

## **Article 37: Misconduct in Academic Research and Scholarship**

### Authorship

37.01 Members shall recognize and include as authors only those who have made a substantive intellectual contribution to the work in question.

37.02 Intellectual misconduct in academic research and scholarship is defined as:

- a) fabrication, falsification, or plagiarism;
- b) failure to recognize by authorship or due acknowledgement the substantive contributions of others, including students; or using of new information, concepts or data obtained through access to confidential manuscripts or applications for funds for research or training or that may have been seen as a result of processes such as peer review; or using archival material in violation of the rules of the archival source;
- c) failure to comply with relevant federal and provincial statutes and regulations as well as University regulations for the protection of researchers, human subjects, or the health and safety of the public, or for the welfare of laboratory animals, or failure to meet other legal requirements that relate to the conduct of research.

Misconduct in research and scholarship does not include those factors intrinsic to the process of academic research, such as honest error, conflicting data, or differences in interpretation or judgment of data or of experimental design.

37.03 Financial misconduct in academic research and scholarship is defined as:

- a) intentional misuse of funds designated for research purposes;
- b) intentional failure to reveal any material conflict of interest to the agencies funding the member's university research, to those who commission such research, to an editor or agency requesting the member to undertake reviews of research grant applications or manuscripts for publication, or to an agency requesting the member to test products for sale or distribution to the public;
- c) intentional failure to reveal to the University any material financial interest in a company that contracts with the University to undertake research, particularly research involving the testing of that company's products or to supply goods or services directly pertaining to the member's university research. Material financial interest includes ownership, substantial stockholding, a directorship, substantial honoraria or consulting fees but does not include stock holdings in publicly traded or private companies where holdings constitute less than ten percent (10%) of the outstanding common stock.

37.04 Procedures

The procedures of Article 29 apply except as follows:

- a) correspondence invoking this Article and/or disciplinary actions arising from this Article shall be so identified;
- b) suspensions leading to dismissal, and identified as such in accordance with Article 29.16 or 29.17, shall be with salary and benefits continuing until the results of the arbitration process (Article 22) are known.