

 **EXERPT**

Collective Agreement

Between

The Faculty Association
of the University of Calgary

and

The Governors
of the University of Calgary

July 1, 2016 to June 30, 2017



**UNIVERSITY OF
CALGARY**

**THE FACULTY
ASSOCIATION**

of the University of Calgary



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a one-time payment in recognition of length of service at the University of Calgary, the maximum number of years that can be considered is five (5).

- 15.8 The Salary Anomalies Advisory Committee shall normally meet once annually in the spring to consider all cases brought to its attention and provide advice to the Chair.
- 15.9 The Chair will advise the Dean, the academic staff member, and the Committee of his/her decision within ten (10) work days of receiving the advice.
- 15.10 The academic staff member or the Dean (with the academic staff member's consent) has ten (10) work days to appeal the decision. The Salary Anomalies Advisory Committee will reconvene to consider any appeals at which time the academic staff member and/or the Dean will be provided the opportunity to make a presentation.
- 15.11 The decision of the Chair shall be final and binding, and shall be implemented July 1 immediately following. A copy of the decision of the Chair shall be provided to the committee. All deliberations and decisions of the committee shall be kept confidential.
- 15.12 Without the explicit permission of the Provost and Vice-President (Academic), salary anomaly applications will only be considered by the committee once.

Article 16: Research and Scholarship Leaves

- 16.1 These regulations apply to members of the academic staff holding full-time or part-time Continuing, Contingent Term, or Limited Term academic appointments.
- 16.2 The primary purpose of granting a research and scholarship leave is to enhance the quality of the academic staff member as a scholar and as a teacher, thereby assisting the University to achieve greater excellence in its basic areas of responsibility: effective teaching and the advancement of learning.
 - 16.2.1 A research and scholarship leave will be granted only when the proposed utilization of the research and scholarship leave will be of mutual benefit to the staff member and the University. The benefit shall be judged in terms of any combination of research, scholarly work and teaching.
 - 16.2.2 Research and scholarship leave proposals involving course work and/or projects qualifying for credit toward a degree or professional certification are not normally considered adequate justification for a research and scholarship leave. However, proposals for research and/or scholarly activity which may satisfy degree or professional certification requirements will be considered if the recommendation for approval by the

staff member's Head of Department and Dean clearly demonstrates that the proposal will be of significant benefit to the University.

16.3 A staff member may make application for a research and scholarship leave in accordance with the following schedule:

Qualifying Service	Length of Research and Scholarship Leave	Maximum Assistance During Research and Scholarship Leave Period Based on
3 years	6 months	80% of staff member's academic rank salary
6 years	12 months	80% of staff member's academic rank salary
6 years	6 months	100% of staff member's academic rank salary

Note: *Special regulations apply to members of the academic staff who serve five (5) years as Department Head or Associate Dean; see Article 17.*

16.3.1 The service of a staff member while holding a full-time Continuing, Contingent Term, or Limited Term appointment on the academic staff of the University of Calgary counts as qualifying service, subject to the following:

- a) unpaid leaves of absence beyond an accumulated maximum of six (6) weeks do not count as qualifying service;
- b) paid leaves of absence in excess of eighteen (18) weeks, excluding sick leave, do not count as qualifying service unless approved as an exception by the President at the time the leave is granted;
- c) periods during which a staff member has held a Killam Resident Research and Scholarship leave (or similar research and scholarship leave) at the University of Calgary or is on an approved secondment or exchange agreement from the staff member's regular duties at the University of Calgary shall count as qualifying service;
- d) all qualifying service is cancelled;
 - (i) on resignation / termination of employment;
 - (ii) except as provided for in Article 16, Clauses 16.6.1(c) or 17.2, following a 12- month research and scholarship leave, a 6-month research and

scholarship leave with maximum assistance based on 100% of the staff member's academic rank salary or an assisted study leave of absence; and

- e) the maximum qualifying service which a staff member may carry forward to be counted as qualifying service for a subsequent research and scholarship leave following the staff member's return to regular duties after a 6-month research and scholarship leave with assistance at less than 100% of the staff member's academic rank salary shall not exceed thirty-six (36) months, unless the research and scholarship leave was delayed as provided for in Article 17.2.

