

- ii. the Dean's assessment of the Faculty Member's progress toward satisfying the criteria for tenure in Research, Teaching, and Service;
 - iii. the Faculty Member's documentation as provided in Article 19.04 a).
- g) The Faculty Member's Official File, excluding any disciplinary letters, shall be made available to the Review Committee.

19.05 The Review

- a) The Review Committee shall assess whether the Faculty Member is making satisfactory progress towards satisfying the criteria for tenure. To this end, the Review Committee shall consider all documentation before it, choosing if necessary to obtain more information, such as the comments of collaborators or of colleagues who have co-taught with the Faculty Member, if these are not included in the documentation supplied. If additional information is required, the Chair shall make a request to the candidate, in writing. The candidate will have five (5) Days to provide the additional information.
- b) After Review Committee members are satisfied that enough information has been obtained, the Review Committee shall write a report to the Provost, assessing whether the Faculty Member has made satisfactory progress toward satisfying the criteria for tenure in Research, Teaching, and Service and providing suggestions to the Faculty Member on satisfying the criteria for tenure.
- c) The Review Committee shall forward its report, summarizing the assessment of the Faculty Member's performance, to the Provost and the Faculty Member no later than December 1. All documentation considered by the Review Committee will be forwarded with the report to the Provost.

Article 20 – Tenure

20.01 Tenure

Tenure is an indefinite term appointment within one (1) or more Faculties, relinquished only upon retirement or resignation, or upon termination in accordance with Articles 23 or 24.

20.02 Criteria for the Award of Tenure

- a) The award of tenure is a career decision that shall reflect all of the candidate's academic and professional accomplishments at UOIT and elsewhere prior to the time of the consideration of tenure.

- b) Candidates for tenure are assessed on their Research, Teaching, and Service. Persons awarded tenure must show clear promise of continued contribution through a record of:
 - i. research activity that includes peer reviewed publication and/or peer recognized creative professional practice; and
 - ii. satisfactory performance in Teaching; and
 - iii. satisfactory Service.
- c) The availability of resources provided by the Employer will be taken into account when assessing Research, Teaching, and Service.
- d) Evidence of Teaching and Research varies among the disciplines. Committees shall recognize this variation when assessing the evidence required by this Agreement and shall give consideration to both quantitative, qualitative and/or mixed methodologies as appropriate to the discipline.

20.03 Timing of the Tenure Review Process

- a) Faculty Members appointed at the rank of Assistant Professor without tenure are entitled to consideration for tenure during the sixth year of their appointment.
- b) Faculty Members appointed at the rank of Associate Professor without tenure are normally entitled to consideration for tenure during the third year of their appointment.
- c) Any Faculty Member who has taken maternity, adoption, or parental leave, or a period of reduced responsibility to fulfill parental responsibilities following the birth or adoption of one (1) or more children, has the right to have the probationary appointment extended and the tenure consideration postponed for a period of one (1) year for each such leave or period.
- d) Any Faculty Member who has taken a leave of more than one (1) month because of short term disability or long term disability may request from the Dean to have the probationary appointment extended and the tenure consideration postponed to a succeeding cycle. Reasonable requests shall not be denied.
- e) At the discretion of the Provost, a Faculty Member may also have the probationary appointment extended and the tenure consideration postponed on condition of exceptional personal or professional circumstances. Reasonable requests shall not be denied.
- f) Faculty Members may elect to be considered for tenure early upon completion of third year review for Assistant Professors, or after one (1) year at the University for

those appointed at the rank of Associate Professor without tenure. In such cases, the case coming forward early must meet the same standard and follow the same timetables mutatis mutandis as for cases brought forward on the usual schedule. Failure to attain tenure early will result in the Faculty Member being considered again at the normal time subject to any provision for delay as set out in this Article. For clarity, candidates for early tenure consideration cannot appeal the early tenure decision.

- g) An annual progress towards tenure review of tenure-track Faculty Members shall be conducted in accordance with Article 17.03 b).

