

REPORT OF THE OPERATIONS/AGENDA COMMITTEE

Senate Membership: Graduate Student Constituency

Constitution of the Faculty of Science

Honorary Degrees Committee Composition

**Conditions of Appointment: Physicians Appointed in Clinical Departments and Clinical Divisions
of Basic Science Departments**

Convocation Dates 2004

FOR APPROVAL

1. **Senate Membership: Graduate Student Constituency**

Recommended: That the Senate seat held by Errol Stewart, elected representative to Senate for the Graduate Student constituency, be declared vacant as a result of his resignation, and

That Jesse Greener (PhD Physics) be elected to complete Mr. Stewart's term (to October 31, 2002).

2. **Constitution of the Faculty of Science**

Recommended: That, subject to Senate and Board approval of the amalgamation of the Departments of Plant Sciences and Zoology, thus establishing the Department of Biology, the Constitution of the Faculty of Science be amended as follows, effective July 1, 2002:

1. The Faculty of Science shall consist of the following departments:

Anatomy & Cell Biology, Applied Mathematics, **Biology**, Microbiology & Immunology, Biochemistry, Medical Biophysics, Chemistry, Computer Science, Earth Sciences, History of Medicine, Mathematics, Pharmacology & Toxicology, Physics & Astronomy, Physiology, ~~Plant Sciences~~, **and** Statistics & Actuarial Sciences, ~~and Zoology~~.

3. **Honorary Degrees Committee Composition**

Recommended: That the composition of the Senate Honorary Degrees Committee be amended as follows:

Nine members, one of whom must be a student who is a member of Senate, elected by the Senate.

Two alumni of Western appointed by the Alumni Association

One Principal (or designate) of an Affiliated College appointed on a one-year rotational basis.

Ex officio: Chancellor; President & Vice-Chancellor; Provost & Vice-President (Academic); Vice-President (External); Vice-President (Research); Director of the Convocation Board; Assistant Director of Convocation; and Secretary of Senate (non-voting).

Background:

Honorary degree recipients over the last decade include a significant number of community leaders who did not pursue an academic career. Two alumni would help the Committee review such candidates, be a source of nominations, reflect the University's desire to honor selected outstanding alumni with an honorary degree, and recognize the important role of alumni in community relations, as set out in *Making Choices*.

4. **Conditions of Appointment: Physicians Appointed in Clinical Departments and Clinical Divisions of Basic Science Departments**

Recommended: That Senate recommend to the Board of Governors that *Conditions of Appointment: Physicians Appointed in Clinical Departments and Clinical Divisions of Basic Science Departments (1999)* be revised as detailed in [Appendix 1](#).

Highlights of Proposed Changes (in order of first appearance):

Table of Contents:

- 5.3 - Change in name of Faculty Committee from Faculty Promotion and Tenure Committee to Faculty Appointments and Promotions Committee (this Committee will no longer deal with tenure cases which are now dealt with under the Collective Agreement)
 - Elimination of Senate Committees on Promotion and Tenure and Senate Committee on Appeals (these Committees do not function under the Collective Agreement)
 - 10.2 - Faculty Grievance Committee (Clinical) changed to Faculty Grievance Committee (there is no longer a Faculty Grievance Committee under the Collective Agreement so the designation of "Clinical" is no longer required)
 - 10.3 - Senate Grievance Committee does not exist under the Collective Agreement so it is proposed to change this Committee to a University Grievance Committee
 - Appendix I - Limited Duties procedures are quite different under the Collective Agreement so it is proposed to amend Appendix I to be specific to physicians in the Faculty of Medicine & Dentistry
- Page 2: 2.2.5 and 2.2.6 - Definitions for "Limited Term Appointment" and "Continuing Appointment" have been amended to include reference to retirement
- Page 3: 2.2.13 - Honorary appointments - new
- 2.2.14 - Joint Appointments - joint appointments between two clinical departments will continue to fall under Policy 4.7, Manual of Administrative Policies and Procedures. Joint appointments between a basic and clinical department will be addressed by a Joint Committee Letter of Understanding or a subsequent Collective Agreement which may incorporate the Faculty's proposal for dealing with basic scientists in clinical departments.
- Page 5: 3.3.2.1 - It is proposed that the file for an initial appointment with Continuing Appointment status would no longer require external referees or Senate Committee review (this is consistent with the requirements of Collective Agreement for an initial appointment with tenure)

- Page 6: Since 3.3.2.1 would no longer require external referees, 3.4.1 reinstates the requirement for external reviews when changing streams.
- Page 11: 4.3.10 - Revised to eliminate Senate Committee review. Since the Provost's decision would now be substituted for the Senate Committee decision for Senate stream faculty, it is proposed that any appeal of the Provost's decision for Senate stream cases take the form of a grievance to the University Grievance Committee.
- Page 14: 5.3.1 - Faculty Committee structure revised since former structure had to comply also with the former Conditions of Appointment structure
- 5.3.1- 5.3.6 - It is proposed that the Dean may now delegate Chair duties to an Associate Dean.
- 5.3.7.1 - Reference to "Senate" has been deleted from Selection Committee.
- Page 15: 6.1.7 - Specific notation has been added regarding academic colleague (consistent with past practice and requirements of Collective Agreement) - See also 6.2.6 and 6.3.2.2.
- 6.1.9 - Senate Committee on Appeals would be replaced by University Grievance Committee.
- Page 22: 10.1.1 - Addition of "Provost stream" since new 10.1.3 deals with new Senate Stream grievance process
- Page 23: 10.3.4 - Grievances would now be submitted to the Director of Faculty Relations, rather than Secretary of Senate.
- 10.3.6 - Structure of the University Grievance Committee revised (former Senate Grievance Committee included the Provost as a member - no longer appropriate since the Provost's decision may be grieved to this committee.)
- Appendix I: Changes to include Honorary Professor and the Appointments Committee may now delegate Limited Duties appointments to the Chair on an annual basis (consistent with Collective Agreement)

FOR INFORMATION

1. Convocation Dates 2004

Spring Convocation 2004 will be held Tuesday, June 8, through Friday, June 11, and Fall Convocation 2004 will be held Thursday, October 21, and Friday, October 22.



The University of Western Ontario

Faculty of Medicine & Dentistry

**CONDITIONS OF APPOINTMENT:
PHYSICIANS APPOINTED
IN
CLINICAL DEPARTMENTS
AND
CLINICAL DIVISIONS OF BASIC SCIENCE DEPARTMENTS
(1999)
(updated 2002)**

*Approved by Senate March 19, 1999
Approved by the Board of Governors March 25, 1999
Updates approved by Senate (date)
Updates approved by the Board of Governors (date)*

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1 INTRODUCTION:

- 1.1 These *Conditions of Appointment: Physicians Appointed in Clinical Departments and Clinical Divisions of Basic Science Departments* set forth the academic ranks, terms of appointment and procedures for appointment, reappointment, promotion and termination affecting Clinical Academics in clinical departments and clinical divisions of basic science departments in the Faculty of Medicine & Dentistry.
- 1.2 These faculty members make a significant contribution to the education of undergraduate and postgraduate students, residents and fellows, to research, and are major providers of care at the teaching hospitals and institutions affiliated with The University of Western Ontario. The University of Western Ontario recognizes the importance of these faculty members for excellence in teaching, research and scholarly activities, as well as for their contributions as role models, their health care leadership, and their general contributions in service or leadership which contribute to the teaching and research missions of the University. The Faculty of Medicine & Dentistry is committed to appointing faculty members who possess attributes of personal excellence and appropriate qualifications. All of these faculty members are responsible for discharging the various academic duties of the University and clinical duties of the teaching hospitals and affiliated institutions. Given the diverse academic and clinical priorities of the clinical departments and the clinical divisions of basic science departments, it is recognized that individual faculty members will develop different career pathways. These faculty members are valued and welcomed as full members of the professoriate of The University of Western Ontario.
- 1.3 The University of Western Ontario recognizes that a faculty member is free to criticize the University and to take controversial stands on public issues.
- 1.4 Appointments are made by the Board of Governors of The University of Western Ontario on the recommendation of the President and Vice-Chancellor of the University. The policies and procedures followed in recommending appointments to the Board of Governors are established and recommended by Senate.
- 1.5 Faculty members appointed under these *Conditions of Appointment: Physicians Appointed in Clinical Departments and Clinical Divisions of Basic Science Departments* are required to comply with the policies, rules and regulations of the University.

2 DEFINITIONS:

2.1 GENERAL:

- 2.1.1 The "**Act**" shall mean The University of Western Ontario Act (1988) as the same may be amended from time to time.
- 2.1.2 The "**University**" shall mean The University of Western Ontario as established in the Act.
- 2.1.3 The "**Board of Governors**" or "**Board**" shall mean the Board of Governors of The University of Western Ontario as established in the Act.
- 2.1.4 The "**Senate**" shall mean the Senate of The University of Western Ontario as established in the Act.
- 2.1.5 The terms "**academic staff**", "**Faculty**", "**Provost**", "**Dean**", "**Department**", and related terms shall be interpreted in accordance with the Act and policies approved by the Senate and the Board of Governors.
- 2.1.6 "**Clinical divisions and departments**" are those whose members may have responsibility for patient care as well as the academic mission of the University.
- 2.1.7 "**Department Committee**" means the Department Appointments and Promotions Committee
- 2.1.8 "**Faculty Committee**" or "**Faculty Appointments and Promotions Committee**" means the Faculty of Medicine & Dentistry Appointments and Promotions Committee.

- 2.1.9 **"Affiliated Hospital or Institution"** shall refer to any hospital or other institution affiliated with The University of Western Ontario where the affiliation has been duly approved by the Board of Governors.
- 2.1.10 **"Clinician"** shall refer to an individual holding the degree of Medical Doctor or equivalent, licensed to practice medicine in Ontario by the College of Physicians and Surgeons of Ontario and actively engaged in the practice of medicine.

