

PART 5: CONDITIONS OF APPOINTMENT FOR LIBRARIANS

The University of British Columbia and the Faculty Association of the University of British Columbia have agreed on the following conditions of appointment for librarians at The University of British Columbia.

Article 1. Interpretation

- 1.01 For the purpose of Part 5: *Conditions of Appointment for Librarians*:
“Librarian” means a person appointed as a librarian or an archivist; and
“Supervising librarian” means the administrative librarian to whom a librarian primarily reports.
- 1.02 Heads
- a) The University will appoint Heads in the Library using term appointments. Depending on the Library’s operational needs, terms will be for up to five (5) years. Appointments may be renewed after a review process.
 - b) The terms and conditions of the Head’s appointment, including the functions and responsibilities delegated to the Head, will be agreed in writing at time of appointment or reappointment. As part of their appointment, Heads shall have access to training, time, and support to assist them in carrying out their responsibilities.
 - c) Heads provide intellectual and administrative leadership for the unit, and are accountable for the operation of the unit. In addition, they represent the views of their units to the AULs, the UL and the University at large.
 - d) Time served in a Head appointment will continue to accrue as time served for the purpose of study leave eligibility.
 - e) Such appointments will carry with them an entitlement to a stipend. The amount of the stipend shall not be less than \$5000 and will be set out in the University’s written offer of appointment.
 - f) Librarians hired as Administrative Librarians by the University prior to March 31, 2012 will not normally be eligible to receive an administrative stipend.
 - g) An appointment as an Acting Head for a period of three (3) months or more will carry an administrative stipend. The amount of

the stipend will be set out in the University's written offer of appointment.

h) Acting Head appointments of less than three (3) months will carry no administrative stipend. Time served in an Acting Head appointment will continue to accrue as time served for the purpose of study leave eligibility.

Article 2. Types of Appointment

2.01 Appointments may be (a) term appointments or (b) confirmation-track or confirmed appointments. The term of every appointment and the termination date shall be clearly stated on the appointment notice.

2.02 Term Appointments

Term appointments are of the following two kinds:

a) Term Appointments without Review

Appointments without review are full-time or part-time appointments for a specified limited term. There is no implication that the appointee will be considered for any further appointment of this or any other kind on the expiration of the specified term. Full-time appointments without review may not be held for more than three (3) consecutive years. Term appointments without review are normally for one (1) year. Each year the University will provide to the Association a list of those holding term appointments without review.

b) Confirmation-Track Appointments

- i) Confirmation-track appointments are full-time appointments that, although being for a specified term, carry the implication that the appointee will be considered for further appointment in accordance with the procedures and criteria described below. A confirmation-track appointment is normally for a three-year term.
- ii) Any librarian holding a confirmation-track appointment is eligible for consideration for a confirmed appointment. By the end of an appointee's third year of continuous service in a confirmation-track appointment, a recommendation shall be made to the President by the University Librarian to grant or deny a confirmed appointment. An early recommendation to

grant a confirmed appointment may be made if the appointee has had academic, professional, or other comparable experience before being appointed by the University.

- iii) A decision not to grant a confirmed appointment will normally be followed by a one-year terminal appointment.
- iv) No librarian will acquire a confirmed appointment by reason only of holding a confirmation-track appointment that extends beyond the third year of continuous service.

2.03 Confirmed appointments

Confirmed appointments are full-time appointments except when the University and a librarian have agreed to change such an appointment from full-time to part-time. They cannot be terminated except in accordance with Article 9 below, or for financial exigency or redundancy. Termination for financial exigency or redundancy shall be in accordance with any applicable criteria and procedures established under Article 12 of Part 4: *Conditions of Appointment for Faculty*. Until such criteria and procedures are established Part 9: *Termination or Non-Renewal of Faculty Appointments for Financial Exigency* as amended shall apply to librarians.

2.04 Appointments involving salaries from non-University funds

- a) Appointments may be funded jointly by the University and some other body, or in some cases may be funded entirely from non-University sources. Librarians holding such appointments shall be subject to the same procedures and criteria for initial appointment and confirmed appointment that are applied to those holding appointments funded solely by the University. The award of a confirmed appointment, however, shall be for the term of the grant or contract and shall be termed “confirmed (grant)”.
- b) The appointment notices for those supported by non-University funds in whole or in part shall state clearly the terms of appointment and indicate which accounts are non-University funds and the amounts paid from those accounts.
- c) A librarian who has a confirmed full-time appointment (grant) may, with the agreement of the University, be given a full- or part-time confirmed appointment.