20.04 The Faculty Review Committee

- a) Within each Faculty, the Dean shall establish a standing Faculty Review Committee in accordance with Article 20.04 b).
- b) The standing Committee shall consist of five (5) tenured faculty members, four (4) of whom shall be tenured faculty members elected by the tenured and tenure-track faculty members in the Faculty plus one (1) tenured faculty member appointed by the Dean. In appointing a member to the Committee, the Dean will take into account the diversity, and the rank and discipline mix of the Faculty and of the elected members. When appropriate, members of the Faculty Review Committee may be chosen from tenured faculty members in a related Faculty. There shall be no overlap of members of the Tenure and Promotion Committee and the Faculty Review Committee. These Committee members shall normally serve for up to three (3) years but their terms shall be staggered to encourage continuity.
 - i. The Committee will be chaired by a faculty member selected by and from the Committee.
 - ii. The Chair may participate in the deliberations of the Committee but shall only vote when required to break a tie.
- c) A member of the Faculty Review Committee must absent themselves from cases where they have a conflict of interest. In these cases, the Committee shall function with a reduced number of members. Should the number of conflicts in a particular case equal more than two (2), the Dean shall appoint (an) alternate tenured faculty member(s) either from the list of members who were nominated but not elected in accordance with the highest number of votes received, or at the Dean's discretion if there are none on the list, to ensure that there is a minimum of three (3) members on the Committee for each case.
- d) The Faculty Review Committee shall be supplied with all of the documentation listed in Article 20.11 a) which the Committee shall carefully consider.

- e) The Faculty Review Committee shall make a recommendation to the Tenure and Promotion Committee with respect to whether the candidate meets the criteria for tenure. The report of the Faculty Review Committee will be authored by the Chair and signed by its members. The report shall summarize the documentation in Research, Teaching, and Service clearly related to the criteria for the award of tenure as per Article 20.02 and include detailed reasons for the Faculty Review Committee's recommendations, including dissenting opinions, that are clearly related to the criteria for the award of tenure as per Article 20.02. A copy of this recommendation will be provided to the Dean at the same time that it is forwarded to the Tenure and Promotion Committee.
- f) The Faculty Review Committee report shall be completed by November 15 of the Academic Year when the Faculty Member is being considered for tenure.

20.05 The Tenure and Promotion Committee

- a) The University shall establish a standing Tenure and Promotion Committee consisting of fourteen (14) tenured faculty members chosen broadly from across all disciplines in the University, plus the Provost as Chair. The faculty members on the Committee are chosen as follows:
 - i. Ten (10) tenured faculty members shall be elected by secret ballot in election(s) held by the Office of the Provost. The Association shall receive a copy of the election report as soon as the results are available. The member with the highest number of votes from each Faculty shall serve. The three (3) members with the next highest number of votes from three (3) different Faculties shall serve. All Faculty Members are eligible to vote in these elections. These Committee members will normally be elected for up to three (3) years but their terms shall be staggered to encourage continuity.
 - ii. Three (3) members and at least one (1) alternate shall be appointed by the Provost. These appointed members may either be Faculty Members or tenured faculty with an administrative appointment.
- b) The Tenure and Promotion Committee shall be chaired by the Provost, in a non-voting capacity, to consider tenure applications and to make award of tenure recommendations to the President.
- c) No member of the Tenure and Promotion Committee can review the case of any candidate where they have been involved in any part of the candidate's tenure process at the Faculty level. Any member of the Tenure and Promotion Committee must also absent themselves from cases where they may have a conflict of interest.
- d) The Tenure and Promotion Committee which reviews any given case shall consist of seven (7) members, at least four (4) of whom shall be elected members. The

selection of the Committee shall be made to ensure broad Faculty and disciplinary representation.