16.3.2 The service of a staff member holding a part-time appointment shall accrue qualifying service on a pro-rata basis, subject to 16.3.1.

16.4 The President may prescribe forms and establish administrative procedures considered necessary to implement the provisions of this Article.

16.4.1 Application forms for research and scholarship leave commencing in the next academic year will be available not later than the immediately preceding September 15.

16.4.2 Research and scholarship leave applications are normally routed to the Dean through the staff member's Department Head, and the Faculty Research and Scholarship Leave Committee.

16.4.2.1 A staff member must submit a research and scholarship leave application form to the Department Head (or Dean in a non-departmentalized Faculty) in the period September 15 to October 15 (both dates inclusive) immediately preceding the academic year in which the research and scholarship leave is to commence.

16.4.2.2 A research and scholarship leave application will be considered as an exception to Article 16, Clause 16.4.2.1 only if approved by the staff member's Dean.

16.4.3 A staff member whose research and scholarship leave application submitted pursuant to Article 16, Clause 16.4.2.1 is not being supported by the Department Head, Faculty Research and Scholarship Leave Committee, or the Dean shall be provided with a copy of the recommendation not later than the date the Department Head, Faculty Research and Scholarship Leave Committee, or the Dean, as the case may be, forwards the recommendation to the committee or person next considering the research and scholarship leave application.

16.5 Research and Scholarship Leave Committee

16.5.1 The Dean of each Faculty shall appoint a Research and Scholarship Leave Committee on the advice of the Faculty Council. The Committee shall elect its own Chair.

16.5.2 Responsibilities of the Faculty Research and Scholarship Leave Committee

Faculty Research and Scholarship Leave Committees shall:

- a) receive and review all research and scholarship leave applications as forwarded and recommended by Department Heads;
- b) consider appeals from staff members pursuant to Article 16, Clause 16.22.1;
- c) request additional information and clarification from applicants where necessary;
- d) provide each staff member whose research and scholarship leave application is not being supported with a copy of the Committee's recommendation to the appropriate Dean not later than the date the Committee forwards its recommendation to the Dean pursuant to (e) below;
- e) recommend to the Dean the disposition of the research and scholarship leave applications.

16.6 The arrangements which staff members make in connection with their academic duties and responsibilities during a proposed research and scholarship leave must be consistent with the University's responsibilities, for which Deans and Department Heads have special obligations. It is in this context that authority to make the final decision respecting a research and scholarship leave rests with a staff member's Dean.

Therefore, on the basis of known or projected changes in teaching requirements and/or graduate program commitments in the period during which the research and scholarship leave would be in effect, the Dean may decide not to recommend approval of a request for research and scholarship leave, decide to cancel a previously approved research and scholarship leave, or decide to defer the requirement to submit a detailed research and scholarship leave proposal until such time as the application is to be considered for approval. Such decisions may not be appealed or grieved.

16.6.1 A staff member who is required to forgo a research and scholarship leave or for whom the requirement to submit a detailed research and scholarship leave proposal has been deferred by the Dean pursuant to Article 16, Clause 16.6:

- a) shall have priority at the Departmental level to apply for a research and

scholarship leave to be rescheduled;

- b) shall be required to submit a new application as provided for in (a) above, but shall not be required to re-submit a leave proposal unless a substantive change in the research and scholarship leave plan is contemplated; and
- c) shall receive qualifying service credit toward a future research and scholarship leave equal to the amount of regular service accumulated between the date the research and scholarship leave would have commenced and the rescheduled date.

16.6.2 If for any reason it is not possible to reschedule the research and scholarship leave as provided for in Article 16, Clause 16.6.1, the staff member concerned may request that the matter be referred to the Provost and Vice-President (Academic), who, following consultation with the staff member's Department Head and Dean, may approve rescheduling of the leave at such future date and under such terms and conditions as the Provost and Vice-President (Academic) determines to be appropriate.

