

Article 6

APPOINTMENT OF FACULTY MEMBERS

- *6.01 The primary objective in recruiting is to develop the best possible teaching and research programmes for the University. The Parties recognize that equity, diversity, inclusion and anti-racism (as defined in Clause 29.01) are essential in the development, implementation and pursuit of this objective.
- *6.02 Appointments of Faculty Members shall be tenure-track, tenured, teaching term or regular term, as specified in Articles 10 and 22.

INITIATING APPOINTMENTS

- *6.03 When an Academic Unit wishes to make an appointment, it shall be initiated as follows:
 - (a) The Administrative Head shall formulate to their immediate administrative superior a request for approval to fill a position following Collegial Consultation with the ASMs in the Academic Unit concerning the nature of the appointment. Such Collegial Consultation shall include whether to designate positions as equity-deserving ASM positions. Such targeted recruitment from any one of the equity-deserving groups will require approval from the Provincial Human Rights Commission. Designating a position as an equity-deserving ASM position does not preclude hiring equity-deserving for all other ASM positions. In the case of an appointment to a Grenfell Campus Programme Unit, the Administrative Head's decision to seek an appointment shall follow Collegial Consultation with the Programme Chair and other members of the Programme Unit concerned. In Counselling at Grenfell Campus, the Vice-President (Grenfell Campus) shall define the nature of the appointment following consultation with the Counselling Faculty Members at Grenfell Campus and in the Student Wellness and Counselling Centre.
 - (b) If the Provost & Vice-President (Academic) accepts the request of the Dean, Director, or Associate Vice-President (Marine Institute) Academic and Student Affairs, or Vice-Provost (Labrador Campus) the Administrative Head shall meet and consult with the Search Committee, and shall determine the wording and placement of the advertisement. The advertisement shall include a closing date for receipt of applications for the position. The consultation process shall include a formal vote by the Search Committee.
 - (c) If the Vice-President (Grenfell Campus) accepts the request of the Administrative Head, the Administrative Head shall meet and consult with the Search Committee, and shall determine the wording and placement of the advertisement. The advertisement shall include a closing date for receipt of applications for the position. The consultation process shall include a formal vote by the Search Committee.
 - (d) For appointments in Counselling at Grenfell Campus, the Vice-President (Grenfell Campus) shall meet and consult with the Search Committee, and shall determine the wording and placement of the advertisement. The advertisement shall include a closing date for receipt of applications for the position. The consultation process shall include a formal vote by the Search Committee.

FORMATION OF SEARCH COMMITTEES

- 6.04 Normally, Search Committees shall be formed within each Academic Unit with respect to each teaching term, regular term, tenure-track and tenured appointment. However, the Faculty Members within an Academic Unit or Grenfell Campus Programme Unit may decide by formal vote that a single committee shall be established to take responsibility for some or all appointments over the course of that Academic Year. Such a formal vote shall be carried out, following discussion, at a meeting of Faculty Members who were notified of the meeting and the topic of discussion in advance. All Faculty Members in the Academic Unit or Grenfell Campus Programme Unit shall be notified of the result of the vote.
- 6.05 At Grenfell Campus, if an appointment is to be made to a discipline represented in a Grenfell Campus Programme Unit(s), the Search Committee shall be established with ASMs from Grenfell Campus Programme Unit(s) concerned in accordance with Clause 6.06; otherwise, the Search Committee shall be established from among ASMs in the appropriate School, and include one (1) or more of the members, if any, of the relevant discipline.