2.2 APPOINTMENTS AND PROMOTIONS:

- 2.2.1 **"Appointment"** means appointment to the academic staff of The University of Western Ontario. An appointment to the academic staff in accordance with these *Conditions of Appointment: Physicians Appointed in Clinical Departments and Clinical Divisions of Basic Science Departments* does not imply or entail any remuneration. The remuneration, if any, to be received by the appointee in respect of his or her academic activities will be determined from time to time by the applicable departmental system for determining remuneration.
- 2.2.2 **"Reappointment"** means the renewal of a Limited Term Appointment, in accordance with the provisions set out in section 3. It may include a change of stream. A reappointment to the academic staff in accordance with these *Conditions of Appointment: Physicians Appointed in Clinical Departments and Clinical Divisions of Basic Science Departments* does not imply or entail any remuneration. The remuneration, if any, to be received by the appointee in respect of his or her academic activities will be determined from time to time by the applicable departmental system for determining remuneration.
- 2.2.3 **"Promotion"** means a change in rank from Assistant Professor to Associate Professor or a change in rank from Associate Professor to Professor. Promotion from Assistant Professor to Associate Professor or promotion from Associate Professor, Limited Term to Professor may not occur without the granting of a Continuing Appointment.
- 2.2.4 **"Academic Job Description"** means the document which forms part of an appointment contract, specifying the designated stream and the general responsibilities of the appointee.
- 2.2.5 **A "Limited Term Appointment"** is for a specified period of time, up to three years, and may not extend beyond the effective date of retirement. Reappointment is neither promised nor guaranteed. Tenure does not apply to such appointments. A Limited Term Appointment is conditional upon registration in the College of Physicians and Surgeons of Ontario or any successor to that organization.
- 2.2.6 **A "Continuing Appointment"** is without an end date and may be held to retirement. A Continuing Appointment may only be held at the rank of Associate Professor or Professor. Tenure does not apply to such appointments. Continuance of a Continuing Appointment is conditional not only upon the satisfactory performance of the individual but also upon the factors identified in section 4.4 below. In addition, a Continuing Appointment is conditional upon registration in the College of Physicians and Surgeons of Ontario or any successor to that organization.
- 2.2.7 **"Practice Plan"** means the reporting mechanism to the department for clinical earnings or professional revenue, which may or may not include a mandatory contribution to a department or program academic enrichment fund, developed and accountable within the department, division or program and reviewed as acceptable by the University and Hospital at regular intervals.
- 2.2.8 **"Letter of Appointment or Reappointment"** means the letter to the prospective appointee signed by the Dean of the Faculty. This document specifies the academic contract type (Limited Term, Continuing Appointment), the starting and, if Limited Term, finishing dates of the appointment, the academic rank, Academic Job Description, stream, and any other applicable provisions or details. This letter forms part of the contracted relationship with the appointee.
- 2.2.9 **"Rank"** means the academic rank of Lecturer, Assistant Professor, Associate Professor, or Professor. The same nomenclature is used for all Clinical Academics, regardless of the "stream".
- 2.2.10 **"Stream"** means the designation within the Academic Job Description and Appointment which determines the set of academic criteria with which Clinical Academics must comply for promotion and/or the granting and maintenance of a Continuing Appointment. This designation recognizes that faculty members will develop different career paths and contribute to the academic objectives in different ways.

2.2.11 **“Clinical Academic”** is the appointment category of a clinician, who:

- (i) is generally located in a teaching hospital, Family Medical Centre, or other clinical teaching unit;
- (ii) contributes to the academic mission of the University with an on-going continuing commitment;
- (iii) may be remunerated for academic contributions through a department or program merit-based reward system; and
- (iv) is required to participate in a departmental practice plan.

2.2.12 **“Adjunct”** is the appointment category of a clinician who:

- (i) is generally community-based, but may be located in an affiliated hospital or institution;
- (ii) does not otherwise hold an academic appointment at the University (with the exception of other Adjunct or Limited-Duties Appointments);
- (iii) performs specific limited responsibilities relating to teaching and/or research ancillary to the appointee's principal occupation;
- (iv) generally receives no remuneration, although there may be a small stipend; and
- (v) is not required to participate in a departmental practice plan.

The qualifications for the appointment emanate primarily from the individual's particular expertise, professional qualifications and/or experience within his or her occupational field. Adjunct appointments may be for up to five years and reappointment may be offered. Adjunct appointments may be made only as Adjunct Professor. There is no differentiated rank or stream associated with this category. Appointments are made under the document *“Appointments Procedures: Members of Academic Staff with Limited Duties (Physicians in the Faculty of Medicine & Dentistry)”*. (See Appendix I.)

2.2.13 **“Honorary”** is a category of appointment reserved generally for those who have attained academic or professional distinction in their field. Appointment as an Honorary Professor recognizes a mutually beneficial scholarly association between the University and the appointee and need not entail any teaching or other academic responsibilities on the part of the appointee. Appointments are made under the document *“Appointments Procedures: Members of Academic Staff with Limited Duties (Physicians in the Faculty of Medicine & Dentistry)”*. (See Appendix 1.)

2.2.14 **“A Joint Appointment”** is the appointment of a faculty member who:

- (i) is appointed under this document as a Clinical Academic; and
- (ii) has the equivalent of full-time duties distributed among two or more units on a continuing basis.

Joint appointments are made according to the policies and procedures for Joint Appointments within the University as approved by the Senate and the Board.

2.2.15 **“Cross, Post-Retirement, and Visiting”** are appointments made pursuant to the policies and procedures established by the University.

3 APPOINTMENTS AND REAPPOINTMENTS:

3.1 GENERAL:

3.1.1 No Limited Term Appointment made under this section shall be subject to termination either by the University or the appointee prior to the end of the specified period of the Limited Term, except and only in accordance with the provisions of these *Conditions of Appointment: Physicians Appointed in Clinical Departments and Clinical Divisions of Basic Science Departments*.

3.1.2 No Continuing Appointment shall be subject to termination either by the University or the appointee, except and only in accordance with the provisions of these *Conditions of Appointment: Physicians Appointed in Clinical Departments and Clinical Divisions of Basic Science Departments*.

3.1.3 Academic ranks shall be:

Lecturer
Assistant Professor
Associate Professor
Professor

3.1.4 Appointments shall have a contract type of one of:

Limited Term (i.e., a specified period)
Continuing Appointment (i.e., without an end date)

3.1.5 Failure to renew a Limited Term Appointment does not constitute dismissal. Reappointment is neither promised nor guaranteed.

3.1.6 A Limited Term Appointment or Reappointment, or a Continuing Appointment, shall terminate immediately upon notice to the University of revocation of the appointee's registration in the College of Physicians and Surgeons of Ontario.

3.1.7 The granting of a Continuing Appointment is conditional upon a determination that the resources are sufficient to support the position. If there are insufficient resources, a Continuing Appointment will not be granted by the University. (See section 4.3.1.) If the University determines that the resources are sufficient to support the position, a decision to grant a Continuing Appointment shall be based on the record of performance achieved by the candidate in relation to the criteria established for the designated stream.

3.1.8 All appointments shall be to the stream designated in the Academic Job Description at the time of appointment or reappointment and the stream cannot be changed unless a new appointment is offered in accordance with section 3.4 below. The stream shall be one of:

Provost Stream
Senate Stream

3.1.9 An academic review of a Continuing Appointment or a promotion shall be based on the record of performance achieved by the candidate in relation to the criteria established for the designated stream.

3.2 ACADEMIC RANKS, CONTRACT TYPES AND TIME LIMITS:

3.2.1 Initial appointment at the rank of Lecturer or Assistant Professor shall be for a Limited Term of up to three years.

3.2.2 The total continuous time spent at the rank of Lecturer, including reappointments, shall not normally exceed five years.

3.2.3 Reappointment may include a change of rank from Lecturer to Assistant Professor.

3.2.4 The total continuous time at the rank of Assistant Professor or at the rank of Assistant Professor combined with the rank of Lecturer shall not normally exceed seven years. The Department may recommend reappointment for a maximum of three years beyond the normal seven years. (See section 4.3.2.1.)

3.2.5 Initial appointment at the rank of Associate Professor may be on a Limited Term or Continuing Appointment basis:

3.2.5.1 An initial Limited Term Appointment at the rank of Associate Professor shall be for up to three years. The total continuous time spent on a Limited Term basis at the rank of Associate Professor at The University of Western Ontario, including reappointments, shall not exceed five years.

3.2.5.2 An initial appointment at the rank of Associate Professor with a Continuing Appointment shall follow the procedures set out in section 3.3 and the relevant provisions that govern granting of a Continuing Appointment, including section 4.

3.2.6 An initial appointment at the rank of Professor shall be made as a Continuing Appointment and shall follow the

procedures set out in section 3.3 and the relevant provisions that govern granting of a Continuing Appointment, including section 4.

3.3 PROCEDURES FOR INITIAL LIMITED TERM AND INITIAL CONTINUING APPOINTMENTS AND LIMITED TERM REAPPOINTMENTS:

- 3.3.1 The filling of open positions shall follow relevant University policies and procedures.
- 3.3.2 The Department Committee shall consider all open academic positions in the Department and the eligibility for reappointment of all members with Limited Term Appointments whose current term of appointment is ending that year.
 - 3.3.2.1 If the initial appointment is a Continuing Appointment at the rank of Associate Professor or Professor, the Department Chair shall ensure that an appropriate file is established in accordance with section 4.3.7. containing the curriculum vitae of the recommended candidate and any letters of reference for the recommended candidate used by the Department Committee along with any other supporting documentation on the recommended candidate's performance (e.g., teaching) which may be available. (See also sections 3.2.5.2 and 3.2.6.)
- 3.3.3 The Department Chair and the Department Committee shall each make separate recommendations concerning the academic rank, the contract type, the stream, and the term of the appointment or reappointment.
 - 3.3.3.1 If the recommendations of both the Department Chair and Department Committee are positive, both recommendations shall be sent to the Dean by the Department Chair within a reasonable period of time.
 - 3.3.3.2 If the recommendations of both the Department Chair and Department Committee are negative, the recommendations will not be forwarded to the Dean and no appointment or reappointment will be offered. There is no right of appeal of this decision. The Department Chair shall inform the individual in writing of the decision.
 - 3.3.3.3 If the recommendation of the Department Chair is at variance with that of the Department Committee, the Department Chair shall inform the Committee and both recommendations shall be sent to the Dean by the Department Chair within a reasonable period of time. Under these circumstances, the Department Chair shall await the instruction of the Dean before taking any further action.
- 3.3.4 If a recommendation is sent to the Dean pursuant to sections 3.3.3.1 or 3.3.3.3 for an initial Limited Term Appointment or a Limited Term Reappointment at the rank of Lecturer, Assistant Professor or Associate Professor, the Dean shall make a recommendation.
 - 3.3.4.1 If the recommendations of both the Department Chair and Department Committee are positive, and the Dean makes a positive recommendation, all of the recommendations shall be sent to the Provost by the Dean within a reasonable period of time.
 - 3.3.4.2 If the recommendation of the Dean is at variance with that of the Department Chair and/or Department Committee, the Dean shall request a consultation with the Department Chair and Department Committee. The Dean shall inform the Department Chair and Department Committee of the Dean's final recommendation and forward that recommendation together with the recommendations of the Department Chair and the Department Committee to the Provost.
 - 3.3.4.3 The Provost shall review the recommendations and, if there are any concerns, shall consult with the Dean before making a final decision. The decision of the Provost is final and not subject to appeal.
- 3.3.5 If a recommendation is sent to the Dean pursuant to sections 3.3.3.1 or 3.3.3.3 for an initial Continuing Appointment at the rank of Associate Professor or Professor, the Dean and Faculty Committee shall each make separate recommendations.
 - 3.3.5.1 If the recommendations of the Dean and/or Faculty Committee are positive, the Dean shall forward both recommendations to the Provost. If the recommendation of the Dean is at variance with that of the Faculty

Committee, the Dean shall inform the Committee.