16.6.3 A staff member whose previously approved research and scholarship leave is cancelled by the Dean pursuant to Article 16.6 shall be eligible for reimbursement for substantiated out-of-pocket expenses directly related to the research and scholarship leave. The expenses must actually be incurred in the period between the date the staff member is advised that the Dean has approved the research and scholarship leave and the date the research and scholarship leave is cancelled by the Dean, provided that within two (2) weeks of being advised in writing that the Dean is considering cancelling the research and scholarship leave the staff member provides the Dean with a detailed written estimate of the amount which will be claimed for reimbursement under this provision if the research and scholarship leave is cancelled.

No amount will be eligible for reimbursement which exceeds the estimate of out-of-pocket expenses provided by the staff member to the Dean.

A claim for reimbursement for out-of-pocket expenses must be documented in a manner considered satisfactory to the University.

16.7 Faculty Research and Scholarship Leave Committees shall forward their recommendations respecting research and scholarship leaves to the respective Deans.

16.8 All research and scholarship leaves are subject to approval by the Dean.

- 16.8.1 The Dean's decision respecting individual research and scholarship leave applications shall be communicated in writing to the staff member and the Department Head by January 15 following the date of application, or as soon as possible thereafter.
- 16.9 The duties of a staff member during a research and scholarship leave include work in accordance with the approved research and scholarship leave proposal.
- 16.10 Staff members shall make appropriate arrangements for handling their academic duties and responsibilities during a research and scholarship leave in consultation with their Department Heads.
- 16.11 Full-year research and scholarship leaves shall normally commence July 1. Six-month research and scholarship leaves shall normally commence on January 1 or July 1. However, requests for other starting dates will be considered.
- 16.12 The research and scholarship leave regulations which shall apply shall be those in effect when the research and scholarship leave actually commences.
- 16.13 A research and scholarship leave does not entail any loss of rank or appointment status. Staff members on a research and scholarship leave shall be subject to assessment on the same basis as all other members of the academic staff.
- 16.14 Research and scholarship leave assistance shall be paid at the end of the month in which earned except for that portion of the assistance which the staff member may receive in a lump sum as a University Research and Scholarship Leave Research Grant pursuant to Article 16, Clause 16.17 not earlier than the date the research and scholarship leave commences.
- 16.15 Entitlement to benefits during a research and scholarship leave is determined by the regulations governing the various benefit policies and/or plans. In general, staff members on a research and scholarship leave are entitled to all benefits, including staff travel and professional expense reimbursements and, where applicable, the University's contributions toward premium costs.
- 16.16 A research and scholarship leave is inclusive of paid annual vacation entitlement accrued during research and scholarship leave period. Except where an earned annual vacation not exceeding one (1) year's entitlement is taken immediately prior to the commencement of a research and scholarship leave or is taken prior to the beginning of fall session classes immediately following a research and scholarship leave, all paid or unpaid leaves of absence forming a continuous leave period with the research and scholarship leave must be approved in writing by the Dean or equivalent.

