

## Other Appointments

### Long Service Teaching Appointment Process

The new category of Long Service Teaching Appointments (LSTA) for eligible members of the CUPE 3903 “Affirmative Action Pool” is described in the excerpts below from a memorandum provided to Deans/Principal outlining the process:

- Article 24 of the 2008-2011 CUPE 3903 Unit 2 collective agreement covers the relevant provisions of the Long Service Teaching Appointments program. Employees who effective September 1 preceding the date of the award of an LSTA, have been in the Unit 2 Affirmative Action Pool for a minimum of 5 years and who have taught at an intensity of an average of 2.5 FCEs over the three previous years (may include approved leaves) are eligible to apply for a Long Service Teaching Appointment.
- LSTAs will be awarded for a 3-year period and will consist of a contract assignment comprising three full course equivalents in each of the three years of the collective agreement. Effective September 2009, compensation for these three full course equivalents will be the current applicable rate plus an additional \$1500 per full course equivalent.
- Seven LSTAs will be awarded in each year of the collective agreement for a total of 21. To the extent practicable, a minimum of seven of these appointments will be made from among those who belong to one or more of the four employment equity groups.
- Starting in 2009-2010, a self-identification section has been added to the letter which invites eligible long service contract faculty members to apply for a conversion appointment. It is important for units to collect the self-identification information and to consider this information in their deliberations.
- Employees awarded an LSTA may, through applications for additional contracts, teach up to the applicable Cap in each year of the LSTA.
- LSTAs may be cross appointed between and/or among two or more hiring units. Hiring units may wish to discuss with cognate/sibling units, intra- or inter-Faculty, their needs and priorities and how they are currently met by the eligible employee.
- An updated list of those individuals who meet the eligibility criteria for inclusion in the Affirmative Action Pool is distributed to Faculties and includes information on the hiring units in which they have historically taught. Eligible members of the CUPE 3903 Affirmative Action Pool will be notified and may submit their files for consideration.
- An individual may apply for a LSTA to a Dean/Principal or to a hiring unit or units. Where an application is submitted directly to a Dean/Principal, the Dean/Principal will consult with the relevant hiring unit(s) concerning the applications.
- Applications will normally be forwarded on or before March 1 for appointments commencing the following September 1.
- In assigning teaching positions hiring units will first consider courses in which the employee has incumbency or had held 2 out of the last 4 times it was posted in unit 2.
- Chairs will prepare recommendation files for submission to the Dean/Principal. Submitted files should be accompanied by the following documentation: *curriculum vitae*, letters of reference, number of years the candidate has in the Affirmative Action Pool, assessment by the hiring unit of how the appointment would assist it in addressing its departmental teaching needs and priorities, an assessment of the quality of the candidate’s teaching, and the

advantages to the hiring unit and candidate in awarding the candidate with a LSTA.

- Deans will rank files and submit recommendations to the Vice-President Academic & Provost. The Vice-President Academic & Provost will review the files and will make the appropriate appointments.
- Normally, on or before May 31, the University will advise the Union of the names of the persons who will have an LSTA and the employment equity status of the applicants who applied in that year.

## Approval of Adjunct Professors

Adjunct Professors are individuals whose appointment to the academic staff will enhance the undergraduate, graduate or research programs of a Faculty and/or Research Unit or Institute and contribute to the intellectual life of the University. Normally, adjunct professors will be either fully employed elsewhere or retired from such employment. They do not receive remuneration for their duties, but may receive honoraria for occasional lectures, seminar presentations, and practicum supervision. The adjunct professor appointment is not to be used to provide the title of professor to individuals who are otherwise employed by the University (e.g., CPM employees). The title is recognized as an honour bestowed upon a scholar, professional or artist by the University; and therefore, absolutely essential that these appointments attain the approval of the Vice-President Academic & Provost. (See below for Osgoode's policy on Adjunct Professors.)