- 3.3.5.2 The Provost shall review the recommendations for appointment as Associate Professor, Continuing Appointment or Professor and, if there are any concerns, shall consult with the Dean and Faculty Committee before making a final decision. There is no right of appeal of this decision.
- 3.3.5.3 If the recommendations of both the Dean and Faculty Committee are negative, the recommendations will not be forwarded to the Provost and no appointment/reappointment will be offered. There is no right of appeal of this decision.
- 3.3.6 When the required approvals have been obtained, the Department Chair shall undertake negotiations with the candidate in consultation with the Dean.
- 3.3.7 The Dean shall inform the individual in writing of the terms and conditions of the appointment or reappointment. These terms and conditions shall not conflict with these *Conditions of Appointment: Physicians Appointed in Clinical Departments and Clinical Divisions in Basic Science Departments*.

3.4 CHANGES OF STREAM:

- 3.4.1 In a case where a faculty member with a Limited Term Appointment or a Continuing Appointment requests a new appointment in a different stream, consideration shall be given by the Department Chair to such an appointment with the same rank and contract type, based on the needs of the University and the relevant affiliated hospital or institution. If the Department Chair decides that the request for a new appointment in a different stream should be given consideration by the University, the relevant procedures for approval of initial appointments set out in sections 3.3.2.1 to 3.3.7 must be followed, except that the appropriate file described in section 3.3.2.1 shall be established in accordance with section 4.3.7.
 - 3.4.1.1 Should the new appointment be approved, this shall replace the existing appointment. For purposes of section 3.2 governing time limits at a rank or ranks, all continuous time in both streams shall be included.
 - 3.4.1.2 Should the new appointment not be approved:
 - 3.4.1.2.1 An existing Limited Term Appointment shall remain in effect until the end of the term subject to sections 3.1.6 and 9.
 - 3.4.1.2.2 An existing Continuing Appointment shall remain in effect, subject to sections 3.1.6, 4.4 and 9.
 - 3.4.1.2.3 There is no right of appeal of a negative decision regarding the new appointment.

4 PROMOTION OR GRANTING OF A CONTINUING APPOINTMENT:

4.1 CRITERIA FOR FACULTY MEMBERS IN THE SENATE STREAM:

- 4.1.1 Each candidate for promotion and/or the granting of a Continuing Appointment is expected to establish a record of performance in teaching, in research and in general contributions.
- 4.1.2 The record of performance in both teaching and research must be sufficiently strong to warrant promotion and/or the granting of a Continuing Appointment by the University.
- 4.1.3 The performance shall be considered with reference to the national and international standards within the candidate's discipline.
- 4.1.4 Normally, the significance accorded to the first two criteria, teaching and research, is approximately equal and

individually each must be accorded greater significance than the third criterion, general contributions.

- 4.1.5 While a candidate must have achieved a satisfactory record of performance in general contributions, meritorious performance in this area shall not compensate for an insufficiently strong record of performance in both teaching and research. However, an unsatisfactory record of performance in general contributions may be an important factor in the delaying or denial of promotion and/or the denial of a Continuing Appointment.
- 4.1.6 The Faculty Committee may accord substantially greater significance or weight either to teaching or to research in its recommendation. If the Faculty Committee accords substantially greater significance to either teaching or research, the candidate will be expected to have achieved an outstanding record of performance in that area. A candidate who has achieved an outstanding record of performance in either teaching or research must also establish a reasonable record of performance in the other area. If substantially greater significance is accorded to either teaching or research, the significance accorded to the other area still must be greater than that accorded to the area of general contributions. If the Faculty Committee has accorded substantially greater significance to either teaching or research, it must include with its recommendation its reasons for concluding that the candidate has established an outstanding record of performance in one area and a reasonable record of performance in the other area.
- 4.1.7 The rank of Associate Professor shall be a career rank.
- 4.1.8 The rank of Professor is the highest rank that the University can bestow, and its conferral shall be in recognition of high achievement in teaching and research. A candidate for appointment or promotion to the rank of Professor is expected to have established a record of performance in teaching and in research that is substantially greater than the record of performance expected of an Associate Professor. Although high achievement over a sustained period shall normally be expected of a successful candidate for the rank of Professor, length of service alone shall not be a criterion for promotion. While the recommendation for appointment or promotion to the rank of Professor shall be based primarily on the record of performance in teaching and in research, a candidate must also have established a significant record of general contributions.
- 4.1.9 At the time of the consideration of a candidate, evidence shall be provided to the appropriate committees that the candidate has established a record of performance consistent with the requirements above and in accordance with the following criteria:
- 4.1.9.1 Performance in Teaching and Associated Activities
- This includes teaching and evaluating undergraduate students, graduate students, postgraduate students, and practicing health care professionals.
- Performance in teaching and associated activities may also include but is not limited to:
- (i) Initiatives in course design and curriculum development;
 - (ii) Initiatives designed to improve clinical teaching;
 - (iii) Development of effective and innovative teaching resources, including computer courseware, and keeping up with technological developments where relevant;
 - (iv) Administration in relation to effective educational planning and policy making; and
 - (v) Instructional development -- activities intended to assist the faculty members to improve their teaching.
- 4.1.9.2 Performance in Research and Scholarly Activities
- Performance in this category includes the following:
- (i) Publication of the results of original research and clinical investigations;
 - (ii) Contribution to the advancement of knowledge through publication of new concepts or techniques, invention of medical apparatus, description of illnesses or critical review of published work;
 - (iii) Presentations at professional and scientific meetings;
 - (iv) Visiting professorships to other universities;
- NOTE: Publications and presentations related to research and scholarly activities in teaching and education may also be included.

In evaluating this performance, the written opinion of at least three independent experts in the candidate's area of specialization who are not members of this University shall be sought.

In evaluating research, creativity and quality shall be assessed as well as industry.

4.1.9.3 General Contributions in Service or Leadership Within the University, Profession, and/or the Community Which Contribute to the Teaching and Research Missions of the University:

Performance in this category may include but is not limited to the following:

- (i) Major administrative responsibilities;
- (ii) Editorial duties;
- (iii) Memberships on boards;
- (iv) Leadership roles in professional organizations; and
- (v) Leadership and participation in University committees.

4.2 CRITERIA FOR FACULTY MEMBERS IN THE PROVOST STREAM:

4.2.1 Each candidate for promotion and/or the granting of a Continuing Appointment is expected to establish a record of performance demonstrating that the candidate is creating and disseminating knowledge and providing leadership. The candidate is expected to establish a record of performance in at least one of teaching or research and at least one of role model, health care leadership or general contributions.

4.2.2 The record of performance must be sufficiently strong to warrant promotion and/or the granting of a Continuing Appointment by the University.

4.2.3 The performance shall be considered with reference to the national and international standards within the candidate's discipline.

4.2.4 The rank of Associate Professor shall be a career rank.

4.2.5 The rank of Professor is the highest rank that the University can bestow, and its conferral shall be in recognition of high achievement. A candidate for appointment or promotion to the rank of Professor is expected to have established a record of performance that is substantially greater than the record of performance expected of an Associate Professor. Although high achievement over a sustained period shall normally be expected of a successful candidate for the rank of Professor, length of service alone shall not be a criterion for promotion.

4.2.6 At the time of the consideration of a candidate, evidence shall be provided to the appropriate committees and to the Provost that the candidate has established a record of performance consistent with the requirements above and in accordance with the following criteria:

4.2.6.1 Performance in Teaching and Associated Activities:

This includes teaching and evaluating undergraduate students, graduate students, postgraduate students, and practising health care professionals.

Performance in teaching and associated activities may also include but is not limited to:

- (i) Initiatives in course design and curriculum development;
- (ii) Initiatives designed to improve clinical teaching;
- (iii) Development of effective and innovative teaching resources, including computer courseware, and keeping up with technological developments where relevant;
- (iv) Administration in relation to effective educational planning and policy making; and
- (v) Instructional development -- activities intended to assist the faculty members to improve their teaching.

4.2.6.2 Performance in Research and Scholarly Activities:

Performance in this category includes the following:

- (i) Publication of the results of original research and/or clinical investigations;
- (ii) Contribution to the advancement of knowledge through publication of new concepts or techniques, invention of medical apparatus, description of illnesses or critical review of published work;

- (iii) Presentations at professional and scientific meetings;
- (iv) Visiting professorships to other universities;

NOTE: Publications and presentations related to research and scholarly activities in teaching and education may also be included.

In evaluating this performance, the written opinion of at least three independent experts in the candidate's area of specialization who are not members of this University shall be sought. In evaluating research, creativity and quality shall be assessed as well as industry.

4.2.6.3 Role Model:

Clinical or laboratory practice which contributes to the academic missions of the University. Performance in this category may include but is not limited to the following:

- (i) Expert/excellent clinical or laboratory practitioner dedicated to provision of quality patient care;
- (ii) Development of innovative techniques;
- (iii) Introduction of new techniques to the University medical community;
- (iv) Improvements in clinical or laboratory practice; and
- (v) Recognized regular contributor of patients and data to clinical trials.

4.2.6.4 Health Care Leadership:

Performance in this category may include but is not limited to the following:

- (i) Health care administration which involves policy development and implementation of change;
- (ii) Participation in programs, projects, committees, or consulting roles which have an impact on health care; and
- (iii) Health care communication/education of patients and the community.

4.2.6.5 General Contributions in Service or Leadership Within the University, Profession, and/or the Community Which Contribute to the Teaching and Research Missions of the University:

Performance in this category may include but is not limited to the following:

- (i) Major administrative responsibilities;
- (ii) Editorial duties;
- (iii) Memberships on boards;
- (iv) Leadership roles in professional organizations; and
- (v) Leadership and participation in University committees.