- 16.17 A staff member may apply to receive a portion of the research and scholarship leave assistance in the form of a University Research and Scholarship Leave Research Grant - the amount of grant awarded (to a maximum of 25% of the applicant's academic rank salary) to be a deduction from the total research and scholarship leave assistance otherwise payable by the University.
- 16.18 A staff member may accept and retain, in addition to the research and scholarship leave assistance available from the University, the full amount of outside assistance received as scholarships, research and scholarship leaves, travel grants and the like.
- 16.19 A staff member shall not engage in any employment for compensation while on a research and scholarship leave unless authorized in writing by the Dean or equivalent on recommendation from the individual's Department Head.
- 16.19.1 In cases where employment for compensation is authorized, the amount of University research and scholarship leave assistance otherwise payable by the University shall be decreased so that the amount of assistance together with outside compensation shall not exceed 125% of the staff member's academic rank salary for the leave period, plus reasonable travel and other expenses.
- 16.20 With the exception of 16.21, following a period of research and scholarship leave a staff member is required:
- a) to return to the University and render regular full-time or part-time service according to the staff member's appointment equal to the number of months of the research and scholarship leave; the staff member may, as an alternative, reimburse the University for the amount of research and scholarship leave assistance (total University financial support including any amount awarded as a University Research and Scholarship Leave Research Grant) received during the research and scholarship leave period; and
 - b) within three (3) months of the date on which the research and scholarship leave expires, to submit a written report to the Dean which provides an outline of the staff member's activities during the research and scholarship leave period.
 - c) 16.20 does not apply in cases where the Dean or equivalent has deferred the approved research and scholarship leave and the contract of the academic staff member is due to terminate at the end of the research and scholarship leave.
- 16.21 Research and Scholarship Leave Retirement Program
- 16.21.1 If an academic staff member is interested in retirement at the conclusion of their research and scholarship leave or administrative leave, they must submit a separate notice of retirement to the Dean, as early as possible, but usually after the time the

research and scholarship leave or administrative leave is approved and no later than March 31 (i.e. they have to signal they are going to retire before they go on leave). At the time of application for Research and Scholarship Leave or Administrative Leave, academic staff members are not required to submit their interest in retiring. If applications for research and scholarship leave or administrative leave are approved outside of the regularly scheduled process, an academic staff member must submit a separate notice of retirement to the Dean, as early as possible, but within three (3) months of the leave being approved.

- 16.21.2 The effective date of retirement will be immediately upon the conclusion of a research and scholarship leave or administrative leave. Once an academic staff member submits a notice of retirement, it will be accepted by the Dean or equivalent and cannot be revoked by the academic staff member or the Administration.
- 16.21.3 Academic staff members shall take all vacation entitlement during their research and scholarship leave or administrative leave so that their vacation entitlement balance is at zero at the time of retirement.
- 16.21.4 Article 16.21 applies to academic staff members who are sixty (60) years of age or older with at least twenty (20) years of continuous service or who are sixty-five (65) years of age or older with at least fifteen (15) years of continuous service by the end of the research and scholarship leave or administrative leave.
- 16.21.5 For academic staff members who take the Research and Scholarship Leave or Administrative Leave Retirement Program under Article 16.21, Article 16.20 is waived.
- 16.21.6 The Association will be informed when an academic staff member is retiring under this program.

16.22 Appeals

- 16.22.1 A staff member may appeal the Department Head's recommendation to the Faculty Research and Scholarship Leave Committee concerning the research and scholarship leave application. The appeal shall be in writing and must be received by the Faculty Research and Scholarship Leave Committee within one (1) week of the date the Department Head forwards the recommendation concerning the application to the Faculty Research and Scholarship Leave Committee. The staff member shall forward a copy of the appeal to the Department Head not later than the date the appeal is submitted to the Faculty Research and Scholarship Leave Committee.
- 16.22.2 A staff member may appeal the Faculty Research and Scholarship Leave Committee's recommendation to the Dean or equivalent concerning the research and scholarship leave application. The appeal shall be in writing and must be received by

the Dean within one (1) week of the date the Faculty Research and Scholarship Leave Committee forwards its recommendation to the Dean. The staff member shall forward a copy of the appeal to the Faculty Research and Scholarship Leave Committee not later than the date that appeal is submitted to the Dean.

16.22.3 A staff member may appeal the decision of the Dean or equivalent not to recommend approval of the research and scholarship leave application or the Dean's decision to cancel the approved research and scholarship leave (except when the Dean's decision is taken pursuant to Article 16, Clause 16.6) to the Provost and Vice- President (Academic). The appeal shall be in writing, with a copy provided to the Dean, and must be received by the Provost within one (1) week of the date the Dean advises the staff member in writing that the research and scholarship leave application is not recommended for approval or takes action to cancel an approved research and scholarship leave

16.22.4 The staff member and the Dean or equivalent shall be provided with a copy of the Provost and Vice- President (Academic)'s decision, which shall be final.