- e) The Tenure and Promotion Committee shall carefully consider the documentation assembled under Article 20.11 d). The Tenure and Promotion Committee shall prepare its written recommendation which includes a summary of the evidence before the Committee and a statement which indicates clearly the Committee's detailed reasons for its recommendation. This statement of reasons shall clearly relate to the criteria for the award of tenure as per Article 20.02. The final text of the written recommendation shall be reviewed by all the Committee members who served on the case in question.

20.06 Tenure Review Procedures of the Faculty Review Committee and the Tenure and Promotion Committee

- a) The Committee quorum is the full membership. Meetings shall be held in-camera. The deliberations of the Committee are confidential, and the votes of individual Committee members are confidential to the Committee. While the content of the Committee meetings is confidential, this shall not prohibit members of the Committee from raising concerns about the functioning of the Committee with the Office of the Provost and/or the Association.
- b) All members of these Committees shall make a judgment in an unbiased manner and in conformity with the requirements of this Article.
- c) Prior to the consideration of candidates, the Committees shall meet to review the provisions of this Article. This review shall include discussion of the criteria and evidence upon which tenure decisions are made and the diverse forms of Research, Teaching, and Service that exist across the University.
- d) Each Committee shall make its recommendation solely on the evidence before it and may recess to consider the evidence and whether additional information is required. If additional information is required, the Chair shall make a request to the candidate, in writing. The candidate will have five (5) Days to provide the additional information.
- e) The Committees recommend only that tenure be granted or be denied. The vote shall be by signed private ballot, after which the Chair will announce how each member voted. A recommendation to grant tenure must be approved by a majority of the members. Abstentions are not permitted. The Chair is a non-voting member, except as noted in Article 20.04 b) ii).

- f) In the event of a proposed negative recommendation, by either Committee, the respective Committee shall recess and provide the candidate with a written statement of detailed reasons for the proposed recommendation, and an invitation to respond to the statement, within ten (10) Days, in writing, and at the candidate's option, orally. This statement of reasons shall be clearly related to the criteria for the award of tenure in accordance with Article 20.02. In the case of an oral response, the candidate shall have the right to have an Association representative present when making his/her presentation. In preparing a response, candidates shall have access to the full contents of their tenure file, including confidential letters with identities redacted. The Committee must then have a final meeting to record its recommendation.

20.07 Notification of the Candidate

- a) By April 1 of the candidate's penultimate probationary year, the Dean shall inform the candidate in writing that they shall be considered for tenure in the following Academic Year.
- b) The Dean shall notify all eligible candidates of the following requirements, and make an appointment with the candidate to discuss their implications:
 - i. the text of this Article;
 - ii. the timeline of the tenure review procedures;
 - iii. the requirement to provide all documentation by the stated deadline as set out in Article 20.10 a);
 - iv. the requirement to provide a list of external referees for Research nominated by the candidate;
 - v. the requirement to provide a list of referees for Teaching nominated by the candidate.

20.08 Written Evaluations by Referees, Colleagues and Students

- a) External Referees for Research
 - i. Each of the Dean and the candidate may suggest up to four (4) external referees for Research. No more than four (4) external referees for Research, two (2) from the Dean's list and two (2) from the candidate's list, will be selected. The Dean shall meet with the candidate not later than May 15 to review the names of external referees for Research and attempt to reach agreement. It is preferable that the candidate and the Dean agree on a common list from which the referees are to be selected. If the Dean wishes to inquire of external referees for Research to whom the candidate has objections, the candidate may state their objections orally and in writing. Written objections to any external referees for Research will become part of the documentation forwarded by the Dean to the Faculty Review Committee and the Tenure and Promotion Committee.

