ARTICLE 17 - PERFORMANCE REVIEW

17.1 Performance review is used to determine whether academic staff members will be granted an increment, merit, promotion, renewal of tenure-track appointments, tenure, and to provide performance guidance to Sessional Lecturers.

All involved in the performance review process must undertake their roles seriously and with integrity, ensuring that statements, both verbal and written, refer to aspects of performance, are fair commentary, and are based upon appropriate evaluation of the material specified in Article 17.4. The performance review process depends upon honesty, fairness, and confidentiality, and is governed by the principles of natural justice. The Dean shall inform academic staff members on the location of electronic files for the availability of the relevant Criteria Document(s) and of articles 16, 17, and 18 of the Collective Agreement.

The University, in conjunction with URFA, shall hold yearly information sessions to inform academic staff members of the review process. Information sessions will also be available for the initial reviewer, review committee members and Deans. There shall be URFA representation in these sessions.

17.2 The Dean shall conduct a review of the performance of tenure, tenure-track, and term academic staff members according to Articles 17.2 through 17.21

17.2.1 A review pertaining to renewal of appointment shall occur during the second employment year (July 1st to June 30th) of an initial tenure-track appointment. Upon renewal, an increment shall be provided to academic staff members beginning on the first July 1st following the initial date of appointment and each subsequent July 1st until tenure is achieved.

Tenure-track academic staff members will normally be considered for tenure in the review period immediately following the completion of four years of appointment.

17.2.2 Each year, a review shall be conducted for all academic staff members who:

- hold term appointments;
- hold tenure-track appointments (other than an initial one);
- have applied for tenure and/or promotion;
- hold appointments with tenure and have asked the Dean in writing by November 30th to be reviewed;
- who have had a performance issue explicitly identified on either their latest Performance Review Form or Career Planning Meeting and who have been informed in writing by the Dean by July 1st of the decision and the rationale for the review;
- were eligible for an increment the previous year and did not receive one, or were not eligible and were informed that they would not have received an increment even if eligible.

17.2.3 For academic staff members with tenure, other than those holding the rank of Professor, Librarian IV, Laboratory/Clinical Instructor III, or Instructor III, reviews shall be conducted every third year unless otherwise specified through Article 17.22.

17.2.4 Unless a performance review is requested by either the member or the Dean in accordance with Article 17.22, tenured academic staff members holding the rank of Professor, Librarian IV, Laboratory/Clinical Instructor III, or Instructor III shall meet once every three years with their Dean for career planning. The career planning process serves as a replacement for the regular performance review process outlined in Article 17.12 to 17.21. The purpose of the meeting is to develop the member’s goals, recognize the member’s achievements, assess the member’s performance, and provide feedback on the member’s progress towards their career plan. The department head or equivalent may also be present at this meeting. The documents to be provided by members in career planning are an updated CV, a draft career plan, career plans finalized at the previous such meeting, and a letter outlining the member’s progress in

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their career plan. Members wishing to apply for merit may do so in accordance with Article 18.3.

17.2.5 Academic staff members holding appointments with tenure shall be provided with an increment on July 1st following any year in which they are not reviewed. The provision of this increment is an expectation of career growth and may not be revoked by a subsequent review. **Members in the career planning process shall be provided with an increment on July 1st.**

17.3 Except under unusual circumstances, a review shall not be initiated for an academic staff member who is on leave. Deans intending to review a member on leave shall notify the member in writing before July 1st. The notice shall stipulate the unusual circumstances that appeared to the Dean to warrant such a review and explain that the member has the right to notify the Faculty Association.

Notwithstanding the foregoing, an academic staff member on leave may initiate a review (including an application for promotion or an appointment with tenure) by notifying the Dean in writing no later than September 30th. Members on leave may withdraw a request for review by notifying the Dean in writing by January 1st. **An academic staff member on leave who is applying for merit shall submit their completed application and any supporting documentation (per Article 18.3) by January 31st.**

17.4 **The review shall be based on the following documents:**

17.4.1 the Annual Information Form supplied by the University and completed by the academic staff member. In the case of members being reviewed after two or more years, consideration shall be given to the Annual Information Form from each year for the entire period under review;

17.4.2 the Performance Review Form(s), supplied by the University, completed by the initial reviewer, the Review Committee, and the Dean and signed by the member as indicated in Articles 17.12, 17.13, and 17.14;

17.4.3 a current curriculum vitae;

17.4.4 material in the academic staff member’s official file relevant to the period under review;

17.4.5 documents and other works relevant to the academic staff member’s performance of duties during the period under review;

17.4.6 aggregated and summarized data from student course/instructor evaluations developed pursuant to Article 17.18 and forming part of the official file pursuant to Article 10.7.