16.23 Interpretation

Any dispute concerning the interpretation of the provisions of this Article shall be processed in accordance with Article 24: Grievance Procedure and Arbitration.

16.24 Interruption of Research and Scholarship Leave

No research and scholarship leave may be interrupted to commence any form of paid or unpaid leave, excluding sick leave.

Notwithstanding the above, an academic staff member shall be allowed to terminate an approved research and scholarship leave when:

- a) a circumstance arises that would otherwise entitle the staff member to a leave pursuant to Article 18, Clause 18.7 (compassionate), 18.8.2 (maternity), 18.8.4 (adoption), 18.9 (political), 18.10 (military), 18.11 (court), or sick leave; and
- b) the staff member can document to the satisfaction of the Dean or administrative equivalent a reasonable basis for expecting the circumstance will persist for a period of not less than twenty percent (20%) of the research and scholarship leave period.

The date of termination of the research and scholarship leave shall be the date on which the Dean or administrative equivalent receives the documentation or such other date as may be determined by the Dean in consultation with the staff member.

The qualifying service related to the unused portion of the research and scholarship leave shall count as qualifying service credit to be applied to a future research and scholarship leave, subject to the provision of Article 16, Clauses 16.3.1 and 16.3.2.

Article 17: Administrative Leave

17.1 Eligibility

An academic staff member who renders five (5) consecutive years of service as a Department Head or Associate Dean shall be eligible for a 12-month administrative leave at 100% of the academic staff member's salary.

An academic staff member carrying equivalent responsibilities to those holding appointments as Department Head or Associate Dean may qualify for an administrative leave under this article, determined at the discretion of the Provost and Vice-President (Academic) and must be so advised in writing at the time of his/her appointment to the administrative position.

An academic staff member who accepts reappointment of at least three (3) years duration as Department Head, Associate Dean or equivalent shall be eligible for an additional administrative leave pro-rated to the length of service of that appointment, at 100% of the academic staff member's salary. The reappointment start date must be within one (1) year of having completed not less than five (5) consecutive years of service in the same or similar role.

17.2 All qualifying service credit for a research and scholarship leave will be carried forward following an administrative leave, unless other arrangements were approved in writing by the Provost and Vice-President (Academic) at the time the staff member was appointed to the administrative position.

17.3 The service of an academic staff member in an eligible administrative appointment counts as qualifying service for administrative leave, subject to the following:

- a) unpaid leaves of absence beyond an accumulated maximum of six (6) weeks do not count as qualifying service;
- b) paid leaves of absence in excess of eighteen (18) weeks, excluding sick leave, do not count as qualifying service, unless approved as an exception by the Provost and Vice-President (Academic) at the time the leave is granted;
- c) all qualifying service is transferred to the accrual of qualifying years of service for research and scholarship leave on resignation from or termination of the administrative appointment.

Application process

- a) Administrative leave is an entitlement for eligible administrative appointees, subject to the submission of an acceptable outline of academic activities that are planned to be undertaken during the leave. The outline shall demonstrate how the administrative leave will allow an academic staff member to refocus his/her academic responsibilities with a view to enhancing his/her qualities as a scholar and as a teacher, thereby assisting the University to achieve greater excellence in its basic areas of responsibility: effective teaching and the advancement of learning. In addition, the application shall outline the arrangements to be made with respect to graduate student supervision, research personnel, laboratory and other matters, as appropriate to the circumstances of the academic staff member, in consultation with the Department Head or equivalent.

Administrative leave outlines involving course work and/or projects qualifying for credit toward a degree or professional certification are not normally considered adequate justification for an administrative leave. However, proposals for research and/or scholarly activity which may satisfy degree or professional certification requirements will be considered if the recommendation by the staff member's Department Head or equivalent clearly demonstrates that the proposal will be of significant benefit to the University.

The outline shall be submitted to the Dean or equivalent no later than six (6) months preceding the proposed commencement date of the leave. The Dean or equivalent may accept an application at a later date, subject to the ability to make arrangements to fulfill operational requirements effectively.