- ii. The external referees for Research shall be knowledgeable in the candidate's field and normally be senior faculty members who are at arm's length from the candidate.
- iii. All external referees for Research shall receive all documentation assembled by the candidate under Article 20.10 a) i-iv., along with a copy of this Article and Article 16.01 to 16.04 inclusive.
- iv. An acceptable tenure application file shall contain a minimum of three (3) appraisals from external referees for Research.
- v. The external referees for Research shall not be asked to make a recommendation either for or against tenure, but rather to assess the candidate's record of Research and promise of continued contribution to Research.
- vi. Emailed appraisals shall be followed by a signed letter.
- vii. The reports of the external referees for Research shall be complete by October 15.

b) Referees for Teaching

- i. Each of the Dean and the candidate will suggest up to 2 individuals to act as referees for Teaching. Referees for Teaching are normally faculty members from within the same Faculty or the University. Referees for Teaching can be external to the University if both the Dean and the candidate agree. No fewer than two (2) and no more than three (3) referees for Teaching will be selected. The Dean shall arrange a meeting with the candidate not later than May 15 to review the names of referees for Teaching and attempt to reach agreement. It is preferable that the candidate and the Dean agree on a common list from which the referees are to be selected. If the Dean wishes to inquire of referees for Teaching to whom the candidate has objections, the candidate may state their objections orally and in writing with the assurance that the identity of those to whom they objected will not be disclosed without consent. Written objections to any referee will become part of the documentation forwarded by the Dean to the Faculty Review Committee and the Tenure and Promotion Committee.
- ii. Referees for Teaching will normally be senior faculty members where there is no conflict of interest between the candidate and the referee.
- iii. Referees for Teaching shall receive the documentation assembled under Article 20.10 a) i, ii, and v, along with a copy of this Article and Article 16.01 to 16.04 inclusive.

- iv. A referee's assessment of a candidate's Teaching performance shall seek to balance all aspects of Teaching, as defined by Article 16.03, as well as the Faculty context within which the candidate works. Assessments of Teaching performance shall recognize that:
 - a. a candidate's strong performance in some aspects of Teaching may compensate for a weaker performance in other aspects of Teaching; and
 - b. a candidate's Teaching performance may differ significantly in different disciplines, and with different approaches to Teaching.
 - v. A referee's assessment of a candidate's Teaching performance shall review all relevant information including but not limited to:
 - a. the size, type and nature and level of courses taught;
 - b. the nature of the subject matter;
 - c. the experience of the instructor with the course, and the number of new preparations assigned to the instructor;
 - d. the role of the instructor and the method of course delivery;
 - e. the quality and utility of instructional materials prepared by the candidate;
 - f. the candidate's contributions in the areas of instructional development and innovation, and the complexity and risk such innovation entails; and
 - g. the integration of technology in Teaching.
 - vi. Any candidate whose Teaching performance is being assessed by a referee has the right to submit additional information about their Teaching.
 - vii. Referees for Teaching shall spend some time in the classroom (face-to-face and/or online) of the candidate whose Teaching is being assessed as well as examining the candidate's online Teaching materials and communications.
 - viii. The reports of referees for Teaching shall be complete by October 15. The report shall state whether the candidate's Teaching performance is satisfactory and shall provide detailed written reasons for the conclusion.
- c) Other Evaluations
- i. Other written evaluations will be sought by the Dean from faculty members of the relevant Faculty(ies). An email shall be sent to all faculty members of the relevant Faculty(ies) inviting them to write to the Dean with comments on the candidate's performance in Research, Teaching, and/or Service, and based on the criteria in Article 20.02. These signed letters shall all be compiled in the tenure file by October 15.

20.09 Assembling the Documentation

The candidate's Official File, excluding any disciplinary letters, shall be made available to the members of the Faculty Review Committee and the Tenure and Promotion Committee. In addition to the Official File, the candidate and the Dean are responsible for other tenure documentation as specified in Article 20.10 and Article 20.11.

20.10 Documentation Supplied by the Candidate

a) The candidate will supply the following documentation to the Dean:

- i. An updated and complete curriculum vitae;
- ii. A statement written by the candidate that addresses how the criteria for tenure have been satisfied. This statement will include three (3) main sections that address the Research, Teaching, and Service criteria as outlined in Article 20.02;

The candidate has the right to include in this statement a subsection that specifically addresses the context for Research, Teaching, and Service activities over the probationary period and, if applicable, the availability of resources provided by the Employer and its effect on their Research, Teaching, and Service.

