

## Article 19: Tenure for Librarians

### 19.01 General Tenure Considerations

- a) Tenure as an academic status means continuing appointment in a full-time position as Associate Librarian or Senior Librarian until resignation, retirement, or termination under the provisions of this Collective Agreement.
- b) Tenure is granted as a means to ensure academic freedom, a principle to which the university community is dedicated.
- c) The granting of tenure is a confirmation of a person's competence and commitment to the creative task of higher education.
- d) The Board of Governors confers tenure only on the basis of a judgment made by the member's peers in accordance with the procedures set forth in this Article.
- e) Tenure shall not apply to administrative offices or to any other position outside the bargaining unit. However, a librarian member with tenure shall not relinquish tenure upon receiving such an appointment. When the administrative term of office of a librarian member with tenure is completed, or should the person resign prior to the end of the term of office, she or he shall revert to librarian status with uninterrupted tenure.
- f) A tenured librarian who transfers from one (1) unit to another within the Library or to an academic unit within the University shall retain her or his tenured status.
- g) A tenured librarian on reduced-time appointment as per Article 25 shall retain status as a librarian member with uninterrupted tenure.
- h) Only librarian members who hold a probationary appointment at the rank of Librarian II and above shall be eligible for tenure consideration.

### 19.02 Tenure Criteria

- a) For tenure to be granted, candidates shall have demonstrated a level and quality of competence and promise in the areas of activity described in Article 17.01 a) and 17.01 b) consistent with the unit, Library and University expectations, including conditions prescribed at the time of initial appointment or in the course of reappointment exercises conducted in accordance with Article 15.
- b) Performance during the overall period of the probationary appointment shall be taken into account in applying the above criteria; when a candidate is considered under the provisions of Article 19.06 a) i), consideration may be given to accomplishments prior to the probationary appointment.

- c) In addition to satisfying the criteria in Article 19.02 a), a candidate for tenure shall have given evidence of ability and willingness to fulfill the service expectations of the unit, Library/Faculty, and University.

#### 19.03 Mandatory Consideration for Tenure

- a) The following provisions shall apply in all cases with the exception of those where mandatory consideration for tenure has been deferred under the provisions of Article 19.05.
- b) The projected academic year of mandatory consideration for tenure shall be inserted in all contracts at the time of initial appointment.
- c) A librarian member holding the rank of Librarian II shall be considered for tenure during the academic year following the completion of four (4) years of service in a probationary appointment at the rank of Librarian II at Concordia University.
- d) A librarian member appointed without tenure at the rank of Associate Librarian shall be considered for tenure in the academic year following completion of the following number of years of service in a probationary appointment:
  - i) two (2) years, in the case of members appointed primarily on the basis of prior tenured or probationary service at another institution;
  - ii) four (4) years, in the case of members appointed primarily on the basis of prior professional or creative experience in a capacity other than tenured or probationary service at another university.
- e) To be eligible for mandatory consideration for tenure a candidate may not have been on leave for any extended period during the winter and the fall terms of the calendar year prior to tenure consideration, except in the case of leave in accordance with Article 35. However, a member may request early consideration for tenure as per Article 19.06.

#### 19.04 Tenure on Appointment

- a) Notwithstanding Article 19.01 h), tenure may be conferred at the time of initial appointment to the University only at the rank of Associate Librarian or Senior Librarian, and then only after a positive recommendation of the LTC. The Dean shall convene a meeting of the LTC in order to consider a candidate for tenure on appointment.
- b) An appointment at the rank of Associate Librarian may be offered with or without tenure. An appointment at the rank of Senior Librarian shall be offered only with tenure.
- c) The LTC shall submit a reasoned report to the Provost concerning the conferral of tenure on appointment. The candidate for tenure on appointment shall not have the right to a hearing before the LTC but may be requested by the LTC to

appear before it. The candidate shall not have the right to receive copies of the proceedings.

- d) If the LTC report recommends tenure on appointment, and if the Provost concurs with this recommendation, the President shall transmit the LTC report to the Board of Governors.

