

ARTICLE 13 PROFESSIONAL LIBRARIAN APPOINTMENTS

13.1 All appointments of members shall be made by the Board after receiving a recommendation from the President. The President's recommendation to the Board shall follow receipt of a recommendation from the **University Librarian**. The ~~Dean's~~ **University Librarian's** recommendation to the President shall follow receipt of a recommendation from the **Chair of the Library Personnel Committee** ~~department and/or program~~ to which the appointment is being made. No appointments of members shall be made without a positive recommendation from ~~the department and/or program or~~ **Library Personnel Committee**, the ~~Dean~~-**University Librarian** and the President. ~~In the case of librarian members, the place of the Dean shall be taken by the University Librarian, and the place of the department and/or program shall be taken by the Librarians' Committee.~~

13.2 Letters of Appointment

Letters of appointment of members shall be issued by the President or designate. Such letters of appointment shall be consistent with the articles of this Agreement, and shall include:

- (a) rank;
- (b) ~~department or program or~~ library affiliation;
- (c) category of appointment;
- (d) date of commencement of appointment;
- (e) salary;
- (f) term of the appointment in the case of a probationary appointment or limited term appointment;
- (g) a general statement of the regular duties and responsibilities pertaining to the position to which appointment is made;
- (h) if the appointment is of a part-time member, the specified proportion of full-time employment required by the regular duties and responsibilities of the appointee; **and**

- (i) in the case of probationary appointments, a copy of the written specific standards for the application of the tenure criteria (when these have been adopted - see III.6.4.2); ~~and,~~
- (j) ~~— a copy of this Agreement.~~

13.3 TYPES OF PROFESSIONAL LIBRARIAN APPOINTMENTS

III.4.3 Appointments for Professional Librarians

Appointments for professional librarians shall include probationary, permanent, limited term, and externally funded non-competitive appointments. ~~A full-time or part-time appointment of a librarian shall be for one of the following terms:~~

- III.4.3.1 A Permanent appointment, ~~which~~ is an appointment which may be terminated only through resignation, retirement or **the procedures et out in chapter VII.** ~~dismissal for cause.~~
- III.4.3.2 A Probationary appointment, ~~which~~, is one which is made ~~an appointment initially made~~ for a two (2) years **term**, and which may be extended for a **further one (1) two (2) further years term.** A probationary appointment entitles a librarian to be considered for a permanent appointment in accordance with the provisions of this Agreement.
- III.4.3.3 A Limited term appointment, ~~which~~ is an appointment ~~for a fixed term of up to but not more than three (3) years.~~ of one of the following types
 - i) a fixed term of one (1) year or less;
 - ii) a fixed term of two (2) or three (3) years; or,
 - iii) in special cases, a fixed term of four (4) or five (5) years.

~~III.4.2.3.3~~ **13.3.5.** No limited term appointment shall carry any presumption of an additional appointment, and the sum of terms under limited term appointments shall not (save as expressly noted below) exceed a total of **thirty-six (36) months** ~~three (3) years.~~ A limited term appointment of four (4) or five (5) years may be authorized in unique cases, such as to replace academic administrators for the duration of their term of service outside the scope of the bargaining unit, ~~or to~~

~~assist in the staffing of specific academic programs, where directed program funding is in place for a specified and finite period of time.~~ In each instance of a four (4) or five (5) year limited term appointment, the member shall be specifically advised in the appointment letter of the nine-year maximum period of combined limited term/probationary service (see III.6.2.4) and that, if a probationary appointment should follow the limited term appointment, consideration for tenure must take place not later than during the eighth (8th) year of combined limited term and probationary service.

Duties and responsibilities expected of all limited term appointees shall be as set out in ~~Chapter IV~~ **Article 17**.

~~III.3.5-13.3.6.~~ Externally-Funded, Non-Competitive Academic Appointments

Externally-funded, non-competitive academic appointments are subject to the following conditions:

~~III.3.5.1-13.3.7.~~ The appointee will be a member of the bargaining unit.

~~III.3.5.2-13.3.8.~~ The appointment procedures under III.5.3 and III.5.4 are waived.

~~III.3.5.3-13.3.9.~~ Because candidates for such positions are not subject to the usual competitive **appointment comparison** procedures, COAP must be satisfied that the candidates are competitive. Such competitiveness shall be based on usual evidence of qualifications plus the selection procedure used to determine the candidate to be appointed.

~~III.3.5.4-13.3.10.~~ The appointment may be with tenure, subject to the provisions of III.6.2.1.

