Faculty and Librarian Collective Agreement
Spotlight on Academic Leaders’ roles within the CA
## Instructions

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Article 12

Academic and Professional Responsibilities

Academic and Professional Responsibilities
• general (stay current, excellence, accessibility, training...)
• role and stream specific (T/R/S, T/SA/S, PP/SPA/S)

Assignment of Duties
• “equitable distribution”
• Factors for consideration
• FM/Lib consultation...appeal to Dean/UL
• Right to 4-month research term (R stream)
• Notice 3 months in advance
• Reassignment

TIPS AND TRICKS

Equitable Distribution
Clear criteria
Transparent application

Appeal in Non-dept Faculties
Assignment by AD so VPAC is not appeal level

Emergent Absences
Contingency planning

Hidden Service
Especially for BIPOC faculty and women
Article 13

Department Standards and Workload

Each Unit has a Standard that identifies how workload is defined and calculated and what performance expectations are for RPT/CA and salary adjustment processes.

• Specific criteria for “clinical” and “community engaged” as applicable.

Standard is ratified by Unit and approved by Dean. Either can initiate change and must be revised after each CA negotiation.

Balance of commitment among responsibilities, including rebalancing through Alternative Workload (AWL) or reduction through Reduced Workload (RWL)

TIPS AND TRICKS

Writing a helpful Standard
Clear, concise, has consensus, consistently applied

AWL/RWL Documented
Proposal on template, agree or adjust, approve (Dean and VPAC) cc Member and file.

Equity in Evaluation
Peer understanding Inclusive criteria
Recognition and rigour Opportunities for explanation
Articles 20-24, 27
Appointments and Reappointments

20 Appointments

Stream: Teaching, Research, Librarian

Appointment Types: Regular (probationary, confirmed, tenured/grant-tenured, continuing), Limited Term (<=1 yr, >1yr), Hourly (Librarian)

Rank: Lecturer, Assistant (T) professor, Associate (T) professor, (T) Professor and Librarian I, II, III, IV.

Conditions for Limited Term, Joint, Grant-Tenured appointments
Termination on notice for externally funded Limited Term

Open competition/waived search
Preferred/Limited Searches (based on designated group status)

TIPS AND TRICKS

Limited Term extensions
Over 1 year in BU and CA applies including salary floors and benefit costs

Lecturer
Only available if appointment is ABD and appointment is conditional on defense within a stated date

Stream Conversions
See Article 24 Transfer and Conversion of Appointments
Articles 20-24, 27

21 Terms of Initial Appointment
For each rank,
• baseline academic qualifications for hire.
• duration of appointment and timetable for promotion, tenure, or continuing appt.

Treatment of off-cycle appointment starts “Clinical” designation

22 Appointment Procedures: Librarians
23 Probationary Status: Librarians

24 Transfer and Conversion of Appointments (Faculty only)
Transfer is Unit(s) to Unit(s) and stream stays the same
Conversion is moving from one stream to another

TIPS AND TRICKS

Ensuring Alignment
Unit expectations for hire must align with the CA

Appointment Committee Composition and Process
Unit document must be clear on committee composition, member selection process and voting procedures.
Articles 20-24, 27

27 Reappointments

Subject to “tenure clock extensions” (see Article 31 “Stopping the Clock”)

Reappointment criteria for each rank
• Assistant normally 3+3 then considered for tenure
• Assistant T reappointment = 4 yrs then considered for Continuing Appointment
• Associate T considered for CA in final year of initial term

Limited Term
• no right of renewal
• Must still meet criteria in 20.6 or 20.7
• Performance criteria and positive peer reviews of T and R
• Funds, space, resources required to support continue

TIPS AND TRICKS

Ensuring Alignment
Unit expectations for hire must align with the CA

Appointment Committee Composition and Process
Unit document must be clear on committee composition, member selection process and voting procedures.
Articles 25, 26