A copy of this document will be sent or made available to all persons who are asked to evaluate the candidate.

- iii. Copies of a selection of their work that best represents the candidate's Research. The candidate will include a rationale for this selection of works. Material not included in the selection will be available to the external referees for Research, the Faculty Review Committee and the Tenure and Promotion Committee on request.
- iv. If relevant, candidates shall be encouraged to provide work-in-progress. If any substantial reliance is to be placed on unpublished work in the assessment of Research accomplishments, this work must be available to the external referees for Research, the Faculty Review Committee and the Tenure and Promotion Committee.
- v. A Teaching Dossier.
- vi. The candidate may seek any additional written reviews. These signed letters will all be compiled in the tenure file and identified as solicited reviews in the dossier.

b) Timing

All of the documentation for the assessment of tenure will be assembled by August 15 of the Academic Year in which the candidate is being considered for tenure.

20.11 Documentation Assembled by the Dean

- a) By October 15 the Dean shall assemble the following documentation for the Faculty Review Committee:
 - i. the reports of the referees for Research;
 - ii. the reports of the referees for Teaching;
 - iii. letters received by the Dean; and
 - iv. the documentation assembled by the candidate under Article 20.10 a)
- b) By October 15 the Dean shall provide the candidate with the reports of the referees for Research with identifying information removed, the reports for Teaching and the letters received by the Dean.
- c) By December 1 the Dean shall provide to the candidate a letter of recommendation as to whether the candidate should be granted tenure or denied tenure, and this letter shall take into account the recommendation and report of the Faculty Review Committee as described in Article 20.04 e).
- d) By December 31 the Dean shall assemble the following documentation for the Tenure and Promotion Committee:
 - i. the documentation provided under Article 20.11 a);
 - ii. the documentation provided under Article 20.11 c);
 - iii. the documentation provided under Article 20.04 e);
 - iv. any response(s) from the candidate provided under Article 20.12.

20.12 Opportunity to Respond

- a) By October 15 the Dean will provide the candidate with the material assembled under Article 20.11 b).
- b) The candidate will have ten (10) Days to provide a written response to the documents provided in Article 20.12 a). This response will be added to the documentation for the Faculty Review Committee. At this time the candidate may indicate that they elect to make an oral submission to the Faculty Review Committee.
- c) By November 15 the Faculty Review Committee will provide the candidate with its recommendation.

- d) The candidate will have until the first Day of January to provide a written response to the recommendation and report of the Faculty Review Committee. This response will be added to the documentation for the Tenure and Promotion Committee in Article 20.11 d).
- e) The candidate will have until the first Day of January to provide a written response to the recommendation and report of the Dean. This response will be added to the documentation for the Tenure and Promotion Committee in Article 20.11 d).
- f) At this time the candidate may indicate to the Office of the Provost that they elect to make an oral submission to the Tenure and Promotion Committee.

20.13 Objections to the composition of the Faculty Review Committee and the Tenure and Promotion Committee

- a) The names of the members of the Faculty Review Committee shall be communicated to the candidate by September 15 with the request that the candidate communicate, in writing, to the Dean, any objection(s) concerning any member of the Committee within ten (10) Days, stating the reason for the objection(s). The Dean, after considering the candidate's response to the proposed membership of the Faculty Review Committee, and taking appropriate steps to resolve any objections, shall determine a date and time for the meeting and notify members of the Faculty Review Committee.
- b) The names of the members of the Tenure and Promotion Committee shall be communicated to the candidate by December 1, with the request that the candidate communicate, in writing, to the Provost, any objection(s) concerning any member of the Committee within ten (10) Days, stating the reason for the objection(s). The Provost, after considering the candidate's response to the proposed membership of the Tenure and Promotion Committee and taking appropriate steps to resolve any objections, shall determine a date and time for the meeting and notify members of the Tenure and Promotion Committee.

