

LETTER OF UNDERSTANDING

BETWEEN

THE UNIVERSITY OF WINNIPEG (the Employer)

- and -

THE UNIVERSITY OF WINNIPEG FACULTY ASSOCIATION
(RAS: MLB-6362) (the UWFA)

RE: Conflict of Interest and Reasonable Apprehension of Bias, and Departmental Personnel Committee (DPC), and Tenure/ Promotion and Continuing Appointment Committee (TPCAC) Members

WHEREAS the parties agreed to new tenure and promotion procedures pursuant to a letter of agreement re: AMENDMENTS TO PROMOTION AND TENURE PROCEDURES dated December 16 2013; and

WHEREAS Clause 8 of that letter states that the Dean shall ensure that the process is fair with respect to conflicts of interest and reasonable apprehension of bias; and

WHEREAS when a Member applies for Tenure and Promotion, Continuing Appointment, or Promotion, Clause 6 of the letter requires that the TPCAC shall be comprised of three (3) Department Members or where necessary, a closely related discipline; and

WHEREAS the selected Department Members provide a proximate peer group perspective of the applicant's performance and may be closely acquainted and involved with the work product and performance of the applicant prior to the striking of a TPCAC; and

WHEREAS some Members engage in collaborative research with multiple Members from their own Department; and

WHEREAS the Employer supports and encourages collaborative research; and

WHEREAS the parties wish to establish guidelines for determining whether a conflict of interest and/or reasonable apprehension of bias exists;

THEREFORE the Parties agree as follows:

1. When determining whether or not a conflict of interest exists, The University of Winnipeg Conflict of Interest Policy and the relevant and in force RAS Collective Agreement provisions shall normally apply.

2. Absent other evidence, co-authorship and collaboration with the applicant for professional outputs and publication shall not normally amount to a conflict of interest or reasonable apprehension of bias with respect to Department Members who serve on the TPCAC. Each case shall be examined based on its particular circumstances.
3. Notwithstanding paragraph 2, a Department Member shall not participate in a TPCAC for an applicant, when the Dean is satisfied that the Member:
 - a. has engaged in prior co-authorship and collaboration on a substantial quantum of the material presented for the deliberations of the TPCAC; or
 - b. is involved in current and on-going collaboration or co-authorship with the applicant for a grant competition or other contract expected to result in monetary compensation.

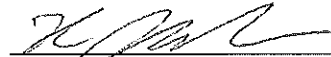
DATED this 30 day of September, 2015.

FOR THE
EMPLOYER



Neil Besner
Provost and Vice-President, Academic

FOR THE
UNIVERSITY OF WINNIPEG FACULTY
ASSOCIATION



Richard Jochelson
UWFA President

Cc. L. Repski