~~III.3.5.5-13.3.11.~~ The appointee shall be placed at a salary step determined by the Dean and consistent with the provisions of this Agreement.

~~III.3.5.6-13.3.12.~~ The duties of the appointee may be modified by the ~~Dean~~ **University Librarian** in accordance with the requirements of the funding agency. Any such modifications will be reported to the Joint Committee.

~~III.3.5.7-13.3.13~~ Where an appointment involves special commitments in relation to capital costs and/or special support for teaching, research or administration, the University will notify the Association of such commitments.

13.4 Rank of on Appointment

III.2 13.4.1. Ranks

All appointments of librarian members shall be at one of the following ranks: Librarian IV, III, II, I. These ranks may be qualified by the following categories:

permanent;

probationary;

limited term;

full-time;

part-time;

reduced-time;

~~partially-retired (see Appendix D);~~

visiting (see III.3.2.5).

13.5 Status of Appointment (see III.3)

III.3.1 Definitions

~~III.3.2.1~~ **13.5.1.** A full-time appointment is one in which the member's regular duties and responsibilities require full-time employment on a year-round basis ~~as these are defined by the varying practice and procedures used by the departments and programs of the library.~~

~~III.3.2.2~~ **13.5.2.** A part-time appointment is one in which the member's regular duties and responsibilities require some specified proportion of full-time employment.

~~III.3.2.3~~ **13.5.3.** A reduced-time appointment is one held by a ~~tenured/~~permanent member, in accordance with the terms of III.3.4.

~~III.3.2.4~~ ~~A partially-retired appointment is one held by a tenured/permanent member, in accordance with the terms of Appendix D to this Agreement.~~

~~III.3.2.5~~ **13.5.4.** A visiting appointment is one held on a defined, limited-term basis by an individual who is on leave from another employer and who is committed to

return to a position of regular employment outside Trent. Where the visiting appointment is for one (1) year or less, the appointment shall be regarded as being outside the scope of the bargaining unit, although formal ~~faculty~~ librarian rank shall be assigned in accordance with the appointee's status with their primary employer, and salary shall be assigned in accordance with ~~Article 17 Schedule A~~, based on academic rank and years of experience under the usual practices in that regard. In addition, the **Library** Personnel Committee of the appropriate unit shall approve any such appointment.

13.5.5. Where the visiting appointment is for more than one (1) year, the appointment shall be regarded as being within the bargaining unit, and all articles of this Collective Agreement shall apply. Association dues shall be deducted in the normal fashion, and the Association and the individual appointee are responsible for making check-off/dues arrangements, as appropriate, with the primary employer.

13.5.6. TUFA shall receive copies of all offers of Visiting Appointments.

~~III.3.4~~**13.5.7.** Revision from Full-time to Part-time

~~III.3.4.1~~**13.5.8.** Members may apply in writing to the ~~Dean of Arts and Science~~ **University Librarian**, on a wholly voluntary basis, to revise their category of employment from full-time to reduced-time, or from part-time or reduced-time to a smaller proportion of full-time which shall not in any case be less than one-half (1/2). Such revision shall require the consent of the **Librarians'** Committee ~~departmental/program committee~~, of the ~~Dean or the~~ University Librarian, and of the President. Application for such reduction must be made by January 1 of the preceding academic year

~~III.3.4.2~~**13.5.9.** Members holding reduced-time appointments shall have the right to resume their previous status provided that not more than thirty-six (36) months have elapsed since the change of status. Members intending to resume their previous status may do so only on July 1, and shall give notice of intention to do so not later than the preceding January 1. Those who do not exercise the right under this section to resume previous status shall be deemed to hold a part-time appointment.

~~III.3.4.3~~**13.5.10.** Each application for reduced-time employment shall be in writing with a copy to the Association.

~~III.3.4.4~~**13.5.11.** Reduced-time appointments remain subject to IV.1.1 and IV.1.2. While it is normally expected in the allocation of those responsibilities that duties will be

spread uniformly over the academic year, a member may request an alternative allocation, in writing, to the ~~Dean~~ University Librarian with a copy to the Association. Unless the Association objects **with reasons in writing to the University Librarian**, within twenty (20) working days of receipt of the copy of the written request, the ~~Dean~~ University Librarian may approve the alternative workload allocation. ~~Where the Association objects, the reasons shall be clearly set out, in writing, to the Dean/University Librarian.~~ If the application (III.3.4.1) for a reduced-time position is approved, the letter from the President (or designate) authorizing the appointment shall state clearly the nominal salary of the appointee, the reduction in regular duties and responsibilities, the actual salary, the date of commencement of the appointment, the office and research facilities, and any special terms and conditions of the appointment which differ significantly from the general statement of regular duties contemplated in III.1.2.(g).