- 6.06 Search Committees shall consist of five (5) Faculty Members, three (3) of whom shall be elected by the Faculty Members from within the Academic Unit(s) or Grenfell Campus Programme Unit(s) and two (2) of whom shall be appointed by the Administrative Head, giving due regard to the provisions of Clauses 29.19 and 29.20. Deputy Heads may be elected to but shall not be appointed to Search Committees. The following exceptions shall apply:
- (a) In the case of Academic Units or Grenfell Campus Programme Units with fewer than seven (7) and more than two (2) Faculty Members, the Search Committee shall consist of all Faculty Members in the Academic Unit or Grenfell Campus Programme Unit.
 - (b) For Academic Units or Grenfell Campus Programme Units with two (2) Faculty Members, they shall both be members of the Committee and the Administrative Head shall appoint one (1) additional Faculty Member from a cognate area at the same campus or from the Academic Unit concerned at the other campus.
 - (c) For Academic Units or Grenfell Campus Programme Units with only one (1) Faculty Member, the Administrative Head shall appoint two (2) additional Faculty Members, one (1) of whom shall be named by the Faculty Member. At least two (2) members of the Committee shall be from the campus at which the position is to be filled.
 - (d) Notwithstanding Clause 1.03(c), for Academic Units or Grenfell Campus Programme Units with no Faculty Members, the Administrative Head shall appoint three (3) Faculty Members to form a Committee. At Grenfell Campus, the Administrative Head shall appoint the members of the Committee from cognate areas at Grenfell Campus, or from the Academic Unit concerned at St. John's campus, with the proviso that at least two (2) members of the Committee shall be Faculty Members at Grenfell Campus.
 - (e) In the Faculty of Medicine, when an appointment is to be made where the successful candidate will be, or will possibly be, an ASM, the Search Committee shall be formed in accordance with the provisions of this Article except that the Administrative Head may include in the number of their appointees specified in Clause 6.06, one (1) member of the Faculty of Medicine who is excluded from this Collective Agreement by virtue of being engaged in the clinical practice of medicine, when the Administrative Head believes that such an individual can supply particular expertise that is required to assess candidates.
 - (f) In the Faculty of Engineering and Applied Science, one (1) of the two (2) appointed Faculty Members of the Search Committee shall be appointed by the Dean from outside the Department.
- 6.07 When Search Committees are formed for joint appointments between or among Academic Units or Grenfell Campus Programme Units, the Search Committees shall have representation from each appropriate Academic Unit.
- 6.08 When no available member of the Academic Unit or Grenfell Campus Programme Unit can supply particular expertise which is required to assess candidates for a given position, or where a member of the Committee is needed to comply with Clause 29.19 the Administrative Head may include in the number of their appointees specified in Clause 6.06 a Faculty Member from a cognate area.
- 6.09 The Committee shall elect its own Chairperson.
- 6.10 The Administrative Head shall not be a member of the Search Committee, but may meet with the Committee at the invitation of the Chair, or upon the request of the Administrative Head. The Committee shall have the option of holding meetings in the absence of the Administrative Head.
- 6.11 Normally, transaction of business shall require the presence of all members of the Search Committee. In no case shall business be transacted in the absence of more than one (1) member or in the absence of the Chairperson. In a case where a Committee has fewer than five (5) members, all members must be present for the transaction of business. Notwithstanding the above, participation by Telecommunications Technology in which all participants talk to one another in real time is acceptable when all members have all appropriate documentation and it is otherwise not feasible for the Committee to meet in person within the time frame necessary to make a decision.