### *Duties:*

- The duties of each adjunct professor will be set out in a letter of appointment from the Dean of the Faculty to which the appointment is made or by the Vice-President Research and Innovation if the appointment is to an Organized Research Unit which is not attached to a Faculty. The duration of appointment should be clearly specified. Normally the term should be from one to three years, should not exceed five years, and is renewable.
- Teaching responsibilities which an adjunct professor undertakes may be in the form of special or guest lectures or as seminar discussants, for which service honoraria are appropriate.
- In their capacities as adjunct professors, individuals may not act as course directors or principal lecturers, although individuals can apply for part-time teaching in addition to and outside of the adjunct role. The provisions of the CUPE 3903 Collective Agreement should be followed in applying for and receiving such part-time teaching appointments, except for those Faculties which are exempt.
- Adjunct professors, subject to the approval of the Dean of the Faculty of Graduate Studies, may co-supervise, in cooperation with a member of the regular academic staff, one or more graduate students. They may be members of supervising committees for graduate students.
- Adjunct professors may be practicum supervisors in clinical and training programs which require the close cooperation between such programs and other institutions in which the adjunct professors are fully employed.

### *Privileges:*

- Adjunct professors will have access to the Faculty Club, Libraries, and athletic facilities on the same basis as other faculty members, as far as possible.
- Adjunct professors will not normally have voting rights within departments and Faculties. They may serve on University or Faculty Committees, with voting rights, when clearly outlined in letters of appointment or upon the subsequent approval of the Dean of the Faculty or Vice-President Research and Innovation in those cases in which a Faculty is not involved.
- A Faculty or Department recognizes that the provision of working space, secretarial assistance and other support is highly desirable, but such support may not be possible.
- Adjunct professors will receive no remuneration for their duties but may receive honoraria for occasional lectures, seminar presentations, and practicum supervision.

- Adjunct professors may use their association with the University for purposes of external applications for funding, but such funds must be administered by the University and the use of such funds must be governed by the same regulations as apply to regular faculty research.
- Adjunct professors are not employees of the University.

*Mechanism of Appointment:*

- Departments, Organized Research Units or other appropriate units within Faculties will forward recommendations made by collegial processes to the Dean of the Faculty or to the Vice-President Research and Innovation for those Organized Research Units which do not report to a Faculty, together with a curriculum vitae of the candidate.
- Upon review of such applications, the Dean or Vice-President Research and Innovation will recommend to the Vice-President Academic & Provost that an appointment be made.
- Upon approval of the Vice-President Academic & Provost, the Dean or Vice-President Research and Innovation will write a formal letter of appointment which outlines the terms and duration of the appointment.
- Upon acceptance of the appointment, CUPE 3903 and YUFA will be notified.
- Normally, the maximum term for an adjunct professorship is three years. Deans may request a renewal of the appointment for individuals who continue to be active and contributing members of the Faculty.

## **Osgoode Hall Law School Adjunct Professors**

### *Rationale:*

Osgoode Hall Law School relies on distinguished and leading members of the legal profession and the judiciary to teach law students on a part-time basis. This is the practice of every Law School in Canada. The Policy set out below reflects the policies of other Canadian Law Schools, notably the Faculties of Law at University of British Columbia and University of Toronto, whose part-time faculty are eligible to be called Adjunct Professors. This is also the normal nomenclature for part-time faculty in the Law Schools of the United States.

The part-time instructors of the Osgoode Hall Law School give generously of their time to the University. Their remuneration is very modest, and in some cases is refused or donated back to the University. Their commitment and contribution to the education of law students reflects a long tradition in the legal profession. At Osgoode Hall Law School, several members of the part-time faculty have taught generations of law students with little formal recognition, and only modest remuneration. The educational experience of undergraduate law students is enhanced and augmented by a broad range of courses which legal practitioners are uniquely situated to offer, and the perspectives they are able to bring to these areas of the curriculum. Courses such as civil and criminal procedure, evidence, and seminars in trial practice, negotiation, dispute settlement, constitutional litigation, advanced evidence, advanced civil procedure, are illustrative but not exhaustive of the particular expertise and the range of courses offered by members of the part-time faculty. As well, part-time faculty offer courses in our part-time LL.M. programs. Our location in the City of Toronto, with its strong and diverse legal profession, gives us access to some of the best lawyers in Canada.

The ability of Osgoode Hall Law School to attract excellent members of the legal profession to the ranks of the Adjunct Faculty will be enhanced by this policy.

### *Policy:*

Appointments to the Adjunct Faculty of Osgoode Hall Law School are part-time, faculty appointments for one academic year, or a period normally not exceeding three years. Adjunct Faculty shall be appointed only at the rank of Adjunct Professor.