The academic staff member is responsible for providing the relevant information and documentation for the review. The member may append to the Annual Information Form any related additional information.

17.4.7 Information for the period under review that is not stated on the Annual Information Form or Performance Review Form or not contained in the official file, shall not be considered.

17.5 The period to be reviewed terminates on December 31st. Career decisions shall focus on the period under review.

- When an academic staff member is applying for promotion, or applying for, or being considered for an appointment with tenure, the performance review shall cover the member’s entire career.

- **Excluding applications for merit based on exceptional performance, merit reviews shall consider performance in the previous three (3) years.**
Performance reviews may refer to issues raised with a member in the previous performance review and evaluate how the member has addressed these issues during the period since that review.

17.6 Upon written request to Human Resources, an academic staff member shall be provided with a list of all members in the same category (faculty, librarian, laboratory instructor, or instructor) who, within five years of the date of such request and within the same academic unit as the member, have received the career progress that the member is seeking.

17.7 Each year, every academic staff member shall complete the Annual Information Form and submit the completed form to the department head or other appropriate person. However, if the member is not being reviewed and is absent from campus, and if the Dean agrees, the Form need not be submitted. Instead, two Forms shall be submitted at the end of the next year.

Academic staff members who hold tenure-track appointments shall submit their completed Annual Information Form and any supporting documentation by December 15th. Members with term appointments or appointments with tenure, or who are applying for merit, shall submit their completed documentation by January 31st.

17.8 Those applying for tenure or promotion shall notify the Dean of their intent to apply with a copy to the department head or other appropriate person, no later than September 30th. Those intending to apply for tenure or promotion to the ranks of Professor or Librarian IV shall supply names and contact information of at least three referees no later than September 30th. Supporting documentation for applications for tenure or promotion, as outlined in 17.4, shall be submitted to the Dean no later than October 31st. Academic staff members shall have the opportunity to provide supplementary documentation at any time before the initial review is conducted.

Applications may be withdrawn at any time by notifying the Dean in writing but must be made before the initial review is completed.

17.9 Letters of Reference

Applications for tenure, or promotion to the ranks of Professor or Librarian IV, require letters of reference solicited by the Dean under the following conditions. (Librarians, Laboratory Instructors, and Instructors applying for tenure may ask to forego the use of letters of reference. Such requests shall not be denied unreasonably.)

The academic staff member shall supply names and contact information for three referees to the Dean no later than September 30th. The Dean shall request a letter of reference from each of the referees named by the member. The Dean may obtain letters of reference from up to three additional referees.

When soliciting written references from the referees, the Dean shall provide the appropriate Criteria for Performance Review document, and articles 16, 17 and 18 of the Collective Agreement, indicate what career decision is under consideration, and advise the referees that the letters shall be held in confidence in accordance with the procedures outlined below. When soliciting written references, potential or perceived conflicts of interest will be identified and raised for discussion. The Criteria Documents shall specify any additional material to be sent to the referees. Such material shall be provided by October 31st to the Dean, who shall in turn convey it to the referees.

The Dean shall retain the letters of reference in confidence. These letters are intended for the use of the Dean, the Review Committee, and in cases of promotion to Professor, the Campus Promotion Committee. The letters are not provided to the initial reviewer or to departmental review committees.

Letters shall be retained should they be needed for an appeal or for arbitration. Before the reference letters are submitted to appeal or arbitration committees, a representative from the Faculty Association and a representative from the University shall jointly edit the letters to delete anything that may identify the authors.
All letters of reference shall be destroyed after all reviews, appeals, and arbitrations have been completed.