4.3 PROCEDURES FOR PROMOTION AND GRANTING OF CONTINUING APPOINTMENTS:

- 4.3.1 The following procedures shall apply only where the resources and needs of the University (including departmental, program, and budgetary considerations) are such that the granting of a continuing appointment to a clinical academic is feasible; otherwise, the limited term appointment will terminate at the end of the term and the following procedures shall not apply.
- 4.3.2 Subject to section 4.3.1 above, all Clinical Academics at the rank of Assistant Professor shall be considered for promotion to Associate Professor, Continuing Appointment, within seven years from the time of first appointment as a Clinical Academic.
 - 4.3.2.1 Clinical Academics at the rank of Assistant Professor who are not recommended for promotion to Associate Professor, Continuing Appointment, in the seventh year may be offered a Limited Term reappointment for a maximum of three years but, if so, must be given consideration for promotion to Associate Professor, Continuing Appointment, in the tenth year, subject to section 4.3.1 above.
- 4.3.3 Subject to section 4.3.1 above, Clinical Academics appointed at the rank of Associate Professor, Limited Term shall be considered for granting of a Continuing Appointment within five years from the time of first appointment as a Clinical Academic.
- 4.3.4 Failure to achieve promotion to Associate Professor, Continuing Appointment, or the granting of Continuing

Appointment in the case of an Associate Professor, Limited Term, within the maximum time limits set out in section 3.2, shall result in no further reappointment as a Clinical Academic.

- 4.3.5 The Department Committee shall annually review:
- 4.3.5.1 all Clinical Academics at the rank of Assistant Professor who are entering the seventh or tenth year from their initial year of appointment, for promotion to Associate Professor, Continuing Appointment;
- 4.3.5.2 all Clinical Academics at the rank of Associate Professor, Limited Term, who are entering their fifth year from their initial year of appointment, for granting of a Continuing Appointment;
- 4.3.6 In addition, the Department Committee shall annually consider whether any other Clinical Academics at the rank of Assistant Professor or Associate Professor, should be reviewed for promotion or the granting of a Continuing Appointment.
- 4.3.6.1 Following this consideration, the Department Chair shall advise those faculty members whose cases, in the Committee's opinion, warrant review. In cases where a faculty member in the Senate stream has requested consideration for promotion to Professor, Senate stream, but, in the Department Committee's opinion, a review is not warranted, the Department Chair shall advise the faculty member of this decision and provide the faculty member with a statement of reasons. In this situation, the faculty member may appeal under section 6.1.
- 4.3.7 The Department Chair shall ensure that an appropriate file is established for Clinical Academics at the rank of Assistant Professor entering the seventh or tenth year from initial appointment, for Clinical Academics at the rank of Associate Professor, Limited Term entering their fifth year from initial appointment, and in other cases where, in the Committee's opinion, a review is warranted. The file shall include:
- (i) A current curriculum vitae;
 - (ii) Any written submissions from the candidate relevant to the case;
 - (iii) Evaluations of teaching performance from students and, where possible, from faculty;
 - (iv) Evaluation of research and scholarly activity by confidential reports from at least three independent referees external to the University who are experts in the candidate's discipline. [This will not always be necessary for candidates in the Provost stream who are not involved in research.];
 - (v) Evaluation of performance in other relevant criteria. This evaluation shall include reports of peers; and
 - (vi) Recommendations from each of the Department Chair and Department Committee.
- Upon request to the Chair of the relevant committee, a faculty member may review and photocopy the file. However, in accordance with the University's policy of maintaining confidentiality, prior to the file being seen by the candidate, all reports of external referees, students and peers shall have all traces of their place of origin and authorship removed.
- 4.3.8 The Department Chair and the Department Committee shall review the file and each shall make a separate recommendation. The candidate shall be informed of these recommendations by October 1st:
- 4.3.8.1 If the recommendations of the Department Chair and/or Department Committee are positive, both recommendations shall be forwarded to the Dean by the Department Chair with the file by October 1st. If the recommendation of the Department Chair is at variance with that of the Department Committee, the Department Chair shall inform the Committee.
- 4.3.8.2 If the recommendations of both the Department Chair and Department Committee are negative, the recommendations shall not be forwarded to the Dean. A statement of reasons for the decision shall be given to the candidate by October 1st. The candidate shall have the right to appeal this decision under section 6.2.
- 4.3.9 The Dean and the Faculty Committee shall review the file and recommendations forwarded to the Dean pursuant to section 4.3.8.1, and each shall make a separate recommendation. These recommendations shall be sent in writing to the candidate and to the Department Chair by December 1st.
- 4.3.9.1 If the recommendations of the Dean and/or Faculty Committee are positive, the Dean shall forward both recommendations to the Provost. If the recommendation of the Dean is at variance with that of the Faculty Committee, the Dean shall inform the Committee.

- 4.3.9.2 If the recommendations of both the Dean and Faculty Committee are negative, the recommendations will not be forwarded to the Provost. A statement of reasons for the decision shall be given to the candidate. The candidate shall have the right to appeal this decision under section 6.3.
- 4.3.10 If the Provost receives positive recommendations from the Dean and/or Faculty Committee pursuant to section 4.3.9.1,
 - 4.3.10.1 the Provost shall review the recommendations for promotion to Associate Professor, Continuing Appointment, Provost stream, recommendations for the granting of a Continuing Appointment, Provost stream, in the case of an Associate Professor, Limited Term, and recommendations for promotion to Professor, Provost stream, and, if there are any concerns, shall consult with the Dean, representatives of the Faculty Committee and the candidate before making a final decision. There is no right of appeal of this decision.
 - 4.3.10.2 the Provost shall review the recommendations for promotion to Associate Professor, Continuing Appointment, Senate stream, recommendations for the granting of a Continuing Appointment, Senate stream, in the case of an Associate Professor, Limited Term, and recommendations for promotion to Professor, Senate stream, and if there are any concerns, shall consult with the Dean, representatives of the Faculty Committee and the candidate before making a final decision. The Provost's decision may be grieved to a University Grievance Committee under section 10.3.

4.4 ANNUAL REVIEW AND REVIEW OF CONTINUING APPOINTMENTS:

- 4.4.1 Each faculty member must maintain a minimum standard of performance in accordance with the criteria set out in sections 4.1 or 4.2, as applicable. The Department Chair is responsible, on an annual basis, for reviewing the performance of faculty members in the Department. This review will involve an evaluation of the faculty member's performance relative to the Departmental needs, objectives and priorities. The Dean is responsible, on an annual basis, for reviewing summary information from each department on all faculty members. The Dean may seek such advice and information as he or she deems necessary in this regard.
- 4.4.2 A formal review of the record of performance of a faculty member with a Continuing Appointment shall be initiated by the Department Chair and/or the Dean as follows:
 - 4.4.2.1 If the Department Chair determines that a record of performance fails to meet minimum standards, the Department Chair shall inform the faculty member in writing of the area(s) which require improvement. The faculty member may respond in writing, providing additional information. All correspondence shall be copied to the Dean.
 - 4.4.2.2 If the Dean determines independently that the record of performance has not been maintained, the faculty member and Department Chair will be informed in writing of the area(s) which require improvement. The faculty member and Department Chair may respond in writing, providing additional information.
 - 4.4.2.3 If the Department Chair and/or Dean determine that a faculty member has failed to maintain a minimum standard of performance for two successive years, a review of the Continuing Appointment shall be initiated by the Chair upon written notification to the faculty member. A file shall be established as described in section 4.3.7.
- 4.4.3 The Department Chair and Department Committee shall review the file within two months of the date of the written notification to the faculty member. Each shall make a separate recommendation regarding whether the minimum standard of performance has been maintained. These recommendations shall be sent in writing to the faculty member within two weeks of the decision.
 - 4.4.3.1 The Department Chair shall forward both recommendations to the Dean with the file. If the recommendation of the Department Chair is at variance with that of the Department Committee, the Department Chair shall inform the Committee. In the case of a negative recommendation by the Department Chair and/or the Department Committee, a statement of reasons for the decision shall be included with the recommendation and given to the faculty member.
- 4.4.4 The Dean and the Faculty Committee shall review the file and recommendations forwarded to the Dean pursuant to section 4.4.3.1 and each shall make a separate decision regarding whether the minimum standard of

performance has been maintained. These decisions shall be sent in writing to the Provost, to the candidate, and to the Department Chair:

- 4.4.4.1 If the decisions of the Dean and/or Faculty Committee are positive, the appointment shall continue, subject to future reviews under section 4.4. The Dean shall forward both decisions to the Provost. If the decision of the Dean is at variance with that of the Faculty Committee, the Dean shall inform the Committee.
- 4.4.4.2 If the decisions of both the Dean and Faculty Committee are negative the appointment shall terminate with three months' notice of termination to the faculty member. A statement of reasons for the decisions shall be given to the faculty member and a copy shall be forwarded to the Provost. The faculty member shall have the right to appeal the decisions under section 6.3.

5 REVIEW COMMITTEES: COMPOSITION AND MANDATE:

5.1 CONFIDENTIALITY:

- 5.1.1 All members of any committee mandated under these *Conditions of Appointment: Physicians Appointed in Clinical Departments and Clinical Divisions of Basic Science Departments* shall respect the confidentiality of the committee's deliberations, consultations and any other relevant committee activities or proceedings.
- 5.1.2 This constraint shall also apply to all other individuals who may from time to time be required to appear before or otherwise be involved in the in camera proceedings of any such committee in the capacity of consultant, counsel or academic colleague, witness or party.

5.2 DEPARTMENT APPOINTMENTS AND PROMOTIONS COMMITTEE:

- 5.2.1 Each basic science department in the Faculty of Medicine & Dentistry with a clinical division shall have an Appointments and Promotions Committee. The structure of the Committee shall be determined by the department but shall include:
 - (i) the Department Chair who shall Chair the Committee;
 - (ii) at least two full-time tenured members of the Department elected by the full-time members of the Department;
 - (iii) one or more Clinical Academics with Continuing Appointments at the rank of Associate Professor or Professor from the clinical division elected by the Clinical Academics in the Department;
 - (iv) in addition, where the Department so chooses, untenured members of Faculty and/or students, all of whom shall be elected by the Department;
 - (v) where a Department is unable to meet the requirements outlined in either (ii) or (iii) above, Faculty Council shall elect the members required under either (ii) or (iii) above with the proviso that at least one-half of the members of the Appointments Committee shall be elected from among the faculty members in the Department.
- 5.2.2 Each clinical department in the Faculty of Medicine & Dentistry shall have an Appointments and Promotions Committee. The structure of the Committee shall be determined by the department but shall include:
 - (i) the Department Chair who shall Chair the Committee;
 - (ii) at least two Clinical Academic members of the Department with Continuing Appointments at the rank of Associate Professor or Professor elected by the Clinical Academics in the Department:
 - (a) if the Department has more than one Clinical Academic at the rank of Associate Professor or Professor, Senate stream: at least one Clinical Academic, Senate stream, at the rank of Associate Professor or Professor; and
 - (b) if the Department has more than one Clinical Academic at the rank of Associate Professor or Professor,

Provost stream: at least one Clinical Academic, Provost stream, at the rank of Associate Professor or Professor.