- d) A librarian holding a probationary appointment or a confirmed appointment (grant) and supported by non-University funds in whole or in part shall, subject to funds being available, be given a minimum notice of one year if the appointment is to be terminated as a result of the termination of the non-University funds from which the librarian's salary is paid.
- e) If an appointment supported by non-University funds in whole or in part is not to be renewed or is to be terminated for any reason other than the termination of non-University funds, the criteria and procedures applicable to appointments funded solely by the University shall govern.

Article 3. Criteria for Appointments

- 3.01 Positions in the Library shall be designated as either librarian or archivist. An initial appointment as a librarian requires a masters-level degree from an accredited program of library, or information science, or equivalent internationally accredited program. An initial appointment as an archivist requires a masters-level degree with a specialization or concentration in archival science. Appointment to these positions may also require appropriate experience and knowledge of a particular subject.
- 3.02 Candidates for confirmed appointment are judged principally on:
 - a) performance in their assigned responsibilities, as defined in Article 3.05; and
 - b) contributions to the University, to the profession, to scholarship (including the attainment of advanced degrees in librarianship or other pertinent disciplines), and to the community as defined in Articles 3.06 and 3.07. However, such contributions cannot compensate for deficiencies in performance of their core assigned responsibilities.
- 3.03 Confirmed appointments are granted on the basis of a high standard of performance in meeting the criteria set out in Article 3.02(a), the quality and significance of contributions set out in 3.02(b), and promise of continuing to meet these criteria. The decision to grant such as appointment may take into account the interest of the University in maintaining academic strength and balance, but no librarian holding a confirmation-track appointment shall be denied a confirmed appointment on the ground that the University has established quotas for those holding confirmed appointments.
- 3.04 Judgments of an individual shall be made objectively.

3.05 Assigned Responsibilities

Assigned professional responsibilities are set out in the Librarian's position description and also include responsibilities assigned by the Head throughout the year in consultation with the Librarian. Assigned responsibilities include but are not limited to activities related to the development of professional knowledge, collection development including access and preservation, records management, curating special collections and archival material, administration and supervision, community engagement, reference and research assistance, contributing expertise and partnering in research and publishing activities, developing and maintaining information systems and technology, teaching and curriculum development, and assessment of activities and services.

3.06 Contributions to Scholarship

Contributions to scholarship include academic, professional, and pedagogical contributions or activities such as publication; editorial reviews and adjudication work; developing subject expertise; contributions to conferences, programs, symposia, workshops and other educational events related to the profession; and research projects.

3.07 Service Contributions

Service to the Library, the University, the profession, and the Community includes service performed for the benefit of the unit, the Library as a whole, Faculties, or other parts of the University (including the Faculty Association), and for professional organizations and the community at large. Such service might include service on committees and university bodies, continuing education activity in the community including professional education, special work with professional, technical, scholarly or other organizations, membership on or service to governmental or public councils and boards, and other forms of academic, professional, and public service. Service might also include the organization of conferences, programs, symposia, workshops, and other educational events related to the profession.

Article 4. Procedures for Appointments – General Provisions

4.01 All appointments are made by the Board of Governors upon the recommendation of the President.

4.02 Where a Selection Committee is to be appointed the Committee shall include at least five librarians who hold confirmed or confirmation-track appointments, who if practicable, work in the area in which the librarian is, or will be, employed. The Committee shall normally include at least one Head from outside of the Unit. The Chair shall be elected from within the Committee. The recommendation of the

Selection Committee shall be that of a majority. The Head to whom the librarian reports shall also participate in the work of the Committee but shall not vote.

- 4.03 It is expected that confidentiality will be respected by all those participating in the consultations.

