

## York University Faculty Association

### Memorandum

To: Barry Miller, Executive Director, Faculty Relations

From: Sheila Embleton and Art Redding, Chief Stewards

Re: Grievance – Research Release Program

Date: 2 December 2016

The York University Faculty Association grieves on its own behalf and on behalf of its members that the Employer has violated Articles 1, 18, and specifically article 18.15, the *Tenure/Continuing Appointments and Promotion Documents for Faculty and Librarians*, and any other relevant articles of the Collective Agreement and/or relevant policies or legislation, by insisting on excessive and unreasonable criteria in unit research release qualification criteria and taking advantage of the power to exert pressure—including the power to delay—to do so; by requiring in some instances the integration of tenure and promotion criteria outside of the tenure and promotions process such that members in some units may be subjected to a form of performance review not intended by the program; by failing to apply sound intellectual judgement in uniformly responding to discipline-specific criteria; by requiring specific research indicators in a way that narrowly prioritizes dissemination of research findings over other research activities, failing to respect or recognize the latitude and flexibility in the language negotiated by the parties; and by failing to honour the terms of the agreement made as part of the exchange for YUFA's extending the deadline for decanal responses.

The following remedies are requested:

1. A declaration that the Employer violated the Collective Agreement;
2. That the Employer immediately desist from interfering in individual units' definitions of an appropriate time window for consideration of research activity and recognize that requirements of recentness of research activity can be prejudicial to many types of research accomplishment and aspiration that the program was intended to recognize;
3. That the Employer accept departmental-level criteria for research release as proposed by the units; furthermore, that units that have already agreed on criteria have the right to revise criteria in view of the problems of aforementioned implementation;

4. That the Employer recognize that units need not require any one category of indicator(s);
5. That the Employer recognize that the program is intended primarily as a means of supporting ongoing research activities, not simply as a means of rewarding past research activity or performance, and that unit submissions that promote this primary purpose shall be encouraged and approved;
6. A declaration from the Employer that the adjudication of research release in no way constitutes performance review;
7. A declaration that the Employer recognizes that tenure and promotion criteria and standards are for tenure and promotion processes alone, and that usage of the criteria/standards for other purposes distorts both the research release program and the tenure and promotion process;
8. That the Employer reaffirm its commitment to and respect for collegial governance and the disciplinary expertise of members;
9. That the Employer declare that it failed to honour the agreement to provide YUFA with copies of all unit criteria submissions, copies of all decanal responses, and records of the number of research releases and Appendix O credits awarded in each unit from 2015-16 onwards, and to remedy that failure immediately;
10. Any other appropriate remedy.

Cc: D. McIntosh, Goldblatt Partners