Evaluation, Review of Career Progress

25 Evaluation
- Criteria used must be in Faculty/Library Evaluation Policy (FEP/LEP) or Unit Standard
- FEP/LEP reviewed by Dec. 31 after each new CA
- Ratified by members 60% of votes cast
- Required contents of FEP including dossier requirements, assessment techniques, evaluation criteria (incl. for clinical and CER), process used to make Performance Pay Increments (PPI) or Outstanding Performance Recognition (OPR) recommendations
- Definitions and evidence for the evaluation of T/R/SA/S
- Definitions and evidence for evaluation of PP/SPA/S
- Assessment must consider AWL/RWL
- Requirement to maintain and provide CV, dossier

TIPS AND TRICKS

Align FEP and Unit Standard
Adjust FEP/LEP first and then adjust Standard. Try to avoid overlap.

Career Stage is a Factor
Make clear what this means and how it will be applied

Accounting for AWL/RWL
Adjusted WL balance; adjusting productivity expectations; RPT thresholds as absolute.
Articles 25, 26

Evaluation, Review of Career Progress

25 Evaluation

Use of Course Experience Surveys (CES)
• frequency distribution reports NOT average/mean scores
• anecdotal or subjective student comments only if FM submits.
• FEP/Standard identifies the “weight” of CES and other criteria for evaluation of T
• Evaluators must factor in response rate and bias

Evaluation ratio is Normal Workload (NWL) ratio unless adjusted for AWL. Member may request an alternative evaluation ratio (6 months in advance) if it is representative of actual workload.

TIPS AND TRICKS

Accounting for CES bias
Be aware of biases
Use multi-faceted evaluation
Allow FM to contextualize

Calculating Adjusted WL
Use FRAA’s handy calculator!
Articles 25, 26

Evaluation, Review of Career Progress

26 Review of Career Progress

- Formative feedback on progress toward Tenure and Continuing Appointment
- On appointment: clear expectations in writing (FEP/Unit Standard)
- Annual meeting with Chair
  - All pre-tenure/CA and others on request of Chair or faculty member
  - Review current performance expectations
  - Review progress, provide recognition and raise concerns
  - Provide supports as needed
  - Review activity plan for coming year.
- Written summary, signed by Chair and Member. Option for faculty member written response.
- Request for reassessment (Chair/Reviewer)
- Special provisions for review of Assistant Teaching Professor and Librarians.

TIPS AND TRICKS

Deadlines

Build time into your calendar for meetings and recaps, and set up with faculty early.

Giving good feedback

Fair, frank and fulsome. Be clear on how they are tracking. Imagine a future RPT committee or arbitrator reading it.
Articles 28, 29, 31-33

Promotion and Tenure: Faculty

28 Tenure
• Research Stream: Granting of tenure requires meeting the standard for tenure and for promotion to Associate. See transition provisions.
• Denial of tenure and promotion results in a terminal year.
• Teaching Stream: Articulation of standard required for granting tenure to Teaching Professor
• Rules for timing of consideration; early consideration; withdrawal
• CA standards for attaining granting tenure at each rank

29 Promotion: Faculty
• Untenured Associate promoted to Professor is given tenure
• CA Standards for attaining each rank
• Right to withdraw

TIPS AND TRICKS

Transition Provisions
Transition provisions: those going up for T+P in 2019, 2020 and 2021 may be tenured without promotion to Associate. Associates without tenure as of 2021 are grandparented.

CA Standards are Absolute
CA standards for P+T are an absolute threshold. Not reduced for AWL or RWL.