Article 5. Initial Appointments

5.01 For the purpose of this Article initial appointments shall include:

- a) probationary appointments;
 - b) appointment without review;
 - c) internal appointments (An internal appointment is an appointment open only to candidates who already hold an appointment as a professional librarian.);
 - d) confirmed appointments that are not preceded by a probationary appointment.
- 5.02
- a) A recommendation on the making of an initial appointment shall be made to the University Librarian by a Selection Committee.
 - b) The Head to whom the appointee will report shall also make a recommendation to the University Librarian.
 - c) If the University Librarian decides in favour of recommending the appointment, they shall forward it to the President.
 - d) In the case only of appointments under Article 5.01(d), the President shall refer the recommendation to the Librarians' Appointments Committee pursuant to Article 6.07, but otherwise the provisions of Article 6 shall not apply.

Article 6. Confirmed Appointments (Other Than Initial Confirmed Appointments)

6.01 Meetings with the Head

- a) At the end of the first and second year of a probationary appointment the Head shall meet with the candidate. The purpose of the meeting is to review the candidate's performance for the year, to identify any potential difficulties with the candidature and to assist the candidate with any concerns.
- b) When a librarian is to be considered for a confirmed appointment under Article 2.02(b)(ii), the Head shall meet with

the candidate before the submission of information to be supplied by the candidate. The purpose of this meeting is:

- i) to advise the candidate that it is their responsibility to provide an up-to-date curriculum vitae and other relevant information to the Head, prior to a date set by the Head, provided that this date is no later than six (6) months prior to the expiry of the probationary period; and
 - ii) to identify any potential difficulties with the candidature and to assist the candidate with any concerns.
- c) The librarian may bring a colleague to each of the above meetings.
 - d) At the conclusion of each of the above meetings, the matters discussed shall be recorded in an agreed memorandum. Any concerns expressed by the Head are their own views.

6.02 The Standing Review Committee

- a) The Library shall establish a Standing Review Committee to review the candidate's application for confirmation. The committee shall be composed of five (5) Librarians holding confirmed appointments, three (3) of whom shall be elected by Librarians and, in order to ensure representation from across the Library, two (2) shall be appointed by Heads. Committee appointments shall be for two-year staggered terms. Elections shall be held each year, no later than January 31. The candidate's Head shall chair the Committee but shall not vote.
- b) At the end of the second year of a confirmation-track appointment, or no later than six (6) months prior to the expiry of the confirmation-track, the Head shall notify the Committee and assemble the following documentation for their review, including: the agreed memorandum, or memoranda, prepared pursuant to Article 6.01(d); a performance review of the candidate's first, and if appropriate, second year of appointment; a current curriculum vitae and other relevant information to be supplied by the candidate; letters of appraisal of the candidate's performance from a minimum of four referees.
- c) The Head shall solicit letters of appraisal from four referees who

have direct knowledge of the candidate and their work, including at least one letter from a UBC librarian or AUL with knowledge of the quality and significance of the candidate's work within the Library. If this letter is from an AUL, then at least one of the other referee letters must be from a UBC librarian.

- d) At least two referees shall be taken from a list of names supplied by the candidate. If additional referees are required at any time, the number selected from the list supplied by the candidate shall never be less than the number otherwise selected. If additional referees are required the candidate shall, if need be, provide additional names so that there shall always be one more referee on the candidate's list than the number of referees to be selected from the list.
- e) Referees shall provide letters of appraisal on the candidate's performance in meeting the criteria set out in Article 3.02(a), the quality and significance of contributions set out in 3.02(b), and their promise of continuing to do so.
- f) When serious concerns arise during the review process to be conducted under paragraph (a) above, the Head shall, before any final decision is reached by the Committee, inform the candidate of that fact and the reasons therefore with sufficient particularity to enable the candidate to have a meaningful opportunity to respond orally or in writing and to introduce further relevant evidence. The Head shall provide the candidate with a summary of the letters of appraisal prepared in such a way as to preserve the anonymity of those who wrote the letters of appraisal.
- g) The Head shall prepare the recommendation of the Standing Committee, which shall be that of the majority. The report shall contain a full statement of the reasons of the committee including a full statement of the majority and any minority opinions. Before sending the report to the University Librarian the Head shall circulate a draft to the committee and shall invite comments on the draft.
- h) The Head shall assemble and forward to the University Librarian the following documentation:
 - i) the materials assembled pursuant to (b) and (c) above;
 - ii) the Committee's recommendation and a record of the Committee's deliberations and vote; and
 - iii) the Head's recommendation.