- b) The Dean or equivalent shall review the outline and decide whether to grant the leave as requested, grant the leave subject to modifications or deny the leave within ten (10) work days of receipt of the application. An administrative leave shall be granted when the proposed outline will be of mutual benefit to the academic staff member and the University. The benefit shall be judged in terms of any combination of research, scholarly work and teaching. Every reasonable effort shall be made by the Dean or equivalent and the academic staff member to formulate an outline for administrative leave that will be of mutual benefit to the academic staff member and the University.
- c) A staff member may appeal to the Provost and Vice-President (Academic) the decision of the Dean or equivalent to not approve the application. The appeal shall be in writing, with a copy provided to the Dean or equivalent, and must be received by the Provost and Vice-President (Academic) within ten (10) work days of the date the Dean or equivalent advises the staff member in writing that the application is not approved.

- d) The Provost and Vice-President (Academic) shall render a decision within ten (10) work days of receiving the appeal. The decision of the Provost and Vice-President (Academic) will be provided to the Dean or equivalent and academic staff member and shall be final.

17.5 Rescheduling an Administrative Leave

In exceptional circumstances, on the basis of changes in operational requirements, teaching requirements and/or graduate program commitments in the period during which the administrative leave would be in effect, the Dean or equivalent may reschedule an approved administrative leave. Such decisions may not be appealed or grieved.

In such a case, the academic staff member will have priority in the department or unit over other academic staff members to go on his/her approved leave as soon as requirements and commitments allow.

The academic staff member whose previously approved administrative leave is rescheduled by the Dean or equivalent shall be eligible for reimbursement for substantiated out-of-pocket expenses directly related to the administrative leave. The expenses must actually be incurred in the period between the date the staff member is advised that the Dean or equivalent has approved the administrative leave and the date the administrative leave is rescheduled by the Dean or equivalent. The academic staff member shall provide a detailed written estimate of the amount which will be claimed for reimbursement within two (2) weeks of being advised in writing that the leave is rescheduled. No amount will be eligible for reimbursement which exceeds the estimate of out-of-pocket expenses provided by the staff member to the Dean or equivalent. A claim for reimbursement for out-of-pocket expenses must be documented in a manner considered satisfactory to the University.

17.6 Termination of Administrative Leave

Administrative leave may be terminated in the following circumstances:

- a) when an academic staff member is entitled to a leave pursuant to article 18.7 (compassionate), article 18.8.2 (maternity), 18.8.4 (adoption), 18.9 (political), 18.10 (military), 18.11 (court), or sick leave; and
- b) when the academic staff member can document to the satisfaction of the Dean or equivalent a reasonable basis for expecting the circumstance will persist for a period of not less than twenty percent (20%) of the administrative leave period.

The date of termination of the administrative leave shall be the date on which the Dean or equivalent receives the documentation or such other date as may be

determined by the Dean or equivalent in consultation with the academic staff member.

The academic staff member shall have the option of continuing the administrative leave at the conclusion of the abovementioned leaves or of rescheduling the unused portion of the administrative leave at a time mutually agreed upon with the Dean or equivalent.

17.7 An academic staff member may accept and retain the full amount of outside assistance received as scholarships, grants, travel grants and the like.

17.8 Following an administrative leave, a staff member is required to return to the University and render regular full-time or part-time service according to the staff member's appointment equal to the number of months of the administrative leave. The staff member may, as an alternative, reimburse the University for the amount of assistance (total University financial support) received during the administrative leave period.

Notwithstanding the requirement to render service at the conclusion of an administrative leave, academic staff members on administrative leave may participate in the retirement program outlined in article 16. In such a case the term "administrative leave" will replace the term "research and scholarship leave" in the description of the program.

An academic staff member shall submit a written report to the Dean or equivalent which provides an outline of the staff member's activities within three (3) months of the conclusion of the leave.

17.9 Administrative leave shall normally commence July 1. However, requests for other starting dates will be considered depending on the termination date of the administrative appointment.

