

ARTICLE 15 – PROFESSIONAL LIBRARIAN PERMANENCY

III.7. Permanent Appointments for Librarians

Definition of a Permanency Decision

A decision to award ~~or to deny a permanent appointment~~ **permanency** constitutes a permanency decision and shall be made by the Board **only** on the recommendation of the President, who shall first receive a recommendation from the University Librarian following the **University Librarian's receipt of a recommendation from COAP and from the Library Permanency Committee and the Chair of the Library Permanency Committee.**

Permanency shall not be granted without a positive recommendation from the Library Permanency Committee, the University Librarian, and the President, provided that each carries out the duties assigned in the permanency process under this Agreement without determinative procedural or substantive error or bias.

Decisions to grant permanency take effect following the end of the member's probationary appointment.

III.7.2 Eligibility to be Considered for Permanency

Consideration for permanency occurs in the fourth (4th) year of probationary service following the regular permanency process described in Article 14. In exceptional cases where an appointment to Librarian III or IV is made of a person with a proven record of outstanding professional qualifications, a permanent appointment may be awarded immediately upon appointment, but only **after the Library Personnel Committee and COAP have been consulted.** ~~the procedures outlined in III.7.1 have been followed.~~ ~~When an initial limited term appointment is converted to a probationary appointment, the limited term of service shall be accredited as the equivalent of probationary service provided that the candidate agrees.~~

Early Consideration for Permanency

III.7.2.2

A member holding an initial probationary appointment in the Library may be considered for permanency in the second year, **provided he/she has demonstrated competence in the performance of duties and promise of continuing development as a librarian.** Such consideration is to be initiated not less than nine (9) months before the end of the initial two-year appointment.

The early permanent appointment hearing process may be initiated by the Library Personnel Committee as part of the probationary reappointment

process (see III.7.3.1), subject to the member's approval.

In cases where early permanency is not granted, members will be subject to either Recommendations (i) or (iii) of III.7.3.1.

Eligibility for consideration for permanency for members with previous limited term service

III.7.2.1 When an initial limited term appointment is converted to a probationary appointment, the limited term of service shall be accredited as the equivalent of probationary service provided that the candidate **so requests in writing to the University Librarian at the time at which he/she accepts the probationary appointment** agrees.

III.7.5. **Criteria for Permanency for Librarians**

III.7.5.1 In assessing a candidate for **permanency** ~~a permanent appointment, the Library Personnel Committee,~~ the Library Permanency Committee, **COAP, the University Librarian, the President and the Board shall** pay principal regard **to the candidate's** competence in the performance of duties and promise of continuing development as a librarian. In order to qualify for a permanent appointment, a candidate must be judged to have demonstrated high quality in the performance of duties in the Library, including fulfilling the applicable duties and responsibilities referenced in Article IV.1.2 i) and iv).

III.7.5.2 The Librarians' ~~Personnel~~ Committee will formally adopt written standards for the application of these criteria in the permanency process. These standards shall be binding upon Librarians- **Library Permanency Committees** following approval by COAP. The written specific standards will be made available to Joint Committee for information and discussion.

The Librarians' Committee shall review its written standards at least every seven years. When the Librarians' Committee revises its written standards for the application of the permanency criteria, the Chair of the Librarians' Committee shall submit the proposed revisions to COAP for approval. Approved revised written standards will be made available to Joint Committee for information and discussion.

When the Librarians' Committee adopts or revises its written standards for the application of the permanency criteria during a candidate's probationary appointment, the candidate for permanency shall be evaluated on the basis of the written standards in place at the time of his/her initial probationary appointment, unless the written standards have been in place for a minimum period of two (2) years since the candidate's initial probationary appointment.

In cases where the candidate's probationary period has been extended due to sick leave (see III.6.2.6) or maternity leave (see III.6.2.5), the minimum period noted above shall be three (3) years. Where the standards have been changed, specific notice of the change(s) will be given by the Chair of the Library Personnel Committee.

