

# Tenure & Promotion

Tenure and promotion is a complex process involving many steps. We strongly urge members to bring their questions to YUFA ([yufa@yorku.ca](mailto:yufa@yorku.ca) or ext 55236) early in the tenure process, whether that is pre-candidacy or candidacy.

At York, tenure and promotion for faculty and librarians is a matter of collegial governance and all review and adjudicating procedures must follow the criteria and procedures as they are laid out in the YUFA Collective Agreement (see specifically the [Tenure and Promotion Document](#)). The Senate Documents on Tenure and Promotion can be found [here](#).

Everyone who participates in tenure and promotion processes whether as a member of a file preparation committee, an adjudicating committee or as a member of a Senate or Faculty level committee needs to understand the relevant articles of the Collective Agreement: Article 13 (below) and as specified in the [Tenure and Promotion Document](#).

Candidates at all levels from Pre-candidacy through candidacy and promotion also have the responsibility to familiarize themselves with the [Tenure and Promotion Document](#) which not only provides a guide to the process and key timelines but also gives information on important rights that candidates ought to know.

## Article 13: Tenure and Promotion

### Tenure and Promotion of Faculty Members

13.01 The parties agree that promotion of probationary and tenured faculty members from one rank to another, and the award of tenure to faculty members, shall be by action of the Board of Governors, only upon recommendation of the President. The President shall, in making his/her recommendations, act in conformity with existing practices with respect to criteria and procedures for promotion and tenure, insofar as they relate to terms and conditions of employment. It is agreed that the existing practices are those as set out in the Tenure and Promotion Policy, Criteria and Procedures document as of 21 March 2002 and the Alternate Stream document of 15

December 1977. Amendments to these criteria and procedures shall require the approval of both parties.

13.02 The parties agree that the renewal or non-renewal of the appointments of faculty members in the pre-candidacy phase of a probationary appointment, and their advancement to the candidacy phase, shall be by action of the Board of Governors, only upon recommendation of the President. The President shall, in making his/her recommendations, act in conformity with existing practices with respect to criteria and procedures for these decisions, insofar as they relate to terms and conditions of employment. It is agreed that the existing practices are those set out in the "Procedures Governing Decisions on Advancement to Candidacy" as of 19 October 1972 and incorporating amendments approved by Senate 29 November 1973 and 24 October 1974 and the Alternate Stream document of 15 December 1977. Amendments to these criteria and procedures shall require the approval of both parties.

### **Applicability of the Grievance and Arbitration Procedures**

13.03 The recommendation of the President to the Board of Governors or his/her decision not to make a recommendation to the Board of Governors in respect of clauses 13.01 and 13.02 above shall be subject to the grievance and arbitration procedures set out in Article 9 of this Agreement. Such grievances shall be limited to:

(a) allegations of irregularity or defect, of a nature sufficiently serious to justify quashing the decision, in the application of the procedures established in clauses 13.01 and 13.02;

(b) allegations of violation of academic freedom (as defined in Article 10) or of discrimination (as defined in Article 3). An arbitrator or arbitration board shall be limited in his/her/its jurisdiction to the matters set out in (a) and (b) of this clause, and shall be without power to reverse the President's decision or recommendation or to award tenure or promotion, but may quash the President's decision or recommendation on the grounds set out in (a) or (b). In such cases, time-limits established by existing practices for the processing of recommendations shall be appropriately amended.

13.04 Any alteration of procedures in a particular case necessitated by an arbitrator's decision to quash a decision on grounds of discrimination or violation of academic freedom shall be subject to approval by the parties.

13.05 Articles 9, 13.01-13.04, 13.08 and 13.09 shall be subject as necessary to the decisions of the interest arbitrator in the interest arbitration established under Article 13.05 of the 1979-81 Collective Agreement. Continuing Appointment and Promotion of Professional Librarians

13.06 The criteria and procedures for continuing appointment and promotion of professional librarians and renewal or non-renewal of the appointments of professional librarians in the pre-candidacy phase of a probationary appointment and their appointment to the candidacy phase shall be applied as outlined in "Criteria and Procedures for Promotion and Continuing Appointment of Professional Librarians" of 21 September 2009, as amended. Amendments to these criteria and procedures shall require approval of both parties.

13.07 Promotion of librarians from one rank to another and the award of continuing appointment and the renewal or nonrenewal of appointment, shall be by action of the Board of Governors, only upon the recommendation of the President. The President shall act upon the recommendation of the University Librarian/Dean, Faculty of Law and both shall act in conformity with Article 13.06. applicability of the grievance and arbitration procedures

13.08 The recommendation of the President to the Board of Governors or his/her decision not to make a recommendation to the Board of Governors in respect of clauses 13.06 and 13.07 above, shall be subject to the grievance and arbitration procedures set out in Article 9 of this Agreement. Such grievances shall be limited to:

(a) allegations of irregularity or defect, of a nature sufficiently serious to justify quashing the decision, in the application of the procedures established in clauses 13.06 and 13.07;

(b) allegations of violation of academic freedom (as defined in Article 10) or of discrimination (as defined in Article 3). An arbitrator or arbitration board shall be limited in his/her/its jurisdiction to the matters set out in (a) and (b) of this clause, and shall be

without power to reverse the President's decision or recommendation or to award tenure or promotion, but may quash the President's decision or recommendation on the grounds set out in (a) or (b). In such cases, time-limits established by existing practices for the processing or recommendations shall be appropriately amended.

13.09 Any alteration of procedures in a particular case necessitated by an arbitrator's decision to quash a decision on grounds of discrimination or violation of academic freedom shall be subject to approval by the parties.

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