- 6.12 Where a candidate under consideration presents a documented record of personal conflict with a Faculty Member otherwise eligible to serve on the Search Committee, and the Administrative Head determines that the documented personal conflict creates a reasonable apprehension of bias, then that Faculty Member shall recuse themselves from serving on the Committee for that search.
- *6.13 Where a Faculty Member who is a member of the Search Committee has a conflict of interest as defined in Clause 1.38 involving a candidate under consideration, or has within the past six (6) years been an academic supervisor of a candidate under consideration, that Faculty Member shall recuse themselves from serving on the Committee for that search.
- 6.14 In the event of a resignation from the Committee or where a member of the Committee becomes unavailable or ineligible to serve on the Committee before the Committee has begun to interview candidates, an attempt shall be made to fill the resulting vacancy by election or appointment according to the manner in which the member to be replaced was designated.
- 6.15 If the number of eligible Faculty Members who agree to stand for election is fewer than the number specified in Clause 6.06, nonetheless the Committee shall be composed of those appointed and elected within the terms of Clause 6.06. If a Committee is formed under this provision with less than a full complement of members, and if one (1) or more eligible candidates have later made it known that they are available, the vacancies shall be filled before the Committee has begun to interview candidates. These position(s) shall be filled by election, following a further call for nominations, or by appointment, according to the manner in which the position(s) would originally have been filled.
- 6.16 Professional support and consultation shall be provided by the Employment Equity Officer when requested by the Chair of the Search Committee. At the request of the Chair of the Search Committee, a representative from the Joint Equity Committee shall meet with the Search Committee.
- 6.17 The Search Committee shall not be required to perform duties outside the scope of this Article.

SEARCH PROCEDURES

- 6.18 (a) Appointments for a period of one (1) year or more approved for search shall be advertised by the University on its website and in one (1) or more nationally-distributed print and/or electronic media selected so as to provide broad exposure to the position for potential applicants.
- (b) Appointments for a period of less than one (1) year approved for search shall be advertised by the University on its website and notification shall be sent by the Administrative Head by E-mail, fax, or regular mail to the appropriate department(s) at each Canadian university, and the University may advertise in any additional manner it deems appropriate.

A copy of the advertisement shall be sent to the Association and to the Joint Equity Committee.

- 6.19 A term appointment may be extended or renewed without advertising provided that the reappointment is recommended by a currently active or new Search Committee.
- *6.20 The Administrative Head shall receive all applications and nominations, and make all of them available to the members of the Search Committee. The candidates' complete application files shall be maintained by the Administrative Head and shall be available to members of the Academic Unit(s) or Grenfell Campus Programme Unit(s) concerned for viewing, only for the purpose of appointment. Should the University make available any part of application files outside the Academic Unit(s) or Grenfell Campus Programme Unit(s) for viewing, the University shall disclose in writing to the Association and to the Search Committee to whom the files are made available, and for what reasons. No candidate for a position shall have access to the files of the other candidates for the same position.
- *6.21 The Search Committee shall:
- (a) review the application files of all applicants based on the criteria specified in the position advertisement;

- (b) compile a shortlist of candidates; when candidates are judged equivalent for appointment, members of equity-deserving groups as per Article 29 shall be given preference.
- (c) consult with the Administrative Head before finalizing a shortlist of candidates recommended for interview;
- (d) make the shortlist known to the Faculty Members of the Academic Unit(s) and/or Grenfell Campus Programme Unit(s) concerned and known to the Joint Equity Committee;
- (e) interview the number of candidate(s) approved by the Dean, Director, or Associate Vice-President (Marine Institute) Academic and Student Affairs, or for Counselling Faculty Members at Grenfell Campus, the Vice-President (Grenfell Campus) or the Vice-Provost, (Labrador Campus). When the position is tenure-track or tenured, the Dean, Director or Associate Vice-President (Marine Institute) Academic and Student Affairs, or Vice-President (Grenfell Campus) or the Vice-Provost, (Labrador Campus) will approve no fewer than two (2) candidates to be invited for interviews. When there is only one (1) candidate short listed for a tenure-track or tenured position, that one (1) candidate shall be invited for an interview;
- (f) interview on-campus candidate(s) for appointments greater than one (1) year in duration. However, if an on-campus interview is not feasible, or if the appointment is for one (1) year or less, a Search Committee may interview a candidate using Telecommunications Technology;
- (g) arrange open meetings with all candidates who are interviewed on-campus and, if practical, arrange open meetings using Telecommunications Technology with all candidates who are interviewed at a distance;
- (h) in the case of positions of one (1) year or longer on any University campus, arrange a meeting with an officer of the Association;
- (i) when the Search Committee considers it advisable and the classroom teacher agrees, arrange for candidates to teach a class in the presence of the Search Committee;
- (j) invite and consider advice from members of the Academic Unit(s) or Grenfell Campus Programme Unit(s);
- (k) provide a Report to the Administrative Head; the Report shall include a list of candidates recommended for appointment in order of preference, a recommendation concerning academic rank and, when the recommendation is for the rank of Associate Professor whether the appointment be tenured for each recommended candidate. Unless a non-Canadian candidate for a position is demonstrably more qualified than a Canadian or permanent resident candidate, the Search Committee shall recommend that the Canadian or permanent resident be appointed. Subsequent Reports may be submitted as necessary and shall remain confidential.