Appointments to the Adjunct Faculty of Osgoode Hall Law School may be granted to individuals who are distinguished members of the legal profession, or who have practised a profession with distinction, or who have a particular professional expertise in a discipline related to law, and who thus have special skills or learning of value to the Law School and to the University.

A person holding such an appointment would normally teach a course or seminar in the Law School and may be paid an honorarium or stipend for his or her teaching services.

### *Process for Appointment:*

Adjunct Faculty appointments shall be made by the Vice-President Academic & Provost on the basis of a joint recommendation by the Associate Dean and the Dean of the Osgoode Hall Law School. A recommendation should be accompanied by a brief statement indicating the basis for appointment. Appointment at the adjunct rank does not imply that the appointee has the

qualifications necessary for appointment to one of the regular professorial ranks.

## **Allocation of True Visitors**

True Visitors are faculty members employed at York University in a full-time visiting position who may include **but are not limited to** faculty members or professional librarians on leave from other universities or educational institutions. Since only sixteen full-time faculty appointments are available University-wide, Deans must apply for true visitor positions when the yearly call is issued. These positions are to be funded by the Faculty making the appointment. True Visitors are contractually-limited appointments. However, they hold YUFA-Exempt status.

### *Process:*

- In January every year, a notice will be issued to all Chairs and Deans of non-departmentalized Faculties inviting them to apply through the Dean/Principal for true visitor appointments, providing details concerning the identity of the appointees, their qualifications, and indicating the courses to be taught and their importance in the Department's curriculum. Where more than one individual is proposed, the Department will rank order its requests, and provide a rationale for the ordering. Units making applications should bear in mind that York University has a policy on employment equity, including affirmative action for women faculty, racial/visible minorities, persons with disabilities and aboriginal peoples.
- By February 15 every year, Deans/Principal will forward to the Vice-President Academic & Provost a consolidated list of requests from the Faculties for true visitors, providing a rank order and rationale for the ordering, including the materials submitted by the Departments, a curriculum vitae and draft letter of offer for each request.
- By the end of February, the Vice-President Academic & Provost will allocate the sixteen positions among the Faculties, based on the unit rationales and the Faculty rankings.
- Late requests will be entertained, subject to the availability of positions.
- Units unable to make the approved appointments should inform the Vice-President Academic & Provost immediately so that the positions can be re-allocated.

## **Allocation of Lecturer Excluee Positions**

The most recent version of the Lecturer Excluee program is described in the memorandum below, provided to Deans for their use and/or distribution to faculty.

“Summary: Requests for lecturer excluee “tickets” should be submitted to the Office of Employee Relations (Academic) by April 14, 2007. Administrators are requested to note that the “categorized” excluee tickets are limited to 16 across the institution and to no more than 2.5 per hiring unit. Uncategorized excludes, of which there are a maximum of 10, attract an extra \$1000 in salary in addition to a \$600 contribution to the Union’s Ways & Means Fund. These additional costs are born by the Faculty.

The purpose of this memorandum is to request, pursuant to Article 3.01 of the CUPE 3903 Unit 2 collective agreement, your submissions for lecturer excluee positions or “tickets” for the contract year 2007-2008. Article 3.01 articulates two categories of lecturer excluees: “categorized” and “uncategorized”.

In the current 2005-2008 collective agreement there is provision for 16 “categorized” lecturer excluee positions, which may be made under the following categories:

- (i) persons employed part-time at York University while on leave from other universities or post-secondary educational institutions;
- (ii) for up to one course in the twelve-month period between September 1 and August 31, persons awarded externally funded research fellowships tenable at York University;
- (iii) for up to one course in the twelve-month period between September 1 and August 31, persons hired pursuant to a research contract awarded to a faculty member or a research unit of York University.

Appointments made under any of these forenoted categories do not require the additional \$1000 in salary to the employee, nor \$600 to the Union’s Ways & Means Fund, as is the case for “uncategorized” lecturer excluees. Please note that effective the 2006-2007 contract year, each hiring unit is restricted to a maximum of 2.5 full course equivalents.

Please also note that sub-category (iv), which pertained to individuals who hold full-time appointments elsewhere, has been deleted from the collective agreement. However, in most cases it will still be possible to engage these individuals by employing the “hot-shot” clause (Article 12.01.1 i) or the uncategorized lecturer excluee provisions noted below. It should be stressed that individuals interested in employing the hotshot clause must first consult with the Office of Employee Relations (Academic) to assess the appropriateness of recourse to this clause.