- (iii) where a department has fewer than two Clinical Academics with Continuing Appointments at the rank of Associate Professor or Professor, either stream (excluding the Department Chair), the Committee members shall be elected by Faculty Council. In such a case, at least one half of the members of the Department Committee shall be elected from among the faculty members in the Department.

- 5.2.3 In the event that an elected member of the Department Committee is to be considered for promotion and/or reappointment, the member shall retire from the Committee.
- 5.2.4 The membership of the Department Committee shall be reported annually to the Dean of the Faculty of Medicine & Dentistry.
- 5.2.5 The Committee shall be convened by the Department Chair.
- 5.2.6 Should any member of the Committee, including the Department Chair, have a conflict of interest, that person shall withdraw from consideration of the relevant case or cases. Should the Department Chair have a conflict of interest, he or she shall refrain from making a separate recommendation in the relevant case(s).
- 5.2.7 The Department Committee shall consider all open academic positions in the Department, all proposed appointments involving a change of stream, the eligibility for reappointment of all Department members with Limited Term Appointments whose current term of appointment is ending that year, all promotions and granting of Continuing Appointment for Departmental members, and shall review Continuing Appointments as provided in section 4.4.3.
 - 5.2.7.1 In considering appointment, reappointment or promotion, the Committee shall have regard for the time limits set out in section 3.2.
 - 5.2.7.2 In considering promotion, granting of a Continuing Appointment, and reviewing of a Continuing Appointment, the Committee shall have regard for the criteria set out in sections 4.1 and 4.2 and the fact that a Faculty member is free to criticize the University and to take controversial stands on public issues.

5.3 FACULTY APPOINTMENTS AND PROMOTIONS COMMITTEE:

- 5.3.1 The Faculty of Medicine & Dentistry shall have a Faculty Committee, the composition of which shall be:
 - (i) the Dean (or designated Associate Dean), who shall be Chair;
 - (ii) two Clinical Academics at the rank of Professor, elected by Faculty Council, one of whom shall be Senate stream and one of whom shall be Provost stream;
 - (iii) one full-time tenured Professor from the basic science departments, elected by Faculty Council;
 - (v) one full-time tenured Professor from the Faculty of Science, elected by the Faculty of Science Council.
- 5.3.2 No more than one member may be from any one department.
- 5.3.3 A member of a Department Committee may serve simultaneously on the Faculty Committee, subject to conflict of interest rules.
- 5.3.4 The membership of the Faculty Committee shall be reported annually to Senate through the Secretary of Senate.
- 5.3.5 Quorum shall consist of two-thirds of the members and must include the Dean (or designated Associate Dean) unless the Dean (or designated Associate Dean) has withdrawn in which case quorum shall consist of two-thirds of the remaining members.
- 5.3.6 Should any member of the Committee have a conflict of interest, that person shall withdraw from consideration of the relevant case or cases. Should the Dean (or designated Associate Dean) have a conflict of interest, the Dean (or designated Associate Dean) shall also refrain from making a separate recommendation in the relevant case(s).
- 5.3.7 The mandate of the Faculty Committee is as follows:

- 5.3.7.1 The Committee shall consider all positive recommendations for initial appointments at the rank of Associate Professor, Continuing Appointment, or Professor. Such recommendations may emanate from the Department Chair or Department Committee or from a Selection Committee in accordance with the policies and procedures established by the University.
- 5.3.7.2 In cases where the Department Chair and/or the Department Committee have made positive recommendations relating to,
- (i) granting of a Continuing Appointment combined with promotion to the rank of Associate Professor;
 - (ii) granting of a Continuing Appointment to a faculty member with a Limited Term Appointment at the rank of Associate Professor; and
 - (iii) promotion to Professor, Continuing Appointment,
- the Committee shall review all recommendations from the Department Chair and the Department Committee so as to preserve a similarity of standards from department to department.
- 5.3.7.3 The Committee shall consider all recommendations for appointments of faculty members at the rank of Associate Professor, Continuing Appointment or Professor, Continuing Appointment, involving a change of stream in cases where the Department Chair and/or the Department Committee have made positive recommendations.
- 5.3.7.4 The Committee shall consider all recommendations from a Department Chair and Department Committee arising from reviews of Continuing Appointments initiated by the Department Chair or the Dean.
- 5.3.7.5 In cases where there has been a positive recommendation by the Department Chair or the Department Committee, but the Dean or Faculty Committee have concerns about making a positive recommendation, the Faculty Committee shall hold a consultation with the Department Chair and Department Committee prior to making a final recommendation.
- 5.3.7.6 The Faculty Committee shall hear appeals against negative decisions of the Department Chair and Department Committee concerning promotion, and/or the granting of a Continuing Appointment (other than initial Continuing Appointments or new Continuing Appointments involving a change of stream), where neither the Department Chair nor the Department Committee has made a positive recommendation.

NOTE: Appeals may be initiated only after formal consultation between the candidate and the Department Committee has taken place in accordance with Section 6.2.

6 APPEALS AGAINST PROMOTION, GRANTING OF CONTINUING APPOINTMENT, OR REVIEW OF CONTINUING APPOINTMENT:

6.1 APPEAL OF AN INITIAL NEGATIVE REVIEW BY THE DEPARTMENT:

- 6.1.1 A Senate Stream faculty member at the rank of Associate Professor has the right to consult with the Department Chair and the Department Committee when the Department Committee has decided his or her case for promotion to Professor, Senate Stream, will not receive further consideration that year under section 4.3.6.1.
- 6.1.2 Within one week from the date upon which the letter giving notification of the Department Committee's decision and statement of reasons was sent to the faculty member, the faculty member may write to the Department Chair requesting a meeting with the Department Chair and Department Committee, submitting all further documentation that he or she deems relevant to the case.
- 6.1.3 The meeting shall be held within one week of the Department Chair's receipt of the written request from the faculty member.
- 6.1.4 Following the meeting, the Department Chair and Department Committee shall confirm or revise the initial decision that the case does not warrant further consideration for promotion. If the Department Committee decides that the faculty member's record does warrant further consideration, the faculty member shall be notified within one week

of the consultation that a promotion file is being established and the procedures set out in 4.3.7 to 4.3.10.2 shall be followed.

- 6.1.5 If the Department Committee confirms the negative outcome of the initial review, the appellant must be informed of the decision, with a written statement of reasons, within one week of the consultation. The faculty member may appeal this decision to the Faculty Committee under 6.1.6.
- 6.1.6 An appeal to the Faculty Committee shall be made in writing, stating all grounds of appeal, within four weeks from the date upon which the letter giving notification of the Department Chair and Department Committee's decision was sent to the faculty member.
- 6.1.7 The Faculty Committee shall meet to hear the appeal within four weeks of receipt of the appeal. The faculty member and the Department Chair, with at least one representative from the Department Committee, shall be invited to attend. The faculty member may be accompanied by an academic colleague.
- 6.1.8 Following the meeting, if the Faculty Committee agrees that the appellant's case for promotion warrants further consideration, the Department will be instructed to establish a promotion file and the procedures set out in 4.3.7 to 4.3.10.2 shall be followed.
- 6.1.9 If the Faculty Committee upholds the decision of the Department Chair and Department Committee that further consideration of the faculty member's case for promotion is not warranted, no promotion file will be established for the appellant and no further consideration will be given to the case that year. The appellant must be informed of the Faculty's negative decision, with a written statement of reasons, within one week of the meeting. The Faculty Committee's decision shall be grievable to a University Grievance Committee under 10.3..
- 6.1.10 If the University Grievance Committee agrees that the appellant's case for promotion warrants further consideration, the Department, through the Dean of the Faculty, will be instructed to establish a promotion file and the procedures set out in 4.3.7 to 4.3.10.2 shall be followed.
- 6.1.11 If the University Grievance Committee upholds the decision of the Faculty Committee that further consideration of the faculty member's case for promotion is unwarranted, no promotion file will be established for the appellant and no further consideration will be given to the case that year.
- 6.1.12 The decision of the University Grievance Committee concerning the Faculty's decision not to give further consideration to the promotion of a faculty member in a given year shall be final.

6.2 APPEAL OF A DEPARTMENT LEVEL RECOMMENDATION:

- 6.2.1 A faculty member has the right to consult with the Department Chair and the Department Committee when both the Department Chair and Department Committee have made a negative recommendation regarding promotion and/or the granting of a Continuing Appointment (other than negative decisions resulting from consideration of an initial Continuing Appointment or a new Continuing Appointment involving a change of stream).
- 6.2.2 Within one week from the date upon which the letter giving notification of the decision and statement of reasons was sent to the faculty member, the faculty member may write to the Department Chair requesting a meeting with the Department Chair and Department Committee, submitting all further documentation that he or she deems relevant to the case.
- 6.2.3 The meeting shall be held within four weeks of the Department Chair's receipt of the written request from the faculty member. The faculty member may be accompanied by an academic colleague.
- 6.2.4 Following the meeting, the Department Chair and Department Committee shall each make a final decision on the case. If the final recommendations of both the Department Chair and Department Committee are negative, the Department Chair shall provide the faculty member with a written statement of reasons within one week of the meeting.
- 6.2.5 If the final decisions of both the Department Chair and Department Committee are negative, the faculty member may appeal to the Dean and Faculty Committee. An appeal to the Faculty Committee shall be made in writing, stating all grounds of appeal, within four weeks from the date from which the letter giving notification of the final

recommendation was sent to the faculty member.