#### 19.05 Deferral of Mandatory Tenure Consideration

- a) A member may request that consideration of tenure be deferred only once for a single period of one (1) or two (2) years for specific reasons, despite the fact that she or he has reached the stage defined in Article 19.03. In no case shall consideration for tenure be further delayed. The decision to grant or deny deferral shall be limited to a decision to grant or deny the deferral for the period requested by the member.
- b) The librarian member seeking deferral of mandatory tenure consideration has the burden of establishing her or his case in a letter outlining the reasons for the deferral request with supporting documentation, sent to the Dean, with copies to the Assistant Director or appropriate administrator for librarian positions located outside the Library, the Provost and the Association by September 15, in the academic year in which consideration for tenure would otherwise be mandatory.
- c) Deferral may be granted only upon the favourable recommendation of the LTC, which shall submit a reasoned report to the Provost with a copy to the member by October 10.
- d) The decision of the LTC that there are not sufficient grounds for deferral shall be final and binding. Such a decision shall not constitute a refusal of tenure, and the provisions for mandatory consideration of tenure as per Article 19.03 shall apply.
- e) The Provost shall review the request for deferral and the reasoned report of the LTC and make a decision by October 20. The decision of the Provost shall be final and binding.
- f) The granting of a deferral shall not prejudice a candidate's case for tenure in subsequent tenure consideration.
- g) The contract of a member granted a deferral of tenure shall be extended by a duration equal to the length of the deferral.
- h) Notwithstanding Article 19.05 c), a member who was on leave in accordance with Article 35 or on a leave of not less than forty-five (45) days granted in accordance with Article 33, may request a deferral of tenure consideration. This deferral shall be automatic and shall have a duration of at least one (1) year. In all cases, mandatory tenure consideration shall occur at the tenure exercise following the end of the deferral.

#### 19.06 Early Consideration for Tenure

- a) Librarian members who satisfy one (1) or more of the following criteria may be considered for tenure prior to the date of normal mandatory consideration.
  - i) two (2) or more years of service in a probationary position at another university before the date of their probationary appointment at Concordia University;
  - ii) a record of superior performance sufficient to justify invitation by the LPC or application by the member.
  
- b) Such consideration shall occur only following completion of the following numbers of years of service in a probationary appointment:
  - i) two (2) years, in the case of a librarian member holding the rank of Librarian II;
  - ii) one (1) year, in the case of a librarian member holding the rank of Associate Librarian.
  
- c) Early consideration for tenure on the basis of superior performance may occur subject to the following:
  - i) In exceptional circumstances, a probationary librarian member may be considered early for tenure on the basis of a record of superior performance. In such cases, tenure shall be granted only following a determination that the candidate's dossier is qualitatively and quantitatively consistent with expectations for mandatory consideration as set out in Article 19.03.
  - ii) Early consideration for tenure may occur only following either:
    - 1) an invitation by the LPC, subject to the approval of the Dean;
    - 2) an application by the member to the LPC for consideration, subject to the approval of the LPC.
  - iii) A librarian member who intends to apply for early consideration shall so notify the LPC in writing by October 15, with a copy to the Dean, the Provost and the Association. The LPC shall respond by November 15.
  - iv) Invitation by the LPC to be considered early for tenure shall follow only on an initial assessment by the LPC that the candidate's dossier appears to satisfy the criteria specified in Article 19.06 a) ii). The LPC shall issue this invitation by October 15.
  - v) The consideration for tenure of a member under the provisions of Article 19.03 shall follow the procedures stipulated in the remainder of this Article.
  - vi) Refusal of early consideration for tenure shall not constitute a denial of tenure.

#### 19.07 Denial of Tenure

- a) A candidate denied tenure following consideration under the provisions of Article 19.03 shall be offered a one (1) year non-renewable terminal appointment

which shall terminate May 31 of the academic year following the year of consideration for tenure.

- b) A candidate denied tenure following consideration under the provisions of Article 19.03 shall not be reconsidered for tenure.
- c) A candidate denied tenure following early consideration under the provisions of Article 19.06 shall be reconsidered as follows:
  - i) A librarian member invited by the LPC to be considered for early tenure may be invited again in subsequent years;
  - ii) A librarian member who applied for early consideration for tenure, whether on the basis of superior performance or prior experience, shall be considered for tenure a second and final time one (1) year later than normal mandatory consideration.

#### 19.08 Procedure for Tenure Consideration

The Dean shall:

- a) Constitute the LTC annually on or before September 15;
- b) Convene the LTC to consider tenure on appointment (see Article 19.04) whenever necessary;
- c) Make known to all librarian members, by September 15, the membership of the LTC;
- d) Provide the LTC with the list of tenure candidates for consideration under the provisions of Article 19.03 or 19.06, as well as the names of members who have requested deferral under the provisions of Article 19.05;
- e) By October 25, advise members to be considered under the provisions of Article 19.03 to prepare a complete dossier (see 15.01) for submission to the Chair of the LTC by January 5;
- f) Convene the first meeting of the LTC by January 15, or earlier if there are requests for deferral. Notice of this first meeting shall be sent to all members of the LTC at least one (1) week prior to the date of the meeting;
- g) Aid the LTC by providing all relevant documentation as requested.