Early Consideration
Help member to know when they are ready; avoid perceptions of bias
Articles 28, 29, 31-33

Promotion and Tenure: Faculty

31 Stopping the Clock (Probationary Extensions)
• Maternity/Parental Adoption Leave, Special Leave, Sick Leave/LTD, or any combination for 15 weeks or more equals 1 year extension; 52-104 weeks = 2 years; 104-156 weeks = 3 years, >156 weeks = 4 years
• Does not include unpaid leave or Study/Admin Leave.
• “adverse effect” extension request

32 Appointments, Reappointments, Promotion and Tenure Committees
• By April 30 – select structure compliant with CA requirements
• Must have written and approved committee procedures compliant with CA requirements (including for joint appointments)
• Representation considerations: stream, rank, designated group, disciplinary focus and research/teaching approach
• Candidate’s right to object for COI/RAB or lack of representation

TIPS AND TRICKS

Documenting Leaves
Critical for calculating extensions and eligibility for LTD

Covering Member Absence
Plan ahead; select an alternate during the original committee formation

COI/RAB
Ask for COI/RAB declarations up front. Follow CA in relation to any allegations.
Articles 28, 30, 32, 33

Reappointment, Promotion and Tenure

33 Consideration Process
• Sets deadlines for each stage of the process
• Articulates the referee selection process and requirements (number, rank, arms length)
• Materials to referees
• Preparing the file
• Information to be considered (what is in the file or allowed by the Standard, no unsubstantiated complaints, investigations/discipline only when relevant to criteria for academic responsibilities.
• Roles and responsibilities of Unit Committee, Dean, Provost/VPRI, President, UAAC in recommending/deciding.
• Importance of thorough review and articulation of process and rationale in reports.
• No appeal. Right to grieve.

TIPS AND TRICKS

Plan and Calendar ahead!
Lots of deadlines and missing one can be a “grievable issue”. Ask for a waiver if an extension is needed.

Referee info: Don’ts
Don’t ask “tenure at your institution?”
Don’t disclose leave info without written member consent

External Resources Considered
These must be identified in the Unit Standard – citation indices, journal rankings, webpages, etc. No personal research!!
Articles 34-35, 52

Study Leave and Vacation

34 Study Leave

• R and T stream – different entitlements
• SL is contingent on acceptable application and history of achievement while on SL
• Requirement for Study Leave Report
• Some leaves not counted for service credit
• Up to 2 years of service credit may be carried forward
• Deferrals by University (no loss of service credit)
• Members on leave cannot serve on committees without Dean approval
• Obligation to return unless waived by VPAC
• Calculations for RWL/pro-rated salary
• 90% pay, regular pension and benefits
• Note Leave appeal procedures under Article 37

Guide to Leaves and Vacation under the CA

TIPS AND TRICKS

Study Leave Report
Insist on receiving it. Needed to justify or deny future leaves.

Complex Calculations
Heidi can help.

Sick Leave on SL
Ensure it is declared so Member can claim replacement SL time.

Administrators
Accrued SL credit is maintained until end of Admin role
Articles 34-35, 52

Study Leave and Vacation

52 Vacation

- Entitlement is one month per Academic Year
- Taken at agreed to time when Academic Responsibilities not impacted
- Entitled to one-month contiguous vacation (on notice one month before teaching assignment)
- Unused vacation is not paid out nor carried over. If operational necessity, Dean may approve exceptional carry over.

TIPS AND TRICKS

To track or not to track?
Track “abnormal requests”
Track where there is a history of abuse

Watch Wellbeing

Some faculty do not take time off and need to for their wellbeing. Encourage vacation use.
Article 49

Conflict of Interest and Reasonable Apprehension of Bias

Conflicts of Interest are defined as real, perceived or potential situations in which an impartial observer might reasonably question whether actions or decisions taken by the Member on behalf of the University are influenced by considerations of private interest.

A Conflict of Interest does not arise where Members participate in negotiations with regard to salary, benefits or terms of employment on behalf of the Association, themselves or other Members; or the interest of the Member and any benefit to the Member is only as part of the advancement of the interests of the Member’s Academic Unit or the University as a whole.

Obligation to disclose
Ability to allege
Ability to withdraw (whether disclosed or subject to allegation)
Process for determining COI (arms length reviewer – Chair at dept level, Dean at Faculty level, Committee Chair at University level.