6.03 Recommendations: Informing the Candidate

- a) The Head shall, at the time the recommendations are forwarded to the University Librarian, inform the candidate in writing of the recommendations being forwarded.
- b) If the recommendation of either the Head or of the Standing Review Committee is negative, the Head shall provide detailed and specific reasons in writing for any negative recommendation. Where the Head's recommendation is negative and that of the Standing Review Committee is positive the Head shall also provide detailed and specific reasons for the positive recommendation.
- c) The Head may provide detailed and specific reasons by giving to the candidate a copy of the recommendations being forwarded to the University Librarian, but if that is done the recommendation shall be modified to the extent necessary to protect confidentiality and to protect the identity of writers of letters of appraisal.
- d) The candidate shall be invited to make a timely response, which shall be added to the file.

6.04 Procedures for Librarians Outside the Library

In a Faculty in which a librarian is employed, the Dean shall ensure that a recommendation for confirmed appointment is arrived at by procedures and arrangements consistent with those for the Library.

6.05 The University Librarian

- a) The University Librarian shall review the recommendations received to ensure that proper procedures have been followed, that all relevant material has been considered, and that the recommendation made is consistent with the evidence presented. The University Librarian may consult such Associate University Librarians as they decide. The University Librarian shall make their recommendation regarding the confirmed appointment in accordance with Article 6.05(b) and (c). If the Associate University Librarians raise any new negative information or serious concerns are introduced during the consultation, the candidate shall be informed in writing and given an opportunity to respond in writing prior to the President making their decision.
- b) The University Librarian shall forward their written

recommendation to the President together with the recommendations received from the Head and the Standing Review Committee.

- c) If the University Librarian's recommendation is different from that of the Head or the Standing Review Committee, the University Librarian shall inform the President of the reasons for this.

6.06 The University Librarian: Informing the Candidate

- a) The University Librarian shall, at the time their recommendation is being forwarded to the President, inform the candidate in writing of their recommendation.
- b) If the recommendation of the University Librarian is negative, in opposition to the recommendations of the Head or the Standing Review Committee, or for reasons not raised by the Head or the Standing Review Committee, the University Librarian shall provide details and specific reasons in writing to the candidate.
- c) The University Librarian may provide detailed and specific reasons by giving the candidate a copy of the University Librarian's recommendation to the President, but if this is done the recommendation shall be modified to the extent necessary to protect confidentiality and to protect the identity of the writers of letters of appraisal.
- d) The candidate shall be asked to make a timely response, which shall be added to the file.

6.07 Librarians' Appointments Committee

All recommendations to the President concerning confirmed appointments shall be reviewed by the Librarians' Appointments Committee, which is a standing advisory committee comprising confirmed librarians established by and making recommendations to the President. At least one (1) member of the Committee will hold an appointment at UBC Okanagan. The Faculty Association shall nominate a confirmed librarian as a member of the Committee. A Head whose recommendations are being considered by the committee may participate in the deliberations of the committee but shall not vote on the recommendations.

6.08 Supplementing the File

In the case of recommendation on a confirmed appointment the candidate, or the Library, has the right up to the President's decision, to supplement the candidate's file by the addition of new, unsolicited information or a response to particular concerns that emerge in the relevant documentation.

6.09 President: Informing the Candidate

- a) The President shall, at the time a decision is made on whether or not a recommendation is to be forwarded to the Board of Governors respecting a candidate, inform the candidate in writing of that decision.
- b) If the recommendation of the President is negative, the President shall provide detailed and specific reasons in writing to the candidate including the respects in which they are deemed to have failed to satisfy the applicable criteria and send a copy to the Association.

6.10 Appeal of Decisions on Denial of Confirmed Appointments

- a) The President's decision to deny a confirmed appointment may be subject to arbitration following the procedures as provided in Article 13 of Part 4: *Conditions on Appointment for Faculty*.
- b) The provisions of Article 13 of the Part 4: *Conditions on Appointment for Faculty* and any amendments thereto shall apply as applicable to librarians. The provisions, however, shall be modified as follows:
 - i) Any references to decisions relating to promotion are inapplicable.
 - ii) In Article 13.07 of Part 4, *Conditions on Appointment for Faculty*, procedural error means an error regarding the procedures under The Librarians' Agreement.