Letters of reference received outside the above procedures shall not be considered in the performance review process and shall be destroyed.

Academic staff members seeking promotion to ranks other than Professor or Librarian IV may request, or agree to, the use of letters of reference. Members shall not be pressured, nor be penalized for refusing, to agree to the use of letters of reference.

17.10 In elaborating on the duties of academic staff members and the process by which members’ performance of these duties is to be reviewed, Criteria Documents shall not contravene any of the provisions of the Collective Agreement.

While it is recognized that there may be considerable variation among the criteria of academic units, such variations shall not be extreme or unfair.

In the review, the nature, extent, and location of such duties shall be taken into consideration. When assessing librarians, the amount of time available for research or professional activities shall be taken into account.

When the performance of Instructors is being reviewed, the Dean shall make every reasonable effort to secure instructor representation on the Review Committee. The review is to focus primarily on Instructors’ duties, which are teaching and related duties and service.

17.11 When establishing review criteria and procedures, the Dean shall consult in committee with the academic staff members of the academic unit. The criteria and procedures shall be reviewed from time to time by the Dean through consultation in committee with the members of the academic unit. Such a review is to be initiated either at the request of the Dean, or after a request by the members of the academic unit as ascertained by a motion to that effect passed at a meeting of the members of the academic unit to which they are assigned as specified in Article 13.9. The criteria and procedures shall be distributed to the members to whom they pertain and to the Faculty Association.

New or revised review criteria and procedures must be approved before the beginning of the review period to which they shall apply. Approval shall be by a majority vote of the academic staff members to be governed by such. In the event the Dean and the members cannot reach agreement, the review criteria and procedures shall be specified in writing by the Vice-President (Academic) only after consultation in committee with the members of the academic unit.

17.12 Initial Review
In departmentalized faculties, the initial reviewer shall be the department head or equivalent.

For units other than academic departments, the Dean, after consultation in committee with the relevant academic staff members, shall determine who is to be the initial reviewer. Members in the unit shall be informed in writing, before the beginning of the period under review, of the identity of the initial reviewer.

The Dean, after consultation in committee with the department heads or equivalents in that Faculty or equivalent unit, shall choose the initial reviewer(s) for heads, and inform the heads of their choice(s) no later than September 30th.

The initial review shall be conducted in accordance with procedures established by the academic unit and entered on the form over the signature of the initial reviewer.

When the initial reviewer has made a recommendation, it shall be communicated in writing to the academic staff member.
The initial reviewer shall discuss the recommendation with the academic staff member. Upon request by the member, the initial reviewer shall provide a copy of the Performance Review Form, including the recommendation, to the member.

The academic staff member shall sign the Performance Review Form indicating that the member has read the Form. The member’s signature does not necessarily indicate that the member is in agreement with the statements on the Form.

Academic staff members may add clarifying information after they have signed the Performance Review Form. This information shall be provided to the Dean no later than one week after the member has signed the Performance Review Form. The Dean shall attach this information to the Performance Review Form before it is forwarded to the Review Committee.

The initial review shall not be forwarded to the Review Committee until all the above steps have been completed.

17.13 Review Committee
The next step in the review process is an independent review by a committee elected by academic staff members of the academic unit, or selected by another procedure fully acceptable to the members of the academic unit and the Dean. The committee shall not include anyone with an out-of-scope appointment. The Dean may be present as an observer when the Review Committee meets.

Keeping in mind the substance of Articles 17.1 and 17.4, the Review Committee shall review the statements included in and attached to the Annual Information Form(s) and the Performance Review Form in the light of established criteria of the academic unit and make written recommendations, with rationale, on the Performance Review Form. Similarly, keeping in mind the substance of Articles 17.1 and 17.4, if there are verbal submissions by initial reviewers to the Committee made in the performance review process, the Committee shall decide if they are fair and appropriate commentary based upon appropriate evaluation of the material submitted for review. If they are not, they shall be excluded from consideration. If they are deemed to be fair and appropriate commentary, they shall be put in writing and communicated to the academic staff member being reviewed. The member will then have an opportunity to respond to the commentary.