- 6.2.6 The Faculty Committee shall meet to hear the appeal within four weeks of receipt of the appeal. The faculty member and the Department Chair, with at least one representative from the Department Committee, shall be invited to attend. The faculty member may be accompanied by an academic colleague.
- 6.2.7 Following the meeting, the Dean and Faculty Committee shall each make a final recommendation on the case and shall provide a written statement of reasons to the faculty member within one week of the meeting. If the recommendations of both the Dean and the Faculty Committee are negative, the faculty member may appeal under section 6.3.3 1 or 6.3.3.2, as appropriate. If the recommendations of the Dean and/or Faculty Committee are positive, the Dean shall follow the procedures set out in section 4.3.9.1.
- 6.2.8 A negative decision of a Department Chair and/or Department Committee resulting from consideration of an initial appointment or reappointment (renewal of a Limited Term Appointment) may not be appealed.
- 6.2.9 A negative decision of a Department Chair and/or Department Committee resulting from consideration of a new appointment involving a change of stream may not be appealed; however, where there is an objection on procedural grounds, see section 10.1.2.
- 6.2.10 A negative decision of a Department Chair and/or Department Committee resulting from review of a Continuing Appointment is automatically reviewed when the file is forwarded to the Dean and Faculty Committee. (See section 4.4.4.) If the final recommendation of both the Dean and Faculty Committee are negative, see section 6.3.3.

6.3 APPEAL OF A FACULTY LEVEL RECOMMENDATION:

- 6.3.1 A faculty member has the right to consult with the Dean and the Faculty Committee when both the Dean and the Faculty Committee have made negative recommendations resulting from consideration of promotion and/or the granting of Continuing Appointment (other than negative decisions subsequent to an appeal to the Faculty Committee under section 6.2 above and negative decisions resulting from consideration of an initial Continuing Appointment or a new Continuing Appointment involving a change of stream).
- 6.3.2 A faculty member has the right to consult with the Dean and the Faculty Committee when the Dean and the Faculty Committee have made negative decisions concerning a review of a Continuing Appointment.
 - 6.3.2.1 Within one week from the date upon which the letter giving notification of the decision and statement of reasons was sent to the faculty member, the faculty member may write to the Dean requesting a meeting with the Dean and the Faculty Committee, submitting all further documentation that he or she deems relevant to the case.
 - 6.3.2.2 The meeting to consult shall be held within four weeks of the Dean's receipt of the written request from the faculty member. The faculty member may be accompanied by an academic colleague.
 - 6.3.2.3 Following the meeting, the Dean and Faculty Committee shall each make a final recommendation on the case. If the final recommendations of both the Dean and Faculty Committee are negative, the Dean shall provide the faculty member with a written statement of reasons within one week of the meeting.
- 6.3.3 If the final recommendation of both the Dean and the Faculty Committee are negative, the faculty member may appeal as follows:
 - 6.3.3.1 Faculty members in the Provost stream may appeal to the Faculty Committee on Appeals. (See section 7.2.)
 - 6.3.3.2 Faculty members in the Senate stream may appeal to a University Grievance Committee. (See section 10.3.)
- 6.3.4 A negative decision of a Dean and/or Faculty Committee resulting from consideration of an initial appointment or reappointment (renewal of a Limited Term Appointment) may not be appealed.
- 6.3.5 A negative decision of a Dean and/or Faculty Committee resulting from consideration of a new appointment involving a change of stream may not be appealed; however, where there is an objection on procedural grounds, see section 10.1.2.

7 APPEALS COMMITTEE: COMPOSITION AND MANDATE:

7.1 CONFIDENTIALITY

- 7.1.1 All members of any committee mandated under these *Conditions of Appointment: Physicians Appointed in Clinical Departments and Clinical Divisions of Basic Science Departments* shall respect the confidentiality of the committee's deliberations, consultations and any other relevant committee activities or proceedings.
- 7.1.2 This constraint shall also apply to all other individuals who may from time to time be required to appear before or otherwise be involved in the in camera proceedings of any such committee in the capacity of consultant, counsel or academic colleague, witness or party.

7.2 FACULTY COMMITTEE ON APPEALS:

- 7.2.1 There shall be a Faculty Committee on Appeals, elected by the Council of the Faculty, composed of:
- (i) four Clinical Academics at the rank of Associate Professor or Professor with Continuing Appointments in the Provost stream, elected for a three-year term;
 - (ii) a slate of alternates to serve in cases where conflict of interest arises or because of unavailability.
- NOTE: At least two of the members shall have been members of a Department Appointments and Promotions Committee or the Faculty Appointments and Promotions Committee within five years of election. None shall be a Department Chair. The Dean shall not be a member.
- 7.2.2 The Chair of the Committee shall be elected by the members to serve for a one-year term.
- 7.2.3 Under no circumstances shall a member of the Committee consider cases which they have already considered at another level or which arise from his or her home Department
- 7.2.4 No member of the Faculty Appointments and Promotions Committee shall at the same time be a member of the Faculty Committee on Appeals
- 7.2.5 Should any member of the Faculty Committee on Appeals have a conflict of interest, including the Chair, that member shall withdraw from consideration of the relevant case.
- 7.2.6 The Committee shall consider all appeals from faculty members in the Provost stream against negative decisions by the Dean and Faculty Committee regarding promotion and/or granting of a Continuing Appointment (other than negative decisions regarding an initial Continuing Appointment or a new Continuing Appointment involving a change of stream), or review of a Continuing Appointment.
- 7.2.7 Appeals to the Faculty Committee on Appeals shall be made in writing, stating all grounds of appeal, within four weeks from the date of the letter giving notification of the final decision giving rise to the appeal.
- 7.2.8 The Committee shall review all previously assembled documentation bearing on the case. In addition it may request statements from the faculty member, Department Chair, Department Committee, Dean or Faculty Committee.
- 7.2.9 The decision of the Committee is final.
- 7.2.10 The decision of the Committee shall be forwarded to the Dean and the appellant, with copies to the Provost and the Department Chair, accompanied by a statement of the reasons for the decision.

8 LEAVES:

- 8.1 Any faculty member is eligible to apply to the Department Chair or Dean, as appropriate, for a period of leave from academic responsibilities, including leave to pursue or renew research interests under the following conditions:

- 8.1.1 Arrangements for leave from hospital or institute responsibilities need to be negotiated with the hospital or institute;
- 8.1.2 Financial and resource arrangements need to be negotiated with all agencies involved in the appointment; and
- 8.1.3 All such leaves require approval from the Department Chair, Dean and Provost.

9 RESIGNATION, SUSPENSION AND DISMISSAL:

9.1 RESIGNATION:

- 9.1.1 The appointment and contractual arrangements applying to a faculty member may be terminated by the faculty member giving three months' notice in writing to the University.
- 9.1.2 Normally, all resignations shall become effective at the end of the academic year, June 30.

9.2 SUSPENSION:

- 9.2.1 Suspension is a condition in which a faculty member is temporarily debarred, in whole or in part, from his or her university position and/or the duties, functions and privileges pertaining to that position. Suspension is only possible pending a hearing.
- 9.2.2 A faculty member may be suspended by the President only when in his or her opinion the member's conduct poses a threat to the proper functioning of the University. In such a case, the President shall immediately inform the faculty member, in writing, of the reasons for and terms of the suspension.
 - 9.2.2.1 Within seven days of a member's suspension, the President shall convene a Suspension Committee that shall terminate or confirm the suspension. Where the suspension is confirmed, the Suspension Committee shall make provisions for the resolution of the issue by referral to a hearing committee at an appropriate time as provided in section 9.3.5.1. Where the suspension is confirmed, the President shall complete the procedures described in 9.3.5 to 9.3.8.
 - 9.2.2.2 Where the Suspension Committee confirms the suspension, it may recommend to the President that the suspended faculty member be permitted normal use of appropriate University facilities during the period of the suspension.
- 9.2.3 The Suspension Committee shall be composed of:
 - (i) the Vice-Chair of Senate who shall be Chair and who shall not vote;
 - (ii) the Dean of the Faculty of Medicine & Dentistry;
 - (iii) the Chair of the member's Department
 - (iv) three faculty members acceptable to the President and the person suspended. (If agreement cannot be reached, the three faculty members shall be elected by Senate.)
- 9.2.4 Should any member of the Committee, including the Chair, have a conflict of interest, he or she shall withdraw from consideration of the case.
- 9.2.5 Both the Provost and the faculty member suspended shall be invited to appear before the Suspension Committee.
- 9.2.6 The suspended faculty member shall have the right to appear with an academic colleague and/or with counsel.
- 9.2.7 Within five days of its final meeting on the case, the Suspension Committee shall terminate or confirm the suspension. The Suspension Committee shall report its decision to the President, in writing, with a copy to the faculty member.
- 9.2.8 The salary and other benefits of the faculty member shall continue throughout the period of suspension.

9.3 DISMISSAL:

- 9.3.1 Dismissal means the termination of an appointment by the University without the consent of the faculty member in the following circumstances:
- 9.3.1.1 In the case of a faculty member with a Limited Term Appointment, termination effective prior to the end of the specified period except for termination of an appointment in circumstances set out in section 3.1.6.
- 9.3.1.2 In the case of a faculty member with a Continuing Appointment, termination other than the termination of an appointment in any of the circumstances set out in sections 3.1.6 and 4.4.
- 9.3.2 None of the following constitutes dismissal:
- (i) resignation;
 - (ii) the decision not to renew a Limited Term Appointment;
 - (iii) the decision not to grant a Continuing Appointment;
 - (iv) the decision to end a Continuing Appointment under section 4.4;
 - (v) termination of a Limited Term or a Continuing Appointment in circumstances set out in section 3.1.6;
 - (vi) retirement.
- 9.3.3 Dismissal may take place only upon proof of cause before a Hearing Committee. The precise meaning of cause in a particular case shall be determined by the Hearing Committee. "Cause" may include, but is not limited to, the following:
- (i) gross misconduct;
 - (ii) persistent failure to carry out reasonable duties assigned by the appropriate academic authority;
 - (iii) failure to comply with the terms of the appointment as mutually agreed to in the letter of appointment or reappointment and the accompanying contract;
 - (iv) abandonment of duties.
- 9.3.4 Inability to carry out duties for medical reasons shall be treated separately from dismissal cases. Such separate treatment shall be identified as expeditiously as possible and with the assistance of external independent experts acceptable to the University.
- 9.3.5 In the case where:
- 9.3.5.1 either a suspension has been confirmed pursuant to 9.2.2.1 OR (in the cases where suspension does not precede dismissal proceedings)
- 9.3.5.2 the President, following consultation with the Provost and the Dean and the Chair of the Department concerned, is of the opinion that cause for dismissal exists; the President shall then initiate and complete the procedures below
- 9.3.6 The President shall notify the faculty member that grounds for dismissal have been alleged and (where applicable) that continuation of suspension and referral to a Hearing committee have been made, pursuant to 9.2.2.1. In either case, the president shall invite the faculty member to discuss the matter in the presence of the faculty member's Department Chair, the Dean, the Provost and, if the faculty member so wishes, an academic colleague.
- 9.3.7 If an attempt to settle the matter by this informal mediation fails, the President shall inform the faculty member in writing of the charges against him or her in sufficient detail to enable him or her to prepare his or her defence, and a reasonable period for such preparation shall be allowed.
- 9.3.8 As appropriate in each individual case, the President shall convene a Hearing Committee which shall determine whether cause for dismissal exists.
- 9.3.8.1 The Hearing Committee shall be composed of three members, either from inside or outside the University, acceptable to the President and the faculty member concerned.