III.8.4.6 **Procedures for Permanency**

Timing

The Chair of the Library Permanency Committee shall submit a recommendation for or against permanency to the University Librarian in sufficient time to enable COAP, the University Librarian, and the President to make recommendations permitting a decision by the Board regarding permanency to be conveyed by the President to the candidate before the end of the candidate's probationary appointment or reappointment.

III.7.4. **Library Permanency Committee**

~~When a recommendation for a permanency decision is to be made hearing or non-renewal has been made,~~ **the Librarians' Committee shall elect** a Library Permanency Committee ~~shall be established.~~ The Committee shall consist of: the Chair of the Library Personnel Committee as Chair, who shall not vote; three (3) permanent or probationary librarian members elected by the Librarians' Committee; and one (1) faculty member from within the University appointed by the University Librarian, **in consultation with** ~~provided that faculty member is acceptable to the candidate.~~ **The Librarians' Committees should attempt to elect Library Permanency Committees that include representation from designated groups and/or members trained in and sympathetic to the principles of employment equity.**

III.7.6.1 The Chair of the Library Permanency Committee shall inform the candidate **no later than nine months before the initial probationary period or the probationary reappointment period is to terminate that** ~~when their~~ **his/her permanent appointment permanency hearing has been initiated, and they he/she shall be afforded at least four (4) weeks to submit such evidence as required by the guidelines for submission of permanency recommendations as issued by the University Librarian and other such supporting evidence as they he/she sees fit. The Library Permanency Committee shall be bound by the guidelines for submission of permanency recommendations as issued by the University Librarian, and revised from time to time in consultation with Joint Committee. The Library Permanency Committee shall follow a fair and reasonable plan to secure the**

views of faculty and students, and the ~~department/program~~ Chair of the **Library Permanency Committee** shall include a report on this plan when ~~he/she submits the Committee's recommendation of the Library Permanency Committee and his/her recommendation is forwarded to the University Librarian~~ **Dean**.

The Chair of the Library Permanency Committee shall provide to the University Librarian the names and academic backgrounds of at least four (4) qualified assessors from universities or institutions outside of Trent, at least two (2) of whom shall be the choice of the Library Permanency Committee and at least two (2) of whom shall be the choice of the candidate. The Chair of the Library Permanency Committee shall provide the University Librarian with a brief c.v. and contact information for each of the assessors, as well as a rationale for the selection of assessors. Two assessors (one (1) named by the Library Permanency Committee and one (1) named by the candidate) shall be requested by the University Librarian to furnish assessments of the candidate's competence in the performance of duties and promise of continuing development as a librarian in accordance with the criteria as specified in III.7.5.1. On receipt of the assessors' reports, the University Librarian shall make them available to the Chair of the Library Permanency Committee.

The Library Personnel Committee shall follow a fair and reasonable plan to secure the views of librarians, faculty members, librarian colleagues external to Trent, and other relevant parties. The Chair of the Library Permanency Committee shall include a report on this plan ~~with~~ when he/she submits the recommendation of the Library Permanency Committee and his/her recommendation ~~to COAP and to the University Librarian~~.

III.8.4.7

Recommendation of the Library Permanency Committee

The Library Permanency Committee shall be advisory to the Chair of the Library Permanency Committee, ~~through the Librarians' Committee, to the University Librarian~~. The Chair of Library Permanency Committee shall not vote. After considering all the submissions and discussing the case in light of the criteria for the awarding of permanency as set out Article III.7.5.1, the Library Permanency Committee shall vote formally to recommend or not recommend to the Chair of the Library Permanency Committee that the candidate be awarded permanency. ~~The Chair of the Library Permanency Committee shall not vote.~~

In the event that the Library Permanency Committee intends to recommend against permanency, the candidate shall be informed by the Chair of the Library Permanency Committee with the reasons set out in

writing. The candidate shall have the right to request reconsideration by the Library Permanency Committee before it makes its recommendation to the Chair of the Library Permanency Committee. Should the candidate request reconsideration, the candidate shall submit a written response within two (2) weeks to the Chair of the Library Permanency Committee. The evidence to be considered by the Library Permanency Committee in its reconsideration is to be confined to the original evidence submitted, the candidate's written response, and whatever additional relevant information the candidate provides. Following the reconsideration, the candidate shall be informed of the final recommendation of the Library Permanency Committee which the Chair of the Library Permanency Committee intends to forward to the University Librarian, as well as the Chair of the Library Permanency Committee's own recommendation.