The Review Committee shall schedule a meeting with the Dean to provide its recommendations to the Dean. In the case of a tenure-track academic staff member, the committee shall provide a written recommendation on renewal of appointment, the rationale for its recommendation, comments on the member’s performance, and suggestions to the member on steps to be taken for progress towards tenure and/or promotion. This document shall be part of the member’s file.

17.14 The academic staff member shall be given an opportunity to see the Performance Review Form after the Review Committee has made its recommendation(s).

The Dean shall invite, in writing, all academic staff members under review to peruse their Forms and, if they have any concerns, to schedule meetings with the Dean to discuss the Forms and the forthcoming career decision of the Dean. Upon request of the member, the Dean shall provide the member with a copy of the Performance Review Form (including the recommendations of the Review Committee). Except in unusual circumstances, members who are not on leave shall have seven days from receipt of the invitation to respond. If a member requests a meeting, the Dean shall schedule it as quickly as possible. The Dean shall contact members who are on leave and are being reviewed to arrange a mutually satisfactory deadline for perusing their Forms and arranging any meetings to discuss the Forms and the forthcoming career decision of the Dean.

At the meeting, the academic staff member shall be given an opportunity to interpret, explain, or add to the information contained in the written statements on the Performance Review Form.

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After the initial meeting the academic staff member shall have seven calendar days to request one further consultation.

An academic staff member may attach a special submission to the Performance Review Form before the Dean issues a decision. It is the member's obligation to attach such a submission within seven days of the initial meeting with the Dean.

17.15 **Tripartite Board**

**Academic** staff members may identify, in writing to the appropriate Dean, comment(s) made in a performance review (whether by the initial reviewer, the performance review committee, or the Dean) that they consider to be unsupported by the evidence and ask that the comment(s) be rescinded. If the Dean agrees, the author shall be asked to rescind the comment(s). If the Dean does not agree, or if the author refuses to rescind the comment(s), the Dean or the member may refer the matter to a tripartite board. The board shall assess the claim and determine whether or not to rescind any comment(s).

The board shall be composed of members currently on staff at the University and outside the academic unit where the dispute has occurred. The University and the Faculty Association shall each name one academic staff member to the board. The Chair shall be selected by mutual agreement between the Faculty Association and the University. (See Appendix G: General Procedures for Tripartite Board Review).

The University shall inform the Faculty Association of disputes arising under this Article, and shall provide the Faculty Association with the information needed to monitor the progress and resolution of such disputes.

17.16 On the matter of promotion to the academic rank of Professor, a Campus Promotion Committee shall review the academic staff member’s file and all material related to the application for promotion. This committee shall be chaired by a Vice-President other than the Vice-President (Academic) and shall be composed of one elected representative (normally at the rank of Professor and not an initial reviewer or a member of a Review Committee) from each line Faculty (currently nine) and three additional members appointed by the Chair with the view to ensuring representative balance on the committee (subject to the agreement of the Faculty Association). The terms will be staggered for continuity.

This Committee is advisory to the Dean of the academic staff member’s Faculty. However, in the case of a new appointment to the University at the rank of Professor where the appointee does not already hold this rank elsewhere, this Committee shall make a written recommendation, with its rationale, directly to the President.

The recommendation of the Campus Promotion Committee shall be entered on the Performance Review Form and communicated in writing by the Dean to the academic staff member before a decision is rendered. The member shall have seven days following receipt of the Committee’s recommendation to submit a response to the Dean.

17.17 Only after all the steps outlined above have been completed shall the Dean make a decision concerning the academic staff member’s career progress. The Dean may consult with any of the parties involved in the review process before making a decision.

Before making their decisions, Deans may seek advice from the Academic Review and Development Committee. ARDC shall only offer advice and shall not under any circumstances undertake a *de facto* review of individual members. The decision shall be made by the Dean alone.

The Dean shall enter the decision on the Performance Review Form and sign the Form.

17.18 As part of a comprehensive teaching evaluation system, a Dean may develop, administer, and use appropriate student course/instructor evaluation forms, following consultation in committee with academic staff members of the appropriate unit. The Faculty Association and the University agree that student course/instructor evaluations do not constitute unequivocal measures of teaching effectiveness and may only be used as part
of a more comprehensive teaching evaluation system which may include other measures of student impact, peer evaluation, and reflective thought from the member. Such a system, if developed, shall be created in consultation with the academic staff members of the appropriate Faculty and included in the faculty Criteria Documents.

