

# Key Rights when Applying for Tenure or Promotion

March 22, 2021

An applicant's primary focus should be on their application; once a committee is formed and consideration is underway, there are only limited opportunities to seek changes or otherwise influence the process. However, the limited opportunities applicants may have to seek changes or otherwise influence the process can be powerful and are worth knowing. The information and Collective Agreement references provided below indicate the rights that applicants have to seek changes or influence the process and the rights to information that will help candidates assess whether they want to seek changes or influence the process.

Before the committee begins its work:

- An applicant has a right to know how the committee is structured (s. 32.1), how it functions (s. 32.3), and who is on it (s. 32.10)
- An applicant has a right to a competent committee of their peers (e.g. s. 32.2(c), (f), (g))
- If an applicant has concerns about a committee member who may have a conflict of interest or a bias, or if wants the committee to be augmented with a subject-matter expert, they have the right to request those changes (ss. 32.10-32.14)
- An applicant must exercise those rights in a timely way, within 10 working days (two weeks) of being informed of the committee composition

Once the committee composition is settled:

- In tenure and promotion applications an applicant has the right to nominate at least six potential referees (s. 33.5)
- In tenure and promotion applications an applicant has the right to challenge referees nominated by department (s. 33.10). If a challenged nominee isn't just replaced by someone else, the Dean will review and determine whether a substitute should be nominated (s. 33.11)
- An applicant has the right to request a meeting with the committee (s. 33.25) – a meeting must be offered by the committee if it is considering a negative recommendation
- An applicant has the right to receive a copy of anonymized referee letters (s. 33.24)

Once the committee has assessed the application:

- An applicant has the right to receive a copy of the committee's recommendation (s. 33.31)
- If the recommendation is negative, and applicant has the right to make a submission to the Dean (s. 33.33) but this is not an appeal; Deans primarily review the committee's process and an applicant can flag any procedural concerns which may lead to the Dean referring the application back to the committee for a review
- An applicant has the right to receive (s. 33.39) and respond to (s. 33.41) the Dean's recommendation

All of these rights may be exercised with the assistance of a Faculty Association representative. Please contact the Faculty Association for additional advice and support: [msofa@uvic.ca](mailto:msofa@uvic.ca) or [advisorfa@uvic.ca](mailto:advisorfa@uvic.ca).