In the event that the Chair of the Library Permanency Committee is conveying a recommendation against permanency to the University Librarian, the member shall receive full information from the Chair of the Library Permanency Committee on the procedures followed.

The Library Permanency Committee may also recommend to the Chair of the Library Permanency Committee that the candidate be granted a merit award, conditional upon receipt of permanency, provided that the candidate has fulfilled the criteria for the recommending of merit as provided for in III.9.2.3. In this case, the Chair of the Library Permanency Committee must make a case for the exceptional nature of the candidate's performance and the grounds for the recommendation of a merit award.

The Library Permanency Committee may also recommend to the Chair of the Library Permanency Committee that the candidate be promoted to Librarian III, conditional upon the granting of permanency, provided the candidate is eligible for consideration for promotion to Librarian III and is entirely satisfactory in the performance of the duties and responsibilities as set out in IV.1.2 (ii) and (iii).

III.8.4.8 Recommendation of the Library Permanency Committee to the University Librarian and COAP

The Chair of the Library Permanency Committee shall ~~then inform the Library Permanency Committee of the intended recommendation to the University Librarian and COAP forward to the University Librarian, for consideration by COAP, the recommendation of the Library Permanency Committee along with his/her recommendation, all supporting arguments and all correspondence and documentation considered by the Library Permanency Committee, and a report on the procedures followed.~~

Members of the Library Permanency Committee who disagree with the Library Permanency Committee's recommendation shall have the right to submit, together or singly, a dissenting report to the University Librarian, who shall include the dissenting report(s) in the materials reviewed by COAP.

The recommendation shall address the candidate's performance of library duties and his/her promise, bearing in mind the criteria for the granting of permanency as set out in Article III.7.5.1, and the relevant approved written standards for the application of the criteria.

Where relevant, the Chair of the Library Permanency Committee shall forward to the University Librarian, for consideration by COAP, a recommendation concerning merit of the Library Permanency Committee along with his/her recommendation concerning merit, and all supporting arguments and all correspondence and documentation considered by the Library Permanency Committee.

III.7.7.

The Role Recommendation of COAP

In its review of promotion files and recommendations received from the the University Librarian, COAP shall strive to ensure that members receive fair and equitable treatment under the procedures for granting permanency provided for in this Agreement.

COAP shall review all the submissions and recommendations pertaining to permanency in the light of the criteria set out in III.7.5.1 and the relevant approved written standards for the application of the criteria, and shall have access to all materials tabled in the Library Permanency Committee. ~~The recommendation of the Library Permanency Committee shall be forwarded to COAP together with supporting arguments and all correspondence and documentation considered by the Committee.~~

COAP by formal vote shall make its recommendation to the University Librarian. The University Librarian shall not vote.

III.7.7.1.

COAP may do one of the following:

- (i) endorse a recommendation concerning permanency from the Library Permanency Committee, in which case COAP recommends to the University Librarian that the recommendation concerning permanency from the Library Permanency Committee be upheld; or**
- (ii) instruct the University Librarian to request that the Library Permanency Committee reconsider its recommendation**

concerning permanency; or

- (iii) **instruct the University Librarian to request that the Library Permanency Committee reconsider its recommendation concerning permanency after seeking further evidence and/or supporting documentation, including but not limited to assessments from qualified external assessors. If further external assessments are being sought, the procedures outlined in III.8.4.10 will be followed; or**
- (iv) **may refuse to endorse a recommendation concerning permanency from the Library Permanency Committee, but shall not do so without good reason based on the criteria for the granting of permanency as provided for in III.7.5.1 and the relevant approved written standards for the application of the criteria or a finding of determinative procedural or substantive error or bias.**