9.3.9 The Hearing Committee procedures shall be:

9.3.9.1 The Hearing committee shall elect one of its own members as Chair.

9.3.9.2 The Chair of the Hearing Committee shall give the member of Faculty involved notice in writing of the time and place of the hearing.

9.3.9.3 The Chair of the Hearing Committee shall arrange that a verbatim record of the hearing be made.

9.3.9.4 The hearing shall be open to the public, except on the written request of the faculty member involved, or, where the Hearing Committee is of the opinion that (a) matters involving public security may be disclosed, or (b) intimate financial and personal matters may be disclosed at the hearing of such a nature, having regard to the circumstances, that the desirability of avoiding disclosure thereof in the interest of any person affected or in the University's or the public's interest outweigh the desirability of adhering to the principle that hearings be open to the public. In cases involving such matters, the Committee may hold the hearing, or appropriate parts of it, *in camera*.

All persons admitted to an *in camera* hearing shall respect the confidentiality of the proceedings.

9.3.9.5 Should any member of the Hearing Committee, including the Chair, have a conflict of interest, he or she shall withdraw from consideration of the case and be replaced in accordance with the procedures for the striking of the Hearing Committee as prescribed in 9.3.8.1.

9.3.9.6 The President and the faculty member shall be parties to the proceedings.

9.3.9.7 The President and the faculty member involved shall have the right to attend the hearing with counsel, provided that due notice is given to the Chair of the intention to present counsel.

9.3.9.8 The Hearing Committee shall hear such witnesses as may be called by the President and the faculty member concerned and shall entertain only evidence relevant to the charges as specified in 9.3.7.

9.3.9.9. Each party or his or her counsel may cross-examine any witness.

9.3.9.10 The Hearing Committee shall decide *in camera* whether or not the charges are substantiated. Where the Hearing Committee decides that the charges are substantiated, it shall decide whether cause for dismissal has been found, and, if so, it shall recommend dismissal.

9.3.9.11 The decision of the Hearing Committee, accompanied by statement of reasons, shall be sent forward by the Hearing Committee Chair to the President, with copies to the principal parties and the Provost, within two weeks of the Committee's final meeting on the case.

9.3.9.12 Where the Hearing Committee is not unanimous in its decision, the decision of the majority shall be the decision of the Committee.

9.3.9.13 The Chair of the Hearing Committee shall forward the decision to the President, who shall notify the faculty member of the decision.

9.3.9.14 The decision of the Hearing Committee shall be final.

9.3.10 Where the Hearing Committee recommends dismissal:

9.3.10.1 the President shall transmit the recommendation to the Board of Governors;

9.3.10.2 the University shall continue the salary and other benefits of the member of Faculty involved for three months from the date of dismissal. The date of dismissal shall be the date on which the Board of Governors accepts the recommendation for dismissal from the Hearing Committee, made under 9.3.9.10;

9.3.10.3 the University shall notify the appropriate hospital or institution.

- 9.3.11 Where the Hearing Committee finds cause for dismissal, the verbatim records of the hearing shall be transcribed and kept on file by the Secretary of Senate and shall be made available on request to the parties involved. These records shall be destroyed seven years after the date of dismissal.
- 9.3.12 Where the Hearing Committee does not find cause for dismissal, any suspension shall be lifted and the matter shall be regarded as closed. The President shall so inform the member of Faculty involved, and the records of the Hearing Committee shall be destroyed forthwith.

10 GRIEVANCE:

10.1 GENERAL:

- 10.1.1 Where a Clinical Academic considers that he or she has cause for grievance on any matter other than suspension, dismissal, promotion in Provost stream, a recommendation concerning granting of a Continuing Appointment in Provost stream, remuneration or salary (for which other procedures exist) e.g., assignment of teaching duties, amount of space or other facilities provided, support of research etc., he or she may grieve to a Faculty Grievance Committee. (See section 10.2.)
- 10.1.2 Where a Clinical Academic considers that he or she has cause for grievance on procedural grounds, i.e., other than on the merits, concerning determination of a request for change in stream, he/she may grieve to a Faculty Grievance Committee under section 10.2 or to a University Grievance Committee under section 10.3, as appropriate.
- 10.1.3 Where a Clinical Academic, Senate stream, considers that he or she has cause for grievance concerning promotion and/or the granting of a Continuing Appointment, he/she may grieve to a University Grievance Committee under section 10.3. In such a case, the time limits stipulated in 10.2.2 shall apply, 10.3.5 below notwithstanding.
- 10.1.4 Where a Clinical Academic considers that he or she has cause for grievance on any matter as described above but where that grievance involves a party from outside the member's home Faculty, he or she may grieve to a University Grievance Committee. (See section 10.3.) In such a case, the time limits stipulated in 10.2.2 shall apply, 10.3.5 below notwithstanding.
- 10.1.5 With the exception of grievances under 10.1.2 and 10.1.3 where final reasons have been provided, before making use of these grievance procedures, the aggrieved party shall first make reasonable efforts to resolve the difficulty through direct discussions with the other party and/or Dean.

10.2 FACULTY GRIEVANCE COMMITTEE

- 10.2.1 Grievances to a Faculty Grievance Committee* shall be submitted through the Dean of the Faculty, stating clearly the issue(s) under grievance giving detailed reasons for the grievance.
- 10.2.2 Such grievances shall be initiated within six weeks from the time the individual is notified, in writing, of the action or recommendations giving rise to the grievance.
- 10.2.2.1 The Faculty Grievance Committee shall be composed of three Clinical Academics with Continuing Appointments, at the rank of Associate Professor or Professor, in accordance with the provisions of 10.2.2.2 and 10.2.2.3.
- 10.2.2.2 The members of the Faculty Grievance Committee shall, on each occasion, be selected by lot from among a panel of at least nine Clinical Academics at the rank of Associate Professor or Professor, elected by Faculty Council.
- 10.2.2.3 Either of the principal parties to the grievance may request the replacement of any member of the Faculty Grievance Committee composed in accordance with 10.2.2.1 and 10.2.2.2 should either party consider that a conflict of interest exists. See also 10.2.5
- 10.2.3 The Committee shall elect its own Chair.

- 10.2.4 Before considering a grievance, the Committee shall determine whether the grievance falls within its jurisdiction. In a case where the Committee determines a particular grievance does not fall within its jurisdiction, it shall give a statement of reasons in writing to the parties to the grievance.
- 10.2.5 Should any member of the Faculty Grievance Committee including the Chair have a conflict of interest, that person shall withdraw from consideration of the relevant case or cases and his or her seat shall be declared vacant. In this event, in conformity with 10.2.2.2 and 10.2.2.3, an appropriate replacement shall be sought.
- 10.2.6 The Faculty Grievance Committee shall consider the issues and reasons cited in launching the grievance, the responses of those against whom the grievance has been launched, and other relevant information which the Committee obtains. The Committee shall make appropriate recommendations to resolve the grievance.
- 10.2.7 The Faculty Grievance Committee shall have reasonable access to the relevant information which the Committee considers necessary to the performance of the task.
- 10.2.8 Where the Committee so requests, members of Faculty are expected to render reasonable assistance to the Committee.
- 10.2.9 The Faculty Grievance Committee shall establish procedures appropriate to the circumstances of the case.
- 10.2.10 The Faculty Grievance Committee shall conduct its work as expeditiously as possible.
- 10.2.11 The parties to a grievance may be accompanied at the grievance by an academic colleague.
- 10.2.12 The Faculty Grievance Committee shall notify all parties of its decision in writing with reasons within one week of its final meeting on that case.
- 10.2.13 All those involved in a grievance shall respect the confidentiality of the information and proceedings.

* The Faculty Grievance Committee may also hear grievances submitted to it by members of the academic staff on Limited-Duties Appointments but only in accordance with the relevant provisions of Appointment Procedures: Members of Academic Staff with Limited Duties (Physicians in the Faculty of Medicine & Dentistry.).

10.3 UNIVERSITY GRIEVANCE COMMITTEE:

- 10.3.1 If the Faculty Grievance Committee is not able to bring about a satisfactory settlement in a reasonable time, or if the recommendation of the Committee is not acceptable to the Department Chair, the Dean, or to the aggrieved party, any of the above parties may grieve in the second instance to a University Grievance Committee.**
- 10.3.2 Where a member of Faculty considers that he or she has cause for grievance on any matter as described in 10.1.1 but where that grievance involves a party from outside the member's home Faculty, he or she may grieve to a University Grievance Committee in the first instance, pursuant to 10.1.4 above. In such a case, the time limits stipulated in 10.2.2 shall apply, 10.3.5 notwithstanding.
- 10.3.3 Where a member of Faculty considers that he or she has cause for grievance on any matter as described in 10.1.3, he or she may grieve to a University Grievance Committee in the first instance. In such a case, the time limits stipulated in 10.2.2 shall apply, 10.3.5 notwithstanding.
- 10.3.4 Grievances to the University Grievance Committee shall be submitted through the, Director of Faculty Relations stating clearly the issues under grievance and giving detailed reasons for the grievance.
- 10.3.5 Except in the instance of a case brought forward under 10.1.3, 10.1.4 and 10.3.2, grievances to the University Grievance Committee shall be initiated within two weeks from the time when the parties receive in writing the decision of the Faculty Grievance Committee or the Faculty Grievance Committee written notice that the Faculty Grievance Committee has declared itself unable to bring about a satisfactory settlement.