17.10 An administrative leave is inclusive of paid annual vacation entitlement accrued during administrative leave period.

17.11 A staff member shall not engage in any employment for compensation while on an administrative leave unless authorized in writing by the Provost and Vice-President (Academic) on recommendation from the individual's Department Head or equivalent and Dean or equivalent.

In cases where employment for compensation is authorized, the salary of the academic staff member shall be decreased so that the amount of the salary together with outside compensation shall not exceed 125% of the staff member's academic salary for the leave period.

17.12 Interpretation

Any dispute concerning the interpretation of the provisions of this Article shall be processed in accordance with Article 24: Grievance Procedure and Arbitration.

Article 18: Leaves

18.1 General Provisions – Information on vacation, sick leave, Self-Funded leaves and Reduced Duties Leading to Retirement are detailed in Schedule A.

18.1.1 These general provisions apply to the following discretionary leaves:

- Leaves of Short Duration
- Leave for Urgent Personal Reasons (discretionary 10 work days following the first 10 work days)
- Assisted Study Leave
- Special Leaves
- Secondment

18.1.2 These general provisions, apart from article 18.1.3, apply to entitlement leaves. Entitlement leaves are as follows:

- Leave for Urgent Personal Reasons (first 10 work days)
- Leave for Compassionate Reasons
- Parenting Leave
- Political Leave
- Military Leave
- Court Leave
- Career Stop-Out Leave

18.1.3 All leaves must be applied for in writing and the application routed through the staff member's Department Head or equivalent for recommendation and are subject to approval by the Dean or equivalent, except where otherwise noted that the leave requires approval by the Provost and Vice-President (Academic).

18.1.4 The Provost and Vice-President (Academic) may prescribe forms and establish administrative procedures necessary to implement the leaves provisions covered by this Article.

18.1.5 A Leave of Short Duration, Assisted Study Leave, Special Leave, Secondment or Career Stop-Out Leave may be combined with a research and scholarship leave or

an administrative leave with the approval of the Provost and Vice-President (Academic).

A Leave of Short Duration, Assisted Study Leave, Special Leave, Secondment or Career Stop-Out Leave may be combined with another Leave of Short Duration, Assisted Study Leave, Special Leave, Secondment or Career Stop-Out Leave with the approval of the Provost and Vice-President (Academic).

18.1.6 No leave, other than sick leave, maternity leave, parental leave, or adoption leave shall automatically extend a staff member's term of appointment.

18.1.7 The staff member shall make best efforts to assist the Department Head or equivalent in ensuring that satisfactory arrangements have been made to cover the staff member's teaching and/or other assigned duties and responsibilities prior to the commencement of the leave.

18.1.8 Vacation with pay entitlement shall continue to accrue:

a) during authorized leaves with pay, excepting assisted study leave and parental leaves; and

b) during authorized leaves without pay of up to and including twenty-two (22) work days in total in an academic year.

Notwithstanding (b) above, vacation with pay entitlement shall not accrue during any authorized leave without pay of eleven (11) or more consecutive months.

18.1.9 Leave does not entail any loss of rank or appointment status.

18.1.10 The payment of salary or assistance during leave periods shall be consistent with the University's pay cycle unless an exception is specifically provided for in this Agreement.

18.1.11 Entitlement to benefits during periods of leave is determined by the regulations governing the various benefit policies and/or plans.

a) Academic staff members on leave with full pay are entitled to all benefits, including professional expense reimbursement, and where applicable, the University's contribution toward premium costs. Staff members on leave where the salary is 80% of the full time value or greater, shall be treated as a staff member on leave with full pay.

b) Academic staff members on leave with partial pay are entitled to professional expense reimbursement and University contributions to benefits on a pro-rata

basis only.

- c) Academic staff members on leave without pay for more than sixty-five (65) work days do not accumulate service and are not entitled to professional expense reimbursement, staff travel funds, and the University contribution to benefits for the leave period.
- d) Academic staff members on unpaid leaves may participate in most benefit plans provided that they assume responsibility for the full premium costs.