“Uncategorized” excluees are made pursuant to Article 3.01.3 which limits the number of such appointments to 10 per contract year. As stated above, these appointments attract the additional



\$1000 top-up in salary along with a \$600 payment to the CUPE 3903 Ways & Means Fund. It is the responsibility of the host faculty to pay for the additional costs associated with these appointments.

In addition, there is also the requirement that the position to which an uncategorized lecturer excludee is to be appointed first must be posted in Unit 2. The postings for these positions must contain the following statement: *“This position is being posted pursuant to Article 3.01.3(ii) in the CUPE 3903 Unit 2 collective agreement and, per that article, only specific applications will be considered”*. Only if there are no qualified applicants shall a lecturer excludee be appointed. However, it should be noted that, because one is trying to approximate the qualifications of an actual individual, you may be much more precise in how you articulate your desired qualifications. Also, please stress to your chairs and other hands-on administrators that 28-day letters are not issued prior to finalizing these appointments. They are not necessary and should actively be avoided as their distribution creates the impression that it is a “normal” appointment and subject to the grievance procedure by anyone who has submitted a blanket application. It is important to distance uncategorized lecturer-excludee appointments from this process.

Requests from the Dean/Principal for each “categorized” lecturer-excludee position should indicate the specific category from Article 3.01 under which the appointment is to be made, and provide the following details: name of the proposed appointee, an indication of how the appointment meets the posted qualifications, and a *curriculum vitae* along with the course to be taught and its importance to the unit’s curriculum. In the case of requests for “uncategorized” excludee positions under Article 3.01.3, evidence must ultimately be provided that the position was posted in Unit 2 and that there were no qualified applicants.

As in the past, some tickets will be held in reserve to accommodate those faculties expecting to make summer appointments and/or for unexpected appointments which arise after the initial round of applications. Late requests, then, will be entertained, subject to availability of remaining lecturer-excludee tickets. Hiring Units unable to make use of approved appointments should inform the Office of Employee Relations (Academic) in order that these positions can be re-allocated.

I would ask that you forward copies of this memorandum to your chairs/program directors responsible for making contract faculty appointments and that your requests for lecturer-excludee positions be submitted to the Office of Employee Relations (Academic), C26, East Office Building (EOB) by April 14, 2007. If you require assistance with these appointments please contact me, Rob Lawson, at extension 55155 (E-mail: [rlawson@yorku.ca](mailto:rlawson@yorku.ca)).

I thank you in advance for your attention to this memorandum and, following this electronic transmission, will have a hard copy version distributed as well.”

## Special Renewable Contracts (SRCs) Renewals

Process for SRC Renewals:

1. Each year the Office of the Vice-President Academic & Provost will send out a list of current SRC positions reporting the expiry date of each incumbent's term of appointment. This list will serve as a reminder to the Dean(s)/Principal of those SRC incumbents whose 5-year terms are ending and to whom they should be issuing letters of re-appointment, termination or non-renewal to.
2. Since the Deans/Principal are already accustomed to issuing notices of non-renewal/renewal to CLA incumbents by February 1<sup>st</sup> of each year, it would be prudent to adopt this same date to inform SRC incumbents with such notices.
3. In accordance with YUFA, Article 12.32 with respect to SRC appointments:  
*"...the contract will normally be renewed by agreement of the department, Dean and individual for an additional five (5) year term and one further final three (3) year term. Such agreement will not be unreasonably withheld. ...An SRC appointee will be eligible for only one sabbatical leave during the total duration of the appointees' term(s) (i.e., one (1) leave in thirteen (13) years or less)."*
4. The hiring unit(s) will need to ensure that their recommendations to renew/not renew are made to their respective Dean(s)/Principal by December 15<sup>th</sup>.
5. The Deans/Principal will, in turn, need to forward their recommendations to the Vice-President Academic & Provost by January 15<sup>th</sup> to ensure that the appropriate approvals on these recommendations can be returned to the Deans/Principal and notification sent to the SRC incumbent by the 1<sup>st</sup> of February.
6. In cases where there may be a recommendation to not renew, the respective Dean(s)/Principal is to advise the Vice-President Academic & Provost of this possibility in advance of January 15<sup>th</sup>.

Faculty hiring units and the respective dean(s)/principal are requested to provide a brief report outlining that these criteria have successfully been met.