- 10.3.6 The University Grievance Committee shall be composed of three members:
- a) one tenured member not from the Faculty of Medicine & Dentistry chosen by the Provost;
 - b) one member who shall have a Continuing Appointment or hold a tenured appointment in the Faculty of Medicine & Dentistry or elsewhere within the University chosen by the grievor; and
 - c) one member who shall have a Continuing Appointment or hold a tenured appointment in the Faculty of Medicine & Dentistry or elsewhere within the University chosen by the Dean..
- 10.3.7 Either of the principal parties to the grievance may request the replacement of a member of the University Grievance Committee composed in accordance with the provisions of 10.3.6 should either party consider that a conflict of interest exists. See also 10.3.8.
- 10.3.8 Should any member of a University Grievance Committee have a conflict of interest, that person shall withdraw from consideration of the relevant case or cases and his or her seat on the Committee shall be declared vacant. In this event, in conformity with 10.3.6 and 10.3.7, an appropriate replacement shall be selected.
- 10.3.9 The Committee shall be convened initially by the Director of Faculty Relations.
- 10.3.10 The Committee shall elect its own Chair.
- 10.3.11 Before considering a grievance, the Committee shall determine whether the grievance falls within its jurisdiction.
- 10.3.12 In a case where the Committee determines a particular grievance does not fall within its jurisdiction, it shall give the President a statement of reasons in writing with copies to the parties to the grievance.
- 10.3.13 The University Grievance Committee shall consider the issues and reasons cited in launching the grievance, the responses of those against whom the grievance has been launched, and other relevant information which the Committee obtains. The Committee shall make appropriate recommendations to resolve the grievance.
- 10.3.14 The University Grievance Committee shall have reasonable access to the relevant information which the Committee considers necessary to the performance of the task.
- 10.3.15 Where the Committee so requests, members of Faculty are expected to render reasonable assistance to the Committee.
- 10.3.16 The University Grievance Committee shall establish procedures appropriate to the circumstances of the case.
- 10.3.17 The University Grievance Committee shall conduct its work as expeditiously as possible.
- 10.3.18 The parties to a grievance may be accompanied at the grievance by an academic colleague.
- 10.3.19 All those involved in a grievance shall respect the confidentiality of the information and proceedings.
- 10.3.20 The decision of the University Grievance Committee shall be final.
- 10.3.21 The University Grievance Committee shall report its decision in writing to the President with copies to all parties within two weeks of the termination of the hearing. The President shall institute appropriate measures and so inform the principal parties in writing.
- ** The University Grievance Committee may also hear grievances submitted to it by members of the academic staff on Limited-Duties Appointments but only in accordance with the relevant provisions of Appointment Procedures: Members of Academic Staff with Limited Duties (Physicians in the Faculty of Medicine & Dentistry).

**THE UNIVERSITY OF WESTERN ONTARIO
LONDON CANADA**

APPOINTMENTS PROCEDURES:

MEMBERS OF ACADEMIC STAFF WITH LIMITED DUTIES

(PHYSICIANS IN THE FACULTY OF MEDICINE & DENTISTRY)

**APPROVED BY SENATE
and
BOARD OF GOVERNORS
November 1984**

(as amended 2002 for Faculty of Medicine & Dentistry)

THE UNIVERSITY OF WESTERN ONTARIO
APPOINTMENTS PROCEDURES: MEMBERS OF
ACADEMIC STAFF WITH LIMITED DUTIES
(PHYSICIANS IN THE FACULTY OF MEDICINE & DENTISTRY)

A. Preamble:

All members of the academic staff of the University are appointed by the Board of Governors on the recommendation of the President. All policies and procedures followed in recommending appointments are established and recommended by Senate. The following policies and procedures shall specifically apply only to the appointment of academic staff with limited duties as defined in "Definitions" #5 below.

B. Definitions:

1. The "University" shall mean The University of Western Ontario as established in *The University of Western Ontario Act 1982* (as amended, 1988).
2. The terms "Senate", "Faculty", "Dean", "Department", "Chair", "academic staff", and related terms shall be interpreted in accordance with the provisions of The University of Western Ontario Act 1982 (as amended, 1988).
3. The term "Appointments Committee" refers to the Department Appointments and Promotions Committee whose structure and composition are set out in Conditions of Appointment: Physicians Appointed in Clinical Departments and Clinical Divisions of Basic Science Departments (1999) as amended 2002. In the case of Limited-Duties Appointments, the role of this Committee shall be limited to the relevant provisions in Section D, "Appointments Process" of Appointments Procedures: Members of Academic Staff with Limited Duties (Physicians in the Faculty of Medicine & Dentistry).
4. The terms "Faculty Grievance Committee" and "University Grievance Committee" refer to the Committees of that name whose structure and composition are set out in Conditions of Appointment: Physicians Appointed in Clinical Departments and Clinical Divisions of Basic Science Departments (1999) as amended 2002, Section 10 "Grievance." In the case of Limited-Duties Appointments, the jurisdiction of these committees shall be limited relevant to the provisions of Section E. "Grievance", of Appointments Procedures: Members of Academic Staff with Limited Duties (Physicians in the Faculty of Medicine & Dentistry).
5. A "Limited-Duties Appointment" is an appointment of a physician to the academic staff of the University where the appointee carries less than a full load of teaching and other duties as determined by the Dean of the Faculty and such duties are specified in the Letter of Appointment.
6. An "Adjunct Professor" is a physician who:
 - (a) is generally community-based, but may be located in an affiliated hospital or institution;
 - (b) does not otherwise hold an academic appointment at the University (with the exception of other Adjunct or Limited-Duties Appointments);
 - (c) performs specific limited responsibilities relating to teaching and/or research ancillary to the appointee's principal occupation;
 - (d) generally receives no remuneration, although there may be a small stipend, and
 - (e) is not required to participate in a departmental practice plan.
7. An "Honorary Professor" is a physician who:
 - (a) has attained academic or professional distinction in his or her field;
 - (b) does not otherwise hold an academic appointment at the University (with the exception of other Honorary Appointments)
 - (c) is not required to perform any teaching or other academic responsibilities;
 - (d) receives no remuneration, and
 - (e) is not required to participate in a departmental practice plan.

Appointment as an Honorary Professor recognizes a mutually beneficial scholarly association between the University and the appointee.

8. A "Letter of Appointment or Reappointment" is the letter to the prospective appointee signed by the Dean of the Faculty. This document specifies the academic contract type (Limited-Duties), the status of the contract (Regular or Post-Retirement), the starting and end date of the appointment, the academic rank (Adjunct Professor or Honorary Professor) and the expected duties of the appointee.

C. Terms and Conditions:

1. A Limited-Duties Appointment shall be for a fixed term. The status of the appointment shall be:

Regular (i.e., up to five years)
Post-Retirement (i.e., up to three years)

2. The following academic ranks shall be used:

Adjunct Professor
Honorary Professor.

3. The initial appointment or repeat appointment as the case may be shall take into account the appointee's

- (i) qualifications
- (ii) experience, and
- (iii) achievements

and shall be included as part of the recommendation or recommendations in paragraph 1 below in Section D, "Appointments Process".

4. A Limited-Duties Appointment does not carry tenure or Continuing Appointment status nor shall an appointee be considered eligible for tenure or a Continuing Appointment.
5. A Limited-Duties Appointment, in the first instance, cannot extend past the fifth anniversary of the effective date of the appointment. Thereafter, a Limited-Duties Appointment may be repeated
6. A Limited-Duties Appointment cannot extend past the effective date of retirement. A Limited-Duties Appointment following retirement will be a post-retirement Limited-Duties Appointment.
7. Further to paragraph 5 above, a Limited-Duties Appointment may be repeated provided that, in each instance, the extension shall not extend past the fifth anniversary of the effective date of the repeat appointment.
8. Notwithstanding that a Limited-Duties Appointment may be repeated, further appointments beyond the initial appointment are neither promised nor guaranteed.
9. On the recommendation of the President, the Board of Governors may terminate a Limited-Duties Appointment during the period of the appointment should the standard of conduct or performance of duties fall below the minimum acceptable standard for academic staff of the University.

D. Appointments Process:

1. The appointments process shall be as follows:

- i) Subject to authorization by the Dean to make an appointment, the Department Appointments and Promotions Committee may recommend proposed Limited-Duties appointments (or repeat appointments).
- ii) The recommendation of the Appointments Committee shall be sent forward to the Dean by the Department Chair. The Chair shall, at the same time, send forward his/her own recommendation.
- iii) The Dean shall send forward to the Provost and Vice-President (Academic), the recommendation of the Department Appointments and Promotions Committee together with that of the Department Chair. The Dean shall, at the same time, send forward his/her own recommendation.

2. It is recognized that the Department Chair may find it necessary to forward a recommendation for a proposed Limited-Duties Appointment unaccompanied by a recommendation from the Appointments Committee. In such cases, the Chair shall report such an appointment to the Appointments Committee. Recommendations made under this paragraph shall not conflict with any of the provisions of this document under "Definitions", "Preamble", and "Terms and Conditions" above.
3. The Appointments Committee may delegate the task of making Limited-Duties Appointments to the Department Chair. Such delegation will be reviewed on an annual basis.

E. Grievance:

(Faculty)

1. There shall be no right of hearing at any level of the appointment process. However, where a member of the academic staff on a Limited-Duties Appointment considers that he/she has cause for grievance in respect to the terms and conditions in a letter of appointment written on behalf of the University not being met, he/she may, after first making reasonable efforts to resolve the difficulty through direct discussions with his/her Dean, grieve to the Faculty Grievance Committee.
2. Grievances to the Faculty Grievance Committee shall be submitted through the Dean of the Faculty stating clearly the issue(s) under grievance and giving detailed reasons for the grievance.
3. Such grievances shall be initiated within three weeks from the time when the individual is notified, in writing, of the action or recommendation giving rise to the grievance. This time-limit is mandatory.
4. The Faculty Grievance Committee shall notify all parties of its recommendation in writing with reasons within one week of its final meeting on that case.

(University)

5. If the Faculty Grievance Committee is not able to bring about a satisfactory settlement in a reasonable time, or if the recommendation is not satisfactory to the Department Chair, to the Dean, or the academic staff member, either party may grieve, in the second instance, to the University Grievance Committee.
6. Grievances to the University Grievance Committee shall be submitted through the Director of Faculty Relations stating clearly the issue(s) under grievance and giving detailed reasons for the grievance.
7. Grievances shall be initiated within two weeks from the time when the parties receive in writing the decision of the Faculty Grievance Committee or written notice that the Faculty Grievance Committee has declared itself unable to bring about a satisfactory settlement. This time limit is mandatory.
8. The University Grievance Committee shall notify all parties of its recommendation in writing with reasons within one week of its final hearing on that case.
9. The decision of the University Grievance Committee shall be final insofar as Senate procedures are concerned.