Review:
allegations must be clear and specific and relevant evidence needs to be provided
Respondent has right to know allegations and to respond
CA sets out relevant factors for Reviewer consideration
Appeal to next level of review for a final decision

Requirement to report COI to the Dean when making salary adjustment recommendations

TIPS AND TRICKS

Managing COI
Lots of options. Consult with FRAA

Manage Emotions
A COI allegation is often taken personally. It is merely a protection for fair process.
## Article 49

### Conflict of Interest and Reasonable Apprehension of Bias

A *Reasonable Apprehension of Bias* exists when a reasonable person, who is informed of the facts upon which the apprehension is based and without any knowledge of the character of the individuals other than their past or present relationship, would conclude that the Member’s apprehension is a Reasonable Apprehension of Bias founded on facts. A determination that there is a Reasonable Apprehension of Bias does not mean that the person is in fact biased.

<table>
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<td>Process for determining RAB (arms length reviewer – Chair at dept level, Dean at Faculty level, Committee Chair at University level. Ability of Respondent to withdraw without finding if “one off” issue.</td>
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<td>If RAB has continuing effect, determination of RAB is for three years. Member may apply for extension and Review considers whether it continues.</td>
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### TIPS AND TRICKS

#### Managing RAB

Lots of options. Consult with FRAA

#### Manage Emotions

A RAB allegation is often taken personally. It is merely a protection for fair process.

Review: allegations must be clear and specific and relevant evidence needs to be provided

Respondent has right to know allegations and to respond

CA sets out relevant test for Reviewer consideration (above)

Appeal to next level of review for a final decision

Requirement to report COI to the Dean when making salary adjustment recommendations
Articles 50, 51

Salary and Benefits

50 Salary

Salary structure revised 2019
• Ensure good wage trajectory for Assistant/Associate
• Encourage academic progress and high performance
• Enable renewal of faculty complement

Salary floors, Across the Board (ATB) adjustment, Career Progress Increment (CPI) (per range – contingent on satisfactory performance), Performance Pay Increment (PPI) (30%), Outstanding Performance Recognition (OPR) (10%), Promotion Recognition Award (PRA)

Bi-annual evaluation process – informs Yr 1 and Yr 2 (PPI is repeated, OPR is Yr 1 only)

Discussion of Accomplishments, review, assessment, recommendation, notice to Member after VPAC approval

Salary Anomaly Process, market supplements, retention adjustments, overpay recovery.

TIPS AND TRICKS

Transition Support
Help people understand how this is different than past system. More CPI, less MI/PPI in Evaluation Meeting

Evaluation Process
Consider Peer Evaluation Team. Keep notes of rationale in relation to criteria to help if grieved.

Ranking Process for PPI
Rank top 40% and recommend 30% but do not count on extra PPI
Articles 50, 51

Salary and Benefits

51 Benefits

Sets out benefits/pension provided
Member may pay for own benefits while on any leave without salary
LTD ends at Normal Retirement Date (Dec 31 past age 65)
Pension contributions end Dec 31 past age 71 (by legislation)

Professional Expense Reimbursement
• amount set by VPAC
• pro-rated for RWL
• Available for 1 year past retirement
• In accordance with University policies

Tuition Scholarship – administered by Faculty Association for Members

TIPS AND TRICKS

Travel outside BC/Canada
Workers’ Comp, Benefits and Tax rules may change for extended periods working out of BC/Canada. Inform travelling faculty to do “due diligence”

Benefits/Pension Support
For reasons of privacy and complexity, it is best to refer faculty to the Benefits or Pensions office for questions on entitlements.
Provisions to Have General Familiarity With

Click on the Article(s) box to open more detailed information regarding your role with relation to the associated article(s) in the CA.