~~III.3.4.5~~ **13.5.12.** No reduced-time appointment shall take effect until and unless the appointee accepts it and all its terms and conditions in writing.

~~III.3.4.6~~ **13.5.13** A copy of each letter of appointment and each letter of acceptance of a reduced-time position shall be sent to the Association.

~~III.3.4.7~~ **13.5.14.** A member with a reduced-time appointment shall receive EYS credits and sabbatical salary in accordance with IV.5.2.2.

~~III.3.4.8~~ **13.5.15.** A member opting for a reduced-time status shall be entitled to full benefits based upon the proportion of nominal salary prior to commencing the reduced-time appointment for the first three (3) years of the reduced-time appointment. The Board shall in each of these three (3) years in addition pay, with respect to all benefits, the difference between the member's contributions, based upon actual salary, and the contribution required by the proportion of nominal salary prior to commencing the reduced-time appointment. Thereafter such members shall receive benefits in accordance with III.3.3.2.

13.6 APPOINTMENT PROCEDURES

III.5 Appointment Procedures

~~III.5.1.2~~ **13.6.1** There shall be a Library Personnel Committee established annually in the Library. This Committee shall consist of at least four (4) librarians, where possible of more than one rank and gender, elected by the Librarians' Committee, one of whom shall be selected as a ~~non~~-voting Chair, ~~and the~~

~~University Librarian (ex officio). No elected member may serve more than two (2) consecutive years. The Committee shall consider applications and make recommendations to the University Librarian concerning all appointments to the Library, and it shall consider all questions of reappointment, renewal, renewal of probationary appointments, promotion, step and merit awards, and requests for unpaid leaves, as defined by this Agreement.~~

In cases of recommendations regarding initial appointments, the Chair of the Library Personnel Committee is a voting member of the Committee.

The Library Personnel Committee shall consider applications and make recommendations concerning all initial appointments. The Chair of the Library Personnel Committee shall send to the University Librarian the recommendation of the Library Personnel Committee. All qualified applicants will be entitled to due and fair consideration in accordance with the provisions of this Agreement.

With respect to all other personnel recommendations, the Chair of the Library Personnel Committee is a non-voting member of the Library Personnel Committee. The Library Personnel Committee ~~and it~~ shall consider and make recommendations concerning all questions of reappointment, renewal of probationary appointments, promotion, step and merit awards, and requests for unpaid leaves, as defined by this Agreement. The Chair of the Library Personnel Committee shall send to the University Librarian the recommendation of the Library Personnel Committee along with his/her recommendation

13.6.2. When matters are brought to the Librarians' Committee from the Library Personnel Committee, the Chair of the Library Personnel Committee shall chair that portion of the Librarians' Committee meeting.

III.5.0 Authorization

III.5.0.1-13.6.3. ~~All new or replacement faculty positions require authorization by the President or designate. Such authorization shall follow consultation with the Dean who shall consult the department or program.~~ **New or replacement librarian positions are recommended by the University Librarian to the President or designate after a review of the Library staffing plan. All new or replacement librarian positions require final authorization by the President or designate.**

~~IV.2.2.1.3~~ When the Library suffers the sudden, unexpected loss of a member, the ~~Vice-President (Academic)~~ **University Librarian** may authorize full or partial replacement paying particular attention to the provision of library service.

~~III.5.3~~ Advertisement

~~III.5.3.1~~ **13.6.4** Following authorization of new or replacement librarian positions by the President, the ~~Vice-President (Academic)~~ **University Librarian** shall authorize advertising in appropriate ~~Canadian publications~~ **electronic and print media**, which may include some or all of **Trent websites**, the CAUT Bulletin, the Feliciter, and electronic distribution media relevant to librarians as established by the University Librarian in consultation with the Librarians' Committee. These shall be placed so as to allow sufficient time for applications to receive due consideration, **normally a minimum of four (4) weeks**. The advertisement shall include a description of the position and the necessary qualifications, as well as the starting date, rank, salary range, the category of appointment and a statement that Trent University is committed to Employment Equity, and shall be approved by the ~~Vice-President (Academic)~~ **University Librarian** before it is placed for publication.

