

Memorandum of Agreement on Article 12  
May 8, 2008

In a unanimous ruling, the Joint Committee to administer the 12<sup>th</sup> Collective Agreement agrees, subject to article 30.23 and 30.31 (c), to make the following amendments necessary to clarify procedures in Article 12.42, including moving 12.42 (g) to 12.32 (d), and amending language in 12.42 (f) renumbered to (c) (vi) to enable consistency in the procedures set out in 12.42:

12.32

- (d) The URC shall select its own secretary. A non-voting recording secretary may be added as secretary of the committee. **The URC secretary shall keep minutes of each meeting, including attendance and decisions, and a file of all documents consulted.**

12.42

- (a) The URC shall study the candidate's dossier and the recommendation of the DRC. It shall not consider anonymous material.
- (b) The URC shall follow these procedures:
  - (i) The URC shall first consider whether the DRC/LRC has properly followed procedures in 12.20 or 51.20 and whether the recommendation letter of the DRC/LRC and the candidate's dossier provide sufficient information to decide whether the DRC/LRC's recommendation adheres to the criteria and qualifications in 12.80 and 12.90, 43.50 and 43.60, or 51.80 and 51.90, as appropriate. **If the URC decides it has sufficient information, the procedure moves to that indicated in Article 12.42 (b) (iv). If the URC decides it does not have sufficient information, the procedure moves to that indicated in Article 12.42 (b) (ii) and/or (iii), as appropriate.**
  - ~~(ii) If the URC decides it has sufficient information, it shall then decide by simple majority whether the recommendation of the DRC/LRC adheres to the criteria and qualifications in 12.80 and 12.90, 43.50 and 43.60 or 51.80 and 51.90 as appropriate. If it decides in the affirmative, the procedure moves to that indicated in~~

~~Article 12.43(b) unless the DRC/LRC has rejected the application.~~

~~(iii) If the DRC/LRC has rejected the application, the URC shall meet with the candidate and the Chair of the DRC/LRC. The purpose of the meeting shall be to provide an opportunity for the candidate to present the case for renewal, tenure and/or promotion and for the URC to initiate discussion of the candidate's dossier.~~

~~(iv)~~

(ii) If the URC finds that the DRC/LRC has not followed proper procedure or that the recommendation letter of the DRC/LRC does not provide sufficient information, it shall request clarification either in a revised letter or through a meeting with the chair, secretary and/or other members of the DRC/LRC as appropriate. If a revised letter is requested, the DRC/LRC shall have five working days to provide it, ~~otherwise the URC shall re-examine the candidate's application according to the procedure in Article 12.42(b)(ii).~~

**If the DRC's clarification provides sufficient information for the URC to proceed, the procedure moves to that indicated in Article 12.42 (b) (iv). Otherwise, the procedure moves to that indicated in Article 12.42 (c).**

~~(v)~~

(iii) If the URC finds that the candidate's dossier does not provide sufficient information, it shall request the candidate to submit additional information either in writing or through a meeting. Candidates shall have five working days to submit additional written information, ~~otherwise the URC shall re-examine the candidate's application according to the procedure in Article 12.42(b)(ii).~~

**whereupon the procedure moves to that indicated in Article 12.42 (b) (iv). Otherwise, the procedure moves to that indicated in Article 12.42 (c).**

(iv) **Where the URC has sufficient information, it shall then decide by simple majority whether the recommendation of the DRC/LRC adheres to the criteria and qualifications in 12.80 and 12.90, 43.50 and 43.60 or 51.80 and 51.90 as appropriate. If it decides in the affirmative, the procedure moves to**

**that indicated in Article 12.43 (b), unless the DRC/LRC has rejected the application, whereupon the procedure moves to that indicated in Article 12.42 (c).**

~~(vi) Whenever invited to appear before the URC, the candidate may choose to be accompanied to the meeting by an Employee to provide support to the candidate. This person may advise the candidate but not make presentations or answer questions on their behalf.~~

**(v) Should the URC find that the decision of the DRC/LRC did not adhere to the criteria in 12.80 and 12.90, 43.50 and 43.60, or 51.80 and 51.90 as appropriate, the procedure moves to that indicated in Article 12.42 (c).**

~~(e) During the meeting, the candidate shall have an opportunity to update the dossier. The update shall be limited to changes in the status of material initially included in the dossier.~~

**(c) (i) Where procedure requires, the URC shall meet with the candidate and the Chair of the DRC/LRC. The purpose of the meeting shall be to provide an opportunity for the candidate to present the case for renewal, tenure and/or promotion and for the URC to initiate discussion of the candidate's dossier.**

**(ii) Whenever invited to appear before the URC, the candidate may choose to be accompanied to the meeting by an Employee to provide support to the candidate. This person may advise the candidate but not make presentations or answer questions on their behalf.**

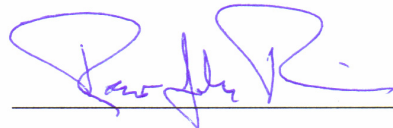
**(iii) During the meeting, the candidate shall have an opportunity to update the dossier. The update shall be limited to changes in the status of material initially included in the dossier.**

~~(d)~~ **(iv) The URC and/or the candidate may invite other persons to the meeting for the purpose of clarifying information in the dossier. Minutes of the meeting shall be made available to the candidate within five working days of the meeting.**

- ~~(e)~~ (v) At the conclusion of the meeting the URC shall consider its decision in camera. In the event further clarification is necessary, the URC may recall any person they met with while reviewing the application.
  
- ~~(f)~~ (vi) In arriving at its recommendation, the URC may not consider material other than that contained in the dossier or made available during the procedure outlined in 12.42 (a) through ~~(e)~~ (c). ~~The recommendation shall be based on the DRC/LRC's adherence to the appropriate procedures, criteria, and qualifications.~~ **The recommendation of the URC shall adhere to the criteria and qualifications in 12.80 and 12.90, 43.50 and 43.60 or 51.80 and 51.90 as appropriate.**
  
- ~~(g)~~ ~~The URC secretary shall keep minutes of each meeting, including attendance and decisions, and a file of all documents consulted.~~



Mr. Neil Carruthers



Dr. Robert Perrins



Dr. Janice Best



Dr. Vernon Provencal