

Faculty of Arts
Procedures to determine whether performance has been found to be
satisfactory or not satisfactory under the University of Manitoba—
University of Manitoba Faculty Association Collective Agreement

Preamble

Article 24 of the UM—UMFA Collective Agreement contemplates, for each member of the bargaining unit, the annual determination as to whether performance in the previous calendar year was found to be satisfactory or not to be satisfactory.

It should be noted that:

- there are Senate mandated student evaluations of all courses (except those with fewer than 5 students);
- faculty members ought to be receiving regular peer evaluation of their research through the process of making grant applications and the process of refereed publication;
- the Faculty’s procedures for tenure and promotion provide a rigorous periodic assessment of applicants with respect to teaching, research and service; and
- the superior and outstanding performance in teaching, research and service are invariably noted by awards, citations, elections to national bodies, requests to act as a referee or external assessor, etc.

The Arts Faculty Council Policy on Academic Accountability contains an Annual Activity Report for UMFA members, which UMFA members complete on an annual basis to record activity for the previous calendar year. This policy also situates the submission of annual activity reports in the broader context of University of Manitoba and Faculty of Arts academic accountability.

Units and programs are encouraged to have collegial discussions to determine what constitutes satisfactory and not to be satisfactory performance in their specific areas in order to inform the determination of performance as contemplated in Article 24.

Activity reports shall normally be submitted by 15 January of each year. The Dean’s Office shall determine and communicate deadline dates, which may vary from year to year, for responses to activity reports and the final submission of activity reports and responses to the Dean’s Office.

The determination of performance shall be conducted in accordance with the principles of academic freedom, the statement of the rights and responsibilities of UMFA members, and the evaluation of research and scholarship, as specified in the relevant sections of the Collective Agreement and as appropriate to the UMFA member in question. The results of a determination of performance will not be used to assign Members any quantitative rankings nor to rank UMFA members against one another nor will anonymous material

be used to form the basis of any determination of performance or be included in any determination of performance of an UMFA member except for statistical data arising from an approved teaching evaluation. Furthermore, determinations of performance are not intended to supplant the rigorous evaluations that are carried out for the purposes of hiring, promotion or tenure, or to erode the status and security that is created by such processes.

The Dean normally delegates responsibility for the determination of performance to Department Heads, the Coordinators of Labour Studies and Women's and Gender Studies, and the Director of Asian Studies (hereafter referred to as "Head" or "Heads"), as appropriate. Nothing in these procedures shall be read to constrain the conveyance of documents or communication in either direction or at any time between the Dean and Heads, either individually or collectively, regarding the specific performance of any UMFA member or general considerations of performance and the determination of performance.

Procedures

In January of each year (normally by 15 January), each UMFA member shall submit her or his annual activity report to the relevant Head, with the following exception. Heads and the Associate Deans submit their annual activity reports to the Dean.

The Head or Dean, as applicable, shall write a determination of performance memorandum to each UMFA member following the submission of the member's annual activity report. The memorandum shall contain comments in each of the areas of teaching, research, and service, as appropriate, which are primarily for formative purposes. The Head or Dean may consider material supplied in the annual activity report and other material or evidence (SEEQ evaluations or collegial conversations, for example) in determining an UMFA member's performance in the preceding calendar year. The Head or Dean shall communicate to the UMFA member, in the determination of performance memorandum, what material or evidence is being considered.

If there are concerns with the performance in one or more of the three areas and these concerns are being noted for the first time in the annual determination of performance memorandum, the Head or Dean shall first meet with the UMFA member to discuss the concerns. The Head or Dean will then, in the UMFA member's determination of performance memorandum, specify any material or evidence that is being considered in evaluating performance, make positive formative comments on those aspects of performance that merit such comments, specify the areas of concern and what improvements in performance are expected, suggest mechanisms and offer support for improvement in performance, and specify the point in time by which the performance is expected to improve. The Head or Dean shall meet with the UMFA member at least once during the subsequent year to assess the progress made towards the specified expectations and offer appropriate support where concerns remain. The Head or Dean shall document these meetings.

Determining if performance is found to be not satisfactory will depend on the nature of the concerns; if a finding of not satisfactory performance is being contemplated, the Head shall discuss the matter with the Dean prior to writing and sending the determination of performance memorandum. Performance that is found not to be satisfactory for the preceding calendar year may result in the withholding of either one-half or all of the increment applicable to the UMFA member's rank, pursuant to Article 24 of the UM-UMFA Collective Agreement, in the case of an UMFA member eligible for such an increment.

If the Head's or Dean's concerns are satisfactorily addressed in the calendar year following the calendar year in which the concerns were first noted, the Head or Dean shall note this in the determination of performance memorandum for this subsequent calendar year. If, however, concerns with performance are ongoing in the calendar year following the calendar year in which the concerns were first noted in the determination of performance memorandum, the Head or Dean shall meet with the UMFA member to discuss the ongoing concerns and any new concerns. The Head or Dean will then provide a written response consistent with the response specified in the third paragraph of this section, addressing the ongoing concerns and any new concerns. In these cases where concerns are persisting beyond one calendar year, performance may be found to be not satisfactory for that year. Performance that is found not to be satisfactory for the preceding calendar year may result in the withholding of either one-half or all of the increment applicable to the UMFA member's rank, pursuant to Article 24 of the UM-UMFA Collective Agreement, in the case of an UMFA member eligible for such an increment.

Heads and the Dean are encouraged and expected to note and address any concerns with the performance of individual UMFA members as they arise. These concerns may or may not be noted in the annual determination of performance memorandum, depending upon the nature of the concerns and whether or not they have been resolved during the year.

All activity reports and determination of performance memoranda shall be held in the relevant personal files in the Dean's Office, consistent with Article 11 of the UM-UMFA Collective Agreement. UMFA members shall have the right to respond in writing to determination of performance memoranda within a reasonable length of time, including the right respond to and contest material or evidence upon which the determination of performance is based. If a member does respond to the memorandum, one copy of the response shall be attached to the memorandum and kept in the personal file and one copy shall be signed by the Dean and returned to the UMFA member.