~~III.5.3.2~~ **13.6.5.** When unavoidable circumstances require that a replacement appointment be authorized at such short notice that it is not possible to advertise in the manner indicated above, **University Librarian Dean**, ~~with the consent of the Association,~~ may waive this requirement. **If the University Librarian waives this requirement, the University Librarian shall so advise the Association.** ~~TUFA shall respond to any such request for consent within five (5) days of receipt, and such consent may not be unreasonably withheld.~~

~~III.5.4~~ Recruitment Procedures

~~13.6.6.~~ Recruitment procedures shall be designed so as to ensure due and fair consideration to all qualified applicants. This shall not be construed to require personal interviews of all qualified applicants. **The Library Personnel Committee should attempt to elect members that include representation from designated groups and/or members trained in and sympathetic to the principles of employment equity.** ~~Where a the Library Personnel Committee does not contain at least one (1) member of each sex, the Dean University Librarian shall be notified.~~

For all individual ~~faculty and~~ professional librarian competitions for advertised positions, the **Chair of the Library Personnel Committee** shall prepare a

statistical report to the ~~Dean or~~ University Librarian ~~(as appropriate)~~, specifying the total number of applicants, and where the information is voluntarily disclosed by the applicants **the number and percentage of applicants from designated groups as included in the definition of “designated groups” in the *Employment Equity Act* (S.C. 1995, c.46 as amended from time to time)**. ~~those who were women, aboriginal people, people with disabilities, and members of racial minorities. The Dean's Office shall then compile these statistical reports, with copies to the Association. Departments/programs may also choose to consolidate this reporting process, by submitting one (1) annual statistical report to the Dean's (Librarian's) Office (copy to the Association). In such cases, the report shall be submitted by no later than June 30th of each year.~~

I.2.6.3 Where there are no ~~female applicants from the designated groups~~ for a professional librarian ~~faculty~~ position, or where the **Library** Personnel Committee determines a short-list which does not contain at least forty (40) per cent (minimum of two (2)) ~~female candidates~~ **at least one applicant from the designated groups**, the ~~Dean~~ **University Librarian** shall be immediately advised. In such cases, the ~~Dean~~ **University Librarian** may require an extension of the competition deadline, additional advertising, and/or such other measures as are deemed appropriate. In addition and where possible, the ~~Dean~~ **University Librarian** may require that at least one (1) ~~female~~ applicant **from the designated groups** be placed on the short-list.

I.2.6.4 Where ~~male and female candidates apply for a faculty position and a male candidate is recommended for appointment~~ **one or more candidates from the designated groups applies for a professional library position and is not determined to be the successful candidate**, the **Library** Personnel Committee shall prepare a report to the ~~Dean~~ **University Librarian** which shall set out the details of the selection process, including the number of applicants who are short-listed, and the number and percentage of those ~~who are women~~. In addition, the report shall formally and specifically address the candidacy of each ~~female~~ applicant **from the designated groups** who has been short-listed, and shall be submitted to the ~~Dean~~ **University Librarian** for review prior to any formal offer of appointment being made.

III.5.5 Criteria

III.5.5.1 **13.6.7.** The principal criterion for appointment shall be academic and professional excellence as generally understood in university practice. The credentials of applicants shall be judged primarily in relation to the qualifications identified in the advertisement for the position. Among candidates who are judged

substantially equal in qualification for appointment, Canadian citizens and permanent residents shall be given preference.

~~III.5.5.2~~ **13.6.8.** ~~The Dean shall ensure, through the Chair of each department/program, that all Personnel Committees have a copy of the University's Employment Equity policy.~~ The University Librarian shall ensure through the Chair of the Library Personnel Committee that the Committee has a copy of the policy. In addition, steps will be taken to ensure that ~~each~~**the Library** Personnel Committee has available to it the prevailing policy statements and guidelines available from the Ontario Human Rights Commission to assist in ensuring compliance with relevant provisions of the Ontario Human Rights Code. The Chair of ~~any~~**the Library** Personnel Committee will be expected to review these materials with other Committee members **and ensure that training is provided as required**, before a short-list of candidates is determined.

13.7. **III.5.3.3 Academic Component of Academic/Administrative Appointments**

When an appointee who does not hold an academic appointment within the University has been selected by established search procedures for the position of President, Vice-President, Dean or University Librarian, and it is proposed to offer such a candidate an academic appointment within ~~a department or program~~**the library**, the proposed academic appointment need not be advertised or be subject to the normal ~~departmental/program~~**library** recruitment procedures. For all such appointments, the academic component of the proposed appointment shall be made conditional upon the ~~academic unit's~~**library's** acceptance of the candidate's qualifications, based upon prevailing criteria and standards.