- **Article 18**: Member’s Official Files
- **Articles 14, 15**: Academic Freedom, Intellectual Property and Scholarly Integrity
- **Articles 16, 17**: Equity and Inclusion, Discrimination, Harassment and Sexualized Violence
- **Articles 36-45**: Leaves including: Admin, Maternity/Parental/Adoption, Compassionate Care, Jury/Witness, Political, Special, Leave w/o Salary
- **Article 39**: Sick Leave, Long Term Disability, Return to Work and Accommodation
- **Article 46**: Discipline (Note: Please consult with Faculty Relations before using)
- **Article 48**: Conflict of Commitment
- **Article 53**: Resignation, Retirement
Provisions to be aware of, and refer to as needed

Click on the Article(s) box to open more detailed information regarding your role with relation to the associated article(s) in the CA.

- **Article 54**: Chairs and Directors
- **Articles 10**: Management Rights
- **Article 8**: Appendix A – Collegial Rights
- **Articles 24**: Transfer and conversion of Faculty Appointments
- **Article 47**: Dispute Resolution (Note: Please consult with Faculty Relations before using)
- **Article 55, 56**: Program Discontinuance and Financial Exigency (Note: Please consult with Faculty Relations before using)
- **Article 19**: Legal Representation and Indemnity
November 2021

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Section 33.4 b
RPT Process: Tenure and Promotion. Deadline for the Chair of the committee to send the Recommendation Report to the Dean.

Section 33.40 a
RPT Process: Reappointment and Continuing Appointment. Deadline for the Dean to submit their recommendation to Faculty Relations.

11 Remembrance Day
10 - 12 Reading Break
Section 33.40 b

**RPT Process:** Tenure and Promotion. Deadline for the Dean to submit their recommendation to Faculty Relations.

Section 33.42 a

**RPT Process:** Reappointment and Continuing Appointment. Deadline for the President to refer the file to the UAAC.

**Winter Holiday**

*27 - 31*
### January 2022

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#### Section 30.16
Deadline for a Librarian who wishes to apply for Promotion to submit their application to the University Librarian.

#### Sections 11.3a, b i, b ii
The University will provide the Association with:
1. An up-to-date list of all members
2. List of all members who received an administrative stipend,
3. List of all members who received extra-to-load payments in the prior academic year

#### Section 33.34c
RPT Process: Promotion. Deadline for the Chair of the committee to send the Recommendation Report to the Dean

#### Sections 25.19, 25.2
Deadline for faculty members and Librarians to provide their updated CV to the Unit Head

#### Section 34.5
Deadline for faculty members to be notified if their application for Study Leave of Administrative has been approved.

#### Section 33.42b
RPT Process: Tenure and Promotion. Deadline for the President to refer the file to the UAAC

#### Section 33.55a
RPT Process: Reappointment and Continuing Appointment. Deadline for the UAAC to send its report to the President.

#### Section 30.17
Deadline for the supervising Librarian to provide a written statement of a Librarian's suitability for Promotion to the University Librarian
Section 30.18
Deadline for the supervising Librarian to refer a Librarian's application for Promotion to the ACRP

Section 33.57a
RPT Process: Reappointment and Continuing Appointment. Deadline for the candidate to be notified of the President's decision.

Section 33.57a
RPT Process: Promotion. Deadline for the Dean to submit their recommendation to Faculty Relations.

Section 22.3
Deadline for the selection of members of the Librarian Appointments Advisory Committee.

Section 33.55b
RPT Process: Promotion and Tenure. Deadline for the UAAC to send its report to the President.

Family Day
21

Reading Break
22 - 26
Section 33.42 c
RPT Process: Promotion. Deadline for the President to refer the file to the UAAC.

Section 33.57b
RPT Process: Promotion and Tenure. Deadline for the candidate to be notified of the President's decision.
### April 2022

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**Section 30.26**
Deadline for the University Librarian to make a recommendation to the Provost on a Librarian's application for Promotion.

**Section 33.4**
RPT Process: Deadline for a faculty member to notify the Chair in writing that they intend to apply for Tenure and/or Promotion.