#### 19.09 Responsibilities of the tenure candidate

- a) The burden of establishing and documenting the case for tenure rests with the candidate. The candidate is responsible for the preparation of a complete dossier (see Article 15.01), setting out the case for tenure. The dossier shall be submitted to the Dean as Chair of the LTC by January 5 in the academic year in which the candidate is being considered, and transmitted to the LTC by January 15. A librarian member who participates in the activity of academic units other than

her or his administrative unit or Library (e.g., Colleges) is expected to include reference to such activity in the dossier, which the candidate submits to the LTC with supporting material. A librarian member shall also include in the dossier a letter of recommendation concerning her or his professional librarian activities written by the immediate supervisor, whether tenured or not.

- b) The dossier submitted by the candidate may be supplemented with relevant information by the Dean as Chair of the LTC. The candidate shall be informed of the nature of this information and receive copies of all supplemental documentation and shall have five (5) days to provide any commentary relevant to this supplementary information.
- c) Evaluations of a candidate's performance shall not be solicited from external referees.
- d) The candidate shall appear in person before the LTC.

#### 19.10 Responsibilities of the tenure candidate with respect to the meeting with the LTC

- a) if the candidate wishes she or he may be accompanied by a colleague from the full-time librarian members acting as advisor;
- b) the candidate and/or advisor shall be prepared to answer relevant questions. The candidate shall have the right to table any additional documentation and/or bring any persons before the LTC in support of her or his candidacy.

#### 19.11 Responsibilities of the LTC with respect to the meeting with the tenure candidate.

- a) Notification shall be given to the candidate at least one (1) week prior to the meeting.
- b) Any member of the LTC may introduce relevant information regarding a candidacy.
- c) It is the Chair's responsibility to obtain and provide to the LTC all necessary documentation, and copies of such material shall be available to the candidate.
- d) The LTC shall have the right to invite any persons before it regarding a candidacy, and to request additional information on any aspect of the candidate's documentation.
- e) After all material has been presented and questioning has taken place, the candidate shall withdraw.
- f) The advisor shall remain for the discussion, but shall not vote unless she or he is a member of the LTC. In any case, advisors shall respect the confidentiality of any ensuing discussion.

#### 19.12 The LTC shall vote employing the procedure set out below:

- a) The quorum shall be more than fifty percent (50%) of the available librarian members of the LTC.
- b) The LTC shall decide by majority vote of its members, by secret ballot, whether the granting of tenure should be recommended. The Dean shall chair the LTC and shall vote only in the event of a tie.
- c) Only those present during the discussions and the hearing referred to in Article 19.09 d) shall vote.
- d) Each member shall receive two (2) ballots: one (1) marked "grant" and one (1) marked "deny". Only one (1) ballot shall be submitted.
- e) The number of ballots submitted shall be determined before the ballots are examined.
  - i) If the total number of ballots submitted is not equal to the total number of voting members, the ballots shall be destroyed without being examined and the vote shall be repeated following the same procedure until such time as the total number of ballots submitted is equal to the total number of voting members.
  - ii) If the total number of ballots submitted is equal to the total number of voting members, the ballots shall be counted and the numerical result of the vote shall be recorded.

#### 19.13 Responsibilities of the LTC

- a) The LTC recommendation on each candidate shall be made in the form of a reasoned report.
- b) The report shall recommend either that tenure be granted or that it be denied.
- c) The report, after approval, shall be transmitted by the Dean to the Provost with a copy to the candidate by April 15. The report shall be accompanied by the complete record, including the candidate's dossier.

#### 19.14 Procedures Subsequent to LTC Consideration

- a) The Provost shall receive the reasoned report of the LTC and shall notify the candidate of the recommendation for tenure or its refusal by May 7. The Provost shall notify the candidate of her or his appeal rights. If no appeal has been lodged by May 21, the Provost shall forward the LTC report, and the complete record, including the candidate's dossier, to the President. If an appeal has been lodged, the Provost shall so inform the President.
- b) The President shall verify that the LTC has complied with the provisions set out in these regulations.

#### 19.15 Communicating the Tenure Decision to the Candidate

- a) Where the LTC has decided to grant tenure, the President shall transmit the LTC recommendation to the Board of Governors.
- b) Where tenure is conferred by the Board of Governors, it shall be effective on June 1 following the application. The Secretary of the Board of Governors shall so inform the candidate.
- c) Where the LTC has decided that tenure be denied, and no appeal has been lodged, the notification by the Provost to the candidate referred to in Article 19.14 a) shall serve as formal University notification that tenure has been denied.