6.22 At the interview, the Administrative Head shall present to the candidate the following:

- (a) a copy of this Collective Agreement;
- (b) a written statement notifying them of the need to determine eligible moving expenses and eligible years towards sabbatical leave, promotion and tenure, and academic rank and salary in accordance with this Collective Agreement;
- (c) a copy of relevant University policy and procedures concerning moving expenses.

When the interview occurs via Telecommunications Technology, the candidate shall be sent such documents no later than the time an offer of appointment is made.

APPOINTMENT CRITERIA

6.23 Assessment of candidates shall be based primarily on their ability to perform the academic duties of the advertised position as evidenced by the candidates' degrees and their records of, and potential for, teaching,

research, scholarship, and critical, creative, professional, or developmental work. Notwithstanding the above, the Search Committee shall consider the document circulated by the Joint Equity Committee as per Clause 29.10.

RECOMMENDATION OF THE ADMINISTRATIVE HEAD

- 6.24 Should the Administrative Head not be prepared to accept the first recommendation of the Search Committee, it shall be referred back with a statement of reasons for further consideration. This statement of reasons shall be in writing.
- 6.25 The Administrative Head shall forward their recommendation to their immediate administrative superior together with the Report of the Search Committee and shall concurrently inform the Search Committee of the identity and academic rank of the candidate(s) recommended for appointment. The Administrative Head shall recommend only individuals who have been recommended for appointment in the Report of the Search Committee.
- 6.26 Should the Administrative Head's immediate administrative superior not be prepared to accept the first recommendation, it shall be referred back with a written statement of reasons to the Administrative Head for further review in consultation with the Search Committee. The result of this review shall be either a reiteration of the previous recommendation of the Administrative Head or a new recommendation by the Administrative Head. This new recommendation shall include only candidates recommended by the Search Committee and shall be copied to the Provost and Vice-President (Academic).
- 6.27 A successful candidate for a tenure-track, tenured or regular term appointment who holds an earned doctorate or generally accepted terminal professional qualification shall be appointed at the rank of Assistant Professor or a higher rank.

NOTIFICATION OF APPOINTMENT

- 6.28 Should the successful applicant accept the appointment, the Administrative Head shall notify the members of the Academic Unit.
- 6.29 A Faculty Member appointed to a position within the University shall receive a letter of appointment which shall specify the campus; Academic Unit; rank; type of appointment; effective date; duration of the appointment; salary; start-up funds (if applicable); eligible years towards promotion and tenure; and eligible years towards sabbatical leave. At Grenfell Campus, the letter of appointment shall also specify the discipline and School. Such letters shall normally be sent to the Faculty Member before they begin employment; however, in cases where they have been hired at short notice, the letter of appointment shall be sent within fifteen (15) days of the date when employment began. If any changes are subsequently made to the conditions of employment set out in the letter of appointment, these shall be agreed to in writing by both the University and the Faculty Member. The letter shall include a statement of the eligibility of the appointee for moving expenses.

CANCELLATION OF A SEARCH

- 6.30 When a search for more than one (1) position is ongoing, and the need arises to cancel the search for a position, the Administrative Head, following Collegial Consultation with the members of the Academic Unit(s) or Grenfell Campus Programme Unit(s) concerned, shall determine which search or searches shall continue.