When the information from student course/instructor evaluations is used, it will be in an aggregated or summarized form. Anonymous student comments gathered in the course/instructor evaluation process shall not be included in the aggregated or summarized forms. It is the member’s choice to provide students’ comments, but if they choose to do so, they must provide the complete set of students’ comments from the course.

An academic staff member who does not wish to use the form which is in current use may make a written proposal to the Dean suggesting an alternative method of student course/instructor evaluation.

17.19 All decisions on career progress arising from the performance review process shall be communicated to the academic staff member in writing in a timely manner and no later than June 30th. In the case of a decision concerning renewal of a tenure-track appointment, or granting of an appointment with tenure, the decision shall be communicated to the member no later than March 31st.

All decisions concerning career progress shall take effect on the July 1st following the end of the review period.

17.20 The Dean shall provide written reasons for the decision made upon the review of an academic staff member. The reasons shall refer clearly to the established criteria. Meetings may be scheduled by the Dean or the academic staff member to discuss the member’s performance and options.

In the case of renewal of a tenure-track appointment, the Dean shall communicate to the academic staff member annually, in writing, any areas of concern, indicating the Dean’s assessment of the member’s performance and areas that need improvement. The Dean shall discuss with the member the ways and means by which performance can be improved.

The decision of the Dean concerning renewal of a tenure-track appointment or granting of tenure is subject to the approval of the Board of Governors or its delegate. Neither the Dean nor the member, nor anyone acting on their behalf, shall confer privately with, or provide additional evidence or arguments to, the Board of Governors or its delegate.

17.21 Every academic staff member who has been reviewed and whose performance has been deemed to be below standard for the category and rank of appointment shall be so informed in writing by the Dean. The Dean’s letter shall also stipulate what improvements would be required for the member’s performance to be considered acceptable.

17.22 Career Mentorship
Career mentorship is a purely formative process focusing on growth and success that supports academic staff members in the development of the research, teaching, and service components of their careers. The intent of career mentorship is to support academic staff members in achieving their academic and career goals.

No records emanating from career mentorship meetings shall become part of the member’s official file.

17.22.1 Tenure-track Members
The department head or equivalent shall meet with new members within six months of the member’s appointment, and subsequently, as appropriate. The purpose of these meetings shall be to hold a formative discussion regarding performance of duties, to inform the member of the due
processes and conditions set out in the Collective Agreement and Criteria Documents for performance review and career decisions, and to provide advice.

The Dean shall also meet yearly with tenure-track academic staff members to provide mentoring. The purpose of the meeting is to recognize achievements of the member, review the member’s performance, and provide feedback on the member’s progress towards promotion and/or tenure. The department head or equivalent will also be present at this meeting. The academic staff member has the right to be accompanied by a departmental colleague or Association representative.

17.22.2 Tenured Members
Career planning for individuals holding the rank of Professor, Librarian IV, Laboratory/Clinical Instructor III, or Instructor III shall be conducted in accordance with 17.2.4. All other tenured members may request a career mentorship meeting with their Dean or equivalent to discuss mentoring opportunities and support in achieving their academic and career goals. Such a request shall not be unreasonably denied.

17.23 Sessional Lecturer Review Process
Reviews may be initiated by the member or the department head or equivalent. A Sessional Lecturer shall be reviewed upon achieving preference and then upon achieving priority; the reviews will be conducted by the department head or equivalent of the unit for which the sessional lecturer has received the most contracts.

A performance review for Sessional Lecturers shall include student evaluations in accordance with Article 17.18 and a review of instructional and student assessment materials. The review may include the report of an in class assessment (if performed) and a teaching dossier. A request to include such material shall not be unreasonably denied.

The department head or equivalent shall meet with the sessional within thirty (30) days of gathering the information indicated above to discuss the review, identify areas of strength and/or plans for development, and, if necessary, make recommendations that will assist the member to improve performance.

The academic staff member has the right to be accompanied by an academic staff member or Association representative.