~~COAP may, giving reasons, request that the Library Permanency Committee reconsider its recommendation, or COAP may refuse to endorse a recommendation from the Library Permanency Committee, but shall not do so without good reason based on the criteria for the granting of permanency as provided for in III.7.5 of this Agreement, or a finding of determinative procedural or substantive error or bias.~~

In the event that, after receiving the recommendation from COAP, the University Librarian upholds the recommendation for permanency made by the Library Permanency Committee the University Librarian shall recommend to the President that the member be granted permanency.

~~In cases where the event that the University Librarian COAP does not accepts COAP's refusal to endorse a positive recommendation for permanency from the Library Permanency Committee, the University Librarian shall so inform the candidate and the Chair of the Library Permanency Committee, setting out in writing the reasons, and the candidate and/or the Committee shall have the right to request that the file be considered by the Reappointment, Tenure, and Permanency Appeals Committee. This statement of reasons shall reflect the actual grounds for the decision, be substantive in nature, and be clearly related to the criteria for the granting of permanency as defined in this Agreement.~~

In the event that the Library Permanency Committee recommends against permanency, either after it has been asked to reconsider its recommendation under III.7.7.1 (ii) or (iii) above or not, the University Librarian shall so inform the candidate. The University Librarian shall request the Chair of the Library Permanency Committee to set out in

writing the reasons of the Library Permanency Committee, and the University Librarian shall convey these to the candidate. This statement of reasons shall reflect the actual grounds for the decision, be substantive in nature, and be clearly related to the criteria for the granting of permanency as defined in this Agreement. The candidate shall have the right to request that the file be considered by the Reappointment, Tenure, and Permanency Appeals Committee.

~~As part of its authorized role in monitoring permanency recommendations, COAP may require external assessments in individual cases.~~

~~COAP, by formal vote, shall make its recommendation to the University Librarian. The University Librarian shall not vote.~~

Appeal of Recommendation by the University Librarian or the Library Permanency Committee against Permanency

In the event that the University Librarian, after receiving a recommendation from COAP and from the Library Permanency Committee and the Chair of the Library Permanency Committee, recommends against permanency, the member may appeal the recommendation under the provisions set out in Article 18.

In the event that, after review by the University Librarian and COAP, the Library Permanency Committee recommends against permanency, the member may appeal the recommendation under the provisions set out in Article 18.

Permanency Decision

III.7.8.1

~~Following receipt of the recommendation from COAP, the University Librarian shall make a recommendation on permanency to the President, who in turn shall make a recommendation to the Board. The decision to grant permanency to a member is made subsequent to the University Librarian making a positive recommendation to grant permanency to the President and the President making a positive recommendation to grant permanency to the Board. The decision to grant permanency shall be made by the Board and communicated to the candidate. A decision to grant permanency will be made by the Board and communicated to the candidate by the President.~~

The decision to grant a merit award simultaneous with the granting of permanency shall be made subsequent to the University Librarian making a positive recommendation to grant a merit award to the President and the President making a positive recommendation to grant a

merit award to the Board. A decision to grant a merit award will be made by the Board and communicated to the candidate by the President.

The decision to promote to Librarian III simultaneous with the granting of permanency shall be made subsequent to the University Librarian making a positive recommendation to promote to Librarian III to the President and the President making a positive recommendation to promote to Librarian III to the Board. A decision to promote to Librarian III will be made by the Board and communicated to the candidate by the President.

Permanency decisions take effect following the end of the member's probationary appointment. Merit decisions and promotion decisions take effect the July 1 following the initiation of the permanency hearing.

III.7.8.1. If the **recommendation by the President** decision is to deny permanency, the candidate shall be so informed and shall receive in writing a statement of reasons from the ~~University Librarian~~ or the President. This statement of reasons shall reflect the actual grounds for the decision, be substantive in nature, and be clearly related to the criteria for the award of permanency as defined in this Agreement.