Article 7. Workload

7.01 Preamble

- a) The workload of a librarian is a combination of assigned and self-directed tasks undertaken in fulfillment of their responsibilities as defined in Articles 3.05, 3.06, and 3.07.
- b) What constitutes normal workload will vary from one unit to another

7.02 Principles governing the assignment of workload

The University is committed to:

- a) a reasonable and equitable workload for librarians;
- b) a transparent process of workload allocation within a unit, which has decisions being made in accordance with criteria that are communicated to members within that unit;
- c) flexibility in workload allocation that reflects the University's obligations and the unique missions of Library units;
- d) a general approach to workload allocation that has been developed taking into consideration the operational requirements of the University and the unit and the input of the members of the unit; and
- e) workload allocation that takes into consideration the comprehensive nature of the scope of activities and expectations appropriate to the librarian, including approved participation in activities outside the unit.

7.03 Library Unit Workload

- a) The Head shall notify members annually of the unit's general approach to workload.
- b) The normal workload within units shall be consistent with the operating obligations of the unit, the Library, and the University.
- c) Prior to finalizing workloads, the Head shall offer the opportunity for members of the unit to provide their views and relevant information pertaining to workloads.
- d) The Head shall assign workload to members in accordance with the principles governing the assignment of workload (Article 7.02), the unit's general approach to workload, and other factors relevant to the individual member.

Article 8. Vacations and Leave

8.01 Vacation

The normal vacation should be arranged between the librarian and their Head.

8.02 Leave

Leave provisions and University policies including maternity leave, sick leave, study leave, political leave, and leave without pay for faculty members shall apply to librarians.

8.03 Procedures in the case of Emotional or Physical Incapacity

Article 11 of Part 4: *Conditions of Appointment for Faculty* shall apply to librarians.

Article 9. Policy Respecting Faculty with Familial Ties

9.01 When a librarian is in a position to influence personnel decisions (such as the recruitment, offer of employment, salaries, evaluation of performance, promotion, granting of a confirmed appointment, imposing disciplinary measures, or termination of employment) with respect to another with whom the librarian has a relationship which might reasonably be construed as raising a conflict or potential conflict of interest, then the librarian has a duty to disclose the situation to the University Librarian.

9.02 Librarians are expected to avoid apparent and actual conflict of interest situations by not participating in the decision-making process with respect to the other person. For example, a librarian is required to withdraw from deliberations regarding another librarian's case for confirmed appointment.

Article 10. Disciplinary Measures

10.01 Definitions:

"Cause", for the purpose of dismissal, means incompetence, gross misconduct, or refusal or unjustifiable failure to carry out one's reasonable duties. "Cause", for the purpose of suspension or disciplinary measures, is understood to be less than is required to be shown for dismissal, but no dismissal, suspension or discipline shall be sustained unless the University can show just cause;

"Disciplinary measure" means the imposition of a penalty such as warning or formal reprimand other than termination of appointment or suspension, but does not include an oral or written comment on performance unless that comment is accompanied by a warning or reprimand, and does not include a measure taken under regulations approved by the Board of Governors or the Senate covering such matters as parking or use of the Library;

"Suspension" by way of discipline means the release of a librarian from their duties for a specified period during which time rights and

privileges as a librarian are withdrawn and salary is reduced or discontinued, but does not include the reduction or discontinuance of the salary of a librarian who is unable to discharge University duties for reasons such as emotional or physical incapacity or unavoidable absence from the University;

"Termination of appointment" means the release of a librarian without their agreement before the expiry of the term of the contract, but does not include a decision not to award a confirmed appointment and shall not include the ending of an appointment for financial exigency or redundancy; and

"Temporary paid leave" means a paid leave imposed by the President pending the outcome of an investigation into allegations against the librarian.

10.02 Representational Rights

When the University requires Faculty Association members to attend a meeting where it is known in advance by the University that it may result in discipline, the University shall inform the faculty member in advance of their right to advice and representation from the Faculty Association. The Faculty Association will also be notified and can attend the meeting with consent of the member. The advance notice to the faculty member shall be reasonable in order that they may seek representation.

10.03 Temporary Paid Leave

- a) The President may impose a temporary paid leave on a librarian pending the outcome of an investigation into allegations against the librarian.
- b) During a temporary paid leave, a librarian may be relieved from some or all of their duties and may be deprived of some or all of their rights and privileges; but their salary should not be reduced or discontinued during the period of temporary paid leave.
- c) The period of a temporary paid leave shall not normally be longer than sixty (60) days.