**Section 33.57a**
RPT Process: Promotion. Deadline for the UAAC to send its report to the President.

**Section 33.3**
RPT Process: Deadline for the Chair to notify a faculty member who must be considered for Reappointment, Continuing Appointment, Promotion or Tenure of the documentation that the Faculty Member will be expected to submit and, in the case of Tenure, that the Faculty Member is required to nominate referees by the dates specified.

**Section 32.1**
Deadline for the meeting to select the structures for ARPT Committees.

**Section 30.27**
Deadline for the University Librarian to send their recommendation and reasons to the candidate for Promotion and the ACRP.

**Good Friday, Easter Monday**

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**Holiday Periods**

- Good Friday, Easter Monday 15, 18
- April 2022
May 2022

**CA-Driven Deadlines**

- **Section 30.28**
  - **RPT Process:** Promotion. Deadline for the candidate to be notified of the President's decision.

- **Section 50.32**
  - Deadline for the Deans to submit their salary recommendations to the Vice-President Academic and Provost.

- **Section 33.5**
  - **RPT Process:** Deadline for referee nominee lists to be exchanged.

- **Section 26.4**
  - Deadline for the annual meeting between the Chair and faculty members with eligibility for Tenure or Continuing Status.

- **Section 30.28**
  - Deadline for the Provost to notify a Librarian candidate if Promotion has been denied. A successful candidate will be notified in writing by May 15 or as soon thereafter as may be practical.

**FRAA Deadlines**

- **Reading break**

**VPAC Operations**

- **Multiple Deadlines**

**Holiday Periods**

- **Victoria Day**
June 2022

Section 11.4
Deadline to provide a report to the Association listing the appointments made by waived search, confirming that all the required approvals for waiving an open competition were obtained and providing a statement of the exceptional circumstances that justified waiving an open competition.

Section 33.12
RPT Process: Deadline for the candidate to select a minimum of 2 referees from the committee's list of nominees.

Section 33.13
RPT Process: Deadline for the committee to select a minimum of 2 referees from the candidate's list.

RPT Process: Deadline for the candidate to submit copies of or citations to scholarly or creative works they wish to be made available to the referees.
Within 2 weeks of July 1 - The University will provide the Association with an up-to-date list of all members: name, UVic email, gender, Tenure status, FTE, highest earned degree and year attained, rank, salary and Department, and type of leave (if applicable).
Section 9.6
The JCAA will prepare and distribute an annual report of its work in the previous Academic Year.

Section 33.18
RPT Process: Deadline for nominated referees to indicate their willingness to serve.
September 2022

1 Section 33.19
RPT Process: Deadline for faculty member being considered for Reappointment, Continuing Appointment, Tenure or Promotion conferring Tenure to submit their materials to the Chair.

14 Section 11.3a
Within 2 weeks of Sept. 1 - The University will provide the Association with an up-to-date list of all members: name, UVic email, gender, Tenure status, FTE, highest earned degree and year attained, rank, salary and Department, and type of leave (if applicable)

15 Section 33.21
RPT Process: Tenure and Promotion. Deadline for the committee Chair to send the candidate's materials to the referees.
October 2022

1. **Section 33.19**
   - RPT Process: Deadline for faculty member being considered for Promotion to submit their materials to the Chair.

1. **Section 34.5**
   - Deadline for faculty members to apply for Study Leave.

1. **Section 36.6**
   - Deadline for faculty members to apply for Administrative Leave.

15. **Section 33.44**
   - RPT Process: Deadline for the President and the President of the Faculty Association to jointly appoint the members of the UAAC.

15. **Section 33.34a**
   - RPT Process: Reappointment and Continuing Appointment. Deadline for the Chair of the committee to send the Recommendation Report to the Dean.

15. **Section 33.21**
   - RPT Process: Promotion. Deadline for the committee Chair to send the candidate's materials to the referees.
Contact Faculty Relations

Your Faculty Relations team is always here to help!

Check our website for more information and to find your faculty’s designated Faculty Relations Consultant:
FRAA Directory