (Academic) to provide transparent, relevant and specific information about the expectations of your individual Faculty when it comes to promotion, tenure, and continuing appointment.

8. Are there new deadlines for the process?

Yes, however, for 2015 only, the application deadline remained as August 1, 2015. In the future, applications will be received by June 30. It is our goal to ensure that final decisions would be provided to you by no later than March 31 for Continuing Appointment and by May 31 for Promotion.

9. Is there a new application form?

Yes, the new application forms will be posted on the HR website at:
<http://www.uwinnipeg.ca/hr/uwfa-main-forms.html>

10. What happens if I have an objection to the composition of the TPCAC considering my application?

You will be notified by the Dean of the composition of the TPCAC considering your application. If you believe that someone on the committee may have a potential conflict of interest, or that a reasonable apprehension of bias exists, you should contact the Dean and advise him/her of your concern and the basis for your concern. The Dean will assess in accordance with the principles of procedural fairness, the University's Conflict of Interest Policy, and the Article on Conflict of Interest in the UWFA Collective Agreement and advise you of the outcome.

11. What happens if I think that the Dean has a conflict of interest or reasonable apprehension of bias?

You should contact the Vice-President (Academic) and advise of your concern and the basis for your concern. The Vice-President will assess in accordance with the principles of procedural fairness, the University's Conflict of Interest Policy, and the Article on Conflict of Interest in the UWFA Collective Agreement and advise you of the outcome.

12. When does a conflict of interest arise?

A conflict of interest occurs when the personal interests of an employee clash or have the potential to clash with his/her duties and responsibilities to the University.

For more information regarding conflicts of interest, please refer to the University's Conflict of Interest Policy and Article 37 of the UWFA Collective Agreement, which may be found at:

<http://www.uwinnipeg.ca/hr/policies/policy-conflict-of-interest.html>

http://www.uwinnipeg.ca/hr/docs/uwfa/UWFA_collective%20agreement_2013-16.pdf

13. When does a reasonable apprehension of bias arise?

A reasonable apprehension of bias occurs when a reasonable and informed person has reasonable grounds to believe that a decision-maker would decide a matter unfairly or has an unauthorized predilection toward a particular result.

14. Will there be a conflict of interest or a reasonable apprehension of bias if the applicant and a member of the TPCAC have co-authored or collaborated on professional outputs and/or publications?

In accordance with a Letter of Understanding signed between the Employer and the UWFA, absent other evidence, co-authorship and collaboration with the applicant for professional outputs and publication shall not normally amount to a conflict of interest or reasonable apprehension of bias with respect to Department Members who serve on the TPCAC. Each case shall be examined based on its particular circumstances.

However, a Department Member shall not participate in a TPCAC for an applicant, when the Dean is satisfied that the Member:

- a. has engaged in prior co-authorship and collaboration on a substantial quantum of the material presented for the deliberations of the TPCAC; or
- b. is involved in current and on-going collaboration or co-authorship with the applicant for a grant competition or other contract expected to result in monetary compensation.