10.04 Termination and Suspension for Cause: Decision of the President

Any recommendation to the President on the termination or suspension of a Librarian must be made by the University Librarian.

- a) When the President considers that appropriate grounds may exist for the termination of an appointment for cause or for suspension of an appointment for cause the President shall inform the librarian concerned in writing.
- b) Within twenty-one (21) days of receiving written notification from the President, the President and the librarian shall meet to discuss the matter in the presence of the University Librarian, and the Head. The President shall be entitled to bring Faculty Relations advisors and the faculty member concerned shall be entitled to bring Faculty Association advisors to this meeting. The Chair of the Faculty Association's Member Services & Grievance Committee and/or the Chair's representative shall attend the meeting.
- c) If, following this meeting, the President decides to proceed with the termination for cause or with the suspension for cause, the President shall inform the Association and the librarian in writing of the grounds for the termination suspension.
- d) Within forty-two (42) days after receipt of this notice the Association may give written notice to the President that it wishes to proceed to arbitration.

10.05 Termination and Suspension: Arbitration

Articles 20.06 to 20.13 inclusive of Part 1: *Framework for Collective Bargaining* apply to the submission to arbitration of a decision of the President to terminate or suspend a librarian.

10.06 Disciplinary Measures: Imposition

A Head or the University Librarian may impose a disciplinary measure on a librarian; and shall at the time of the decision inform the librarian in writing of the measure and the reasons for it.

10.07 Disciplinary Measures by the Head: Grievance

- a) If the librarian wishes to appeal the imposition of discipline by a Head, the librarian shall, within twenty-one (21) days of being informed in writing under Article 9.05, notify the University Librarian in writing of the intent to appeal.
- b) The University Librarian, if requested, shall meet with the librarian and the Association.

- c) Within twenty-one (21) days of having received notice under Article 9.06 (a) the University Librarian shall provide written notice of their disposition of the appeal to the librarian and to the Association.
- d) If the Association decides to carry forward the grievance it shall, within twenty-one (21) days of receiving the written decision of the University Librarian, notify the appropriate Vice President in writing that it wishes to proceed to arbitration.
- e) Articles 20.06 to 20.13 inclusive of Part 1: *Framework for Collective Bargaining* apply to the submission to arbitration.

10.08 Disciplinary Measures by the University Librarian: Grievance

- a) If a librarian wishes to appeal discipline initially imposed by the University Librarian, the librarian shall, within twenty-one (21) days of being informed in writing by the University Librarian of the discipline, notify the appropriate Vice President and the Association of their wish to appeal the discipline.
- b) If the Association decides to carry the appeal forward it shall within twenty-one (21) days of receiving the notification of the librarian's wish to appeal notify the appropriate Vice President that it wishes to proceed to arbitration.
- c) Articles 20.06 to 20.13 inclusive of Part 1: *Framework for Collective Bargaining* apply to the submission to arbitration.

Article 11. Financial Exigency and Redundancy

11.01 Financial Exigency

Provided that Part 1: *Framework for Collective Bargaining* is in force, the criteria and procedures for any alteration in the conditions of appointment of any librarian because of financial exigency in the University will be negotiated by collective bargaining between the Parties in accordance with the provisions of that agreement.

11.02 Redundancy

Provided that Part 1: *Agreement on the Framework for Collective Bargaining* is in force, the criteria and procedures for any alteration in the conditions of appointment of any librarian because of redundancy in the University Library will be negotiated by

collective bargaining between the Parties in accordance with the provisions of that agreement.

APPENDIX A

LETTER OF UNDERSTANDING 1 BETWEEN THE UNIVERSITY OF BRITISH COLUMBIA AND THE FACULTY ASSOCIATION OF THE UNIVERSITY OF BRITISH COLUMBIA

Re: Time between December 25 and January 1

This language is based on the understanding that operational requirements of the unit, branch or department take precedent over the proposed language as follows:

Librarians are to treat the days between Christmas and New Year's Day as work days that may be taken as vacation or time off without pay. Librarians may work at home provided they inform their supervisor. Informing is not asking permission, rather it is a professional courtesy. Individual messaging must reflect their ability to be available to address work should it be required.