



TO: All MUNFA Members

FROM: The MUNFA Executive Committee

DATE: January 15, 2016

SUBJECT: Resolution of Association Grievance A-12-07 (Article 9)

When an Academic Staff Member (ASM) is in receipt of a negative recommendation on promotion or tenure, it had been the past practice of MUNFA to suggest that the ASM write an informal letter of appeal, based on such a recommendation, to successive levels of the university administration as the recommendation makes its way to the President, and the May 1 deadline for his/her final decision. However, in 2012, MUN indicated to MUNFA that it would no longer consider such letters of appeal, and would cease including them in an ASM's promotion or tenure file, declaring to do so would be a violation of Clause 9.11 of the Collective Agreement. MUNFA then filed an Association (policy) Grievance, A-12-07.

In December, 2015, MUNFA and MUN agreed to a resolution to A-12-07; that resolution is a formal variance to Clauses 9.06 and 9.11 of the 2014 – 2017 MUN/MUNFA Collective Agreement. In other words, the Parties have agreed that there shall be new wording to those two Clauses, and that new wording is sufficient to resolve the Grievance and that all ASMs now retain the right for an informal appeal. The Variance, and new wording to the two Clauses, is attached for your information.

If you have further questions on the matter, please contact the MUNFA Office (ext. 8642 or email: munfa@mun.ca).

Memorandum of Understanding

between

Memorial University of Newfoundland


and

Memorial University of Newfoundland Faculty Association

"Without Prejudice"

As a full and final settlement of Association Grievance A-12-07, the Parties agree to vary Clauses 9.06 and 9.11 of the MUN-MUNFA Collective Agreement (Oct. 30, 2014 - August 31, 2017) as follows:

- 9.06 The assessment file shall be deemed to be an annex to the official personal file. As new documents are created or obtained in the assessment process, they shall be added to the assessment file by the Administrative Head. In addition, the Administrative Head shall ensure that any such documents not previously copied to the candidate shall be copied to him or her. The candidate has a right to insert a response but shall not insert any new, substantive material in the assessment file after the Committee has submitted its report. No material shall be included in the file which does not meet the requirements governing the inclusion of material in the official personal file as specified in Clauses 1.45 to 1.68, except that the candidate may submit copies of books, articles or other similar materials for assessment purposes. The material in this file shall be governed by the provisions of Clause 3.05.
- 9.11 After the Committee has submitted its report, no new material shall be added to the file except assessments and recommendations by academic administrators as specified in this Collective Agreement, correspondence related to the evaluation process, or a reply to a negative assessment or recommendation. However, the parties agree that neither the correspondence nor a reply shall include any new, substantive material.


George Jenner (for)
Memorial University of Newfoundland
Faculty Association

Dec. 2, 2015
Date


Amy Wyse (for)
Memorial University of Newfoundland

December 3, 2015
Date