20.14 The Recommendation Process

- a) The Chair of the Faculty Review Committee shall, not later than November 15, convey its recommendation and report to the candidate, the Dean, and the Provost.
- b) The Faculty Review Committee's recommendation to the Tenure and Promotion Committee shall be accompanied by all of the documentation as specified in Article 20.11 d).

- c) The Chair of the Tenure and Promotion Committee shall, not later than March 31, convey the Tenure and Promotion Committee's recommendation to the candidate and the President.
- d) The Tenure and Promotion Committee's recommendation to the President shall be accompanied by all of the documentation before the Committee.
- e) The President shall inform the candidate and the Chair of the Tenure and Promotion Committee of the President's recommendation within one (1) month of receiving the recommendation. If the President's recommendation is different than that of the Tenure and Promotion Committee, the President shall provide written reasons.
- f) In the case of a positive recommendation by the President, the President shall notify the Board of Governors that their recommendation will be presented for the Board's approval at its next scheduled meeting.
- g) In the case of a negative recommendation by the President, the candidate can elect to appeal this recommendation within ten (10) Days to the Tenure and Promotion Appeal Committee following the procedures set out in Article 20.15. The President shall delay conveying the President's recommendation to the Board until after any appeal through the Tenure and Promotion Appeal Committee process or any grievance/arbitration process is completed.
- h) Subsequent to the Board's decision, the President shall convey the decision to the candidate within ten (10) Days.
- i) A decision to grant tenure will be effective July 1 and if the candidate is an Assistant Professor they shall be promoted to Associate Professor.

20.15 Appeals Against Denial of Tenure

- a) The University shall establish a standing Tenure and Promotion Appeal Committee consisting of eight (8) tenured faculty at the rank of Professor, chosen broadly from across all disciplines in the University. No member of the Tenure and Promotion Appeal Committee may also be a member of the Tenure and Promotion Committee or the Faculty Review Committee for the specific candidate. The faculty members on the Committee are chosen as follows:
 - i. Five (5) tenured Faculty Members with the rank of Professor shall be elected by secret ballot in election(s) held by the Office of the Provost. No two (2) of these elected members can be from the same Faculty unless there are fewer than five (5) Faculties in which case Faculty representation will be maximized. All Faculty Members are eligible to vote in these elections. The three (3)

- elected Faculty Members with the largest number of votes from different Faculties shall be on the Tenure and Promotion Appeal Committee with the remaining elected members serving as alternates. These Committee members should be elected for up to three (3) years but their terms shall be staggered to encourage continuity.
- ii. Two (2) members and at least one (1) alternate with the rank of Professor shall be appointed by the Provost. These appointed members may either be Faculty Members or tenured faculty with an administrative appointment.
 - iii. The Chair of the Tenure and Promotion Appeal Committee shall be elected from and by the members of the Committee. The Chair shall vote only to break a tie.
- b) For all cases that are not early applications for tenure, an unsuccessful candidate for tenure under Article 20.14 g) may appeal the decision by writing to the Chair of the Tenure and Promotion Appeal Committee within ten (10) Days after being informed of the decision. The grounds of the appeal must be specific, and must involve either:
- i. an alleged violation of the tenure procedures; and/or
 - ii. an allegation that one or more of the candidate's Research, Teaching or Service have not been fairly evaluated.
- c) The Chair of the Tenure and Promotion Appeal Committee shall:
- i. receive all of the material provided to the Tenure and Promotion Committee in Article 20.11 d) and the recommendation of the Tenure and Promotion Committee;
 - ii. arrange a meeting with the Committee to occur as soon as possible, normally within twenty (20) Days; and
 - iii. invite the candidate and the Chair of the Tenure and Promotion Committee to appear before it. The candidate may invite a representative of the Association to attend.
- d) The Tenure and Promotion Appeal Committee shall carefully consider the documentation assembled under Article 20.15 c) as it relates to the grounds of the appeal in Article 20.15 b).
- e) The Tenure and Promotion Appeal Committee shall make its decision and communicate this decision in writing normally within twenty (20) Days of its initial meeting for a particular case. The Chair of the Tenure and Promotion Appeal Committee shall report its findings which include a summary of the evidence before the Committee and a statement which indicates clearly the Committee's detailed reasons for its recommendation to the President and the candidate. The Tenure and Promotion Appeal Committee can:

- i. Decide that there are no grounds for appeal and thus recommend that the decision of the Tenure and Promotion Committee should be upheld.
 - ii. Decide that there are grounds for appeal but that these grounds have not affected the outcome and thus recommend that the original recommendation of the Tenure and Promotion Committee should stand.
 - iii. Decide that there are grounds for appeal but that there will be no value from a rehearing by the Tenure and Promotion Committee and recommend in favour of tenure.
 - iv. Decide that there are grounds for appeal and recommend to refer the matter back to the Tenure and Promotion Committee or to a newly constituted Tenure and Promotion Committee for reconsideration. In this case, the Tenure and Promotion Appeal Committee shall provide appropriate direction for the reconsideration of the case.
- f) Where the Tenure and Promotion Appeal Committee recommends one (1) of the actions in paragraphs 20.15 e) i, ii, or iii, then the recommendation of the Committee will be forwarded to the President, accompanied by all of the documentation before the Committee.
- g) The President shall convey the decision to the candidate within ten (10) Days of receiving the report of the Tenure and Promotion Appeal Committee. The President shall either:
- i. decide against tenure; or
 - ii. decide in favour of tenure.
- h) In the case of a positive decision with respect to tenure, the President shall notify the Board of Governors that the recommendation shall be presented for the Board's approval at its next scheduled meeting.
- i) Subsequent to Board deliberations, the President shall convey the decision to the candidate within ten (10) Days.
- j) A decision to grant tenure shall be effective July 1, and if the candidate is an Assistant Professor the candidate shall be promoted to Associate Professor.
- k) In the case of a negative decision with respect to tenure, the candidate will have ten (10) Days to decide whether to invoke Article 20.16 a).
- l) A reconsideration recommendation of a Tenure and Promotion Committee cannot be appealed by the candidate.

20.16 Grievance of Appeal Decision

- a) If tenure is ultimately denied after the processes of Article 20.15 have been exhausted, the Association may file a grievance on behalf of the Faculty Member, commencing at Step 2 of Article 11.06 of the grievance procedure.
- b) An arbitrator appointed pursuant to an Article 20.16 a) grievance shall either deny the grievance or uphold it. If the arbitrator upholds the grievance the arbitrator will be limited in remedy to a quashing of the ultimate decision and a direction that a newly constituted Tenure and Promotion Committee reconsider the recommendation.
- c) A newly constituted Tenure and Promotion Committee will follow the same steps set out in this Article mutatis mutandis. This Committee will receive all documentation relative to the original application, including a copy of the arbitrator's award. This Committee will make a final and binding decision and report this decision to the President who will advise the Board of Governors and the candidate.

20.17 Denial of Tenure or Extended Process

Unless their tenure consideration was early, a Faculty Member who is denied tenure, or for whom the processes of this Article have extended past the terminal date of their normal probationary appointment, will have their employment extended at the Faculty Member's current salary and benefits with a twelve (12) month limited term contract for the Academic Year following the Faculty Member's last probationary year. A candidate for tenure who is still undergoing appeals and/or arbitration under this Article past the terminal date of their normal probationary appointment will be deemed to be a Faculty Member of the Association during this time for the purposes of these appeals and/or arbitration.

Article 21 – Promotion to Professor

21.01 Promotion Criteria

- a) The focus of a promotion decision to Professor is on career accomplishments. To become a Professor at UOIT the candidate must either:
 - i. combine an established record of excellent Research with an established record of continuing high quality Teaching and satisfactory Service or;
 - ii. combine an established record of continuing high quality Research with an established record of excellent Teaching and satisfactory Service.