18.1.12 Appeals

- a) An academic staff member may appeal to the Dean or equivalent any recommendation/decision not to approve the leave application and/or any recommendation/decision that the approved leave be cancelled.
- b) An academic staff member's appeal shall be in writing and must be received by the Dean or equivalent not later than ten (10) work days after the staff member is notified in writing that the leave application is not being recommended or has not been approved or that the approved leave has been cancelled.
- c) If the Dean or equivalent is not able to resolve the appeal to the staff member's satisfaction, the appeal shall be forwarded to the Provost and Vice-President (Academic), whose decision shall be final.

18.1.13 Interpretation

Any dispute concerning the interpretation of the provisions of this Article shall be processed in accordance with Article 24: Grievance Procedure and Arbitration.

18.2 Leaves of Short Duration

- 18.2.1 A member of the academic staff may be granted a leave of short duration not to exceed sixty-six (66) work days, with full pay and benefits, from regular duties and responsibilities to enable the academic staff member to participate in activities which are directly related to the academic staff member's regular duties and responsibilities at the University.

18.2.2 An academic staff member's leave of short duration may be approved by the Department Head and/or Dean or equivalent in accordance with the following table:

Leave to be Taken Within the Period	Length of Leave Which May Be Approved by:	
	Head	Dean
September 1 To April 30	up to and including 5 consecutive work days	up to and including 22 consecutive work days (inclusive of vacation entitlement and any days approved by Department Head)
May 1 To August 31	up to and including 20 consecutive work days in addition to annual vacation entitlement	not to exceed 66 consecutive work days (inclusive of vacation entitlement and any days approved by Department Head)

18.2.3 A leave of short duration:

- a) which is not entirely within either the period September 1 to April 30 or May 1 to August 31;
- b) which is to commence within sixty-six (66) work days of the effective date of an academic staff member's appointment;

is subject to approval by the Provost and Vice-President (Academic).

18.2.4 No leave application shall be considered by the Provost and Vice-President (Academic) unless recommended by the staff member's Dean or equivalent.

18.2.5 Unless approved in advance by the Provost and Vice-President (Academic) on the recommendation of the Dean or equivalent, an academic staff member on leave of short duration shall not accept remuneration related to the activities for which the leave was granted.

18.3 Leave for Urgent Personal Reasons

18.3.1 An academic staff member, on application, shall be granted leave of absence from regular duties and responsibilities for urgent personal reasons for up to ten (10) work days. If ten (10) work days is not adequate, the academic staff member may be granted additional leave for up to another ten (10) work days.

- 18.3.2 When, owing to an emergency, an academic staff member must be absent from regular duties and responsibilities before a leave application can be processed, the academic staff member shall advise the Department Head and Dean (or administrative equivalent) of the circumstances within two (2) work days of departure and provide an estimate of the time that the academic staff member expects to be absent from duties.
- 18.3.3 Leaves for urgent personal reasons shall be without loss of salary and benefits.
- 18.3.4 The length of the leave shall be based on a consideration of the closeness of the family relationship, travel time required, and other relevant circumstances but shall not exceed twenty (20) work days in total. Reasonable consideration shall be given by the Provost and Vice-President (Academic) to a request by the academic staff member for a further period of Special Leave when the maximum length of this leave proves to be insufficient.
- 18.4 Assisted Study Leave
- 18.4.1 A member of the academic staff holding a full-time Continuing, Contingent Term, or Limited Term appointment may be granted leave with assistance for advanced study (assisted study leave) to complete a program of graduate studies when such will meet a specified need of the University or be of significant benefit to both the staff member and the University.
- 18.4.2 Assisted study leave is granted only in respect of programs leading to the PhD degree or equivalent, or another advanced degree or professional degree (such as LLB or MD) that usefully complements the degree(s) already held by the staff member.
- 18.4.3 Graduate programs at the University of Calgary may, in special circumstances, be acceptable.
- 18.4.4 To be eligible to apply for assisted study leave, a member of the academic staff must have rendered, in the five-year period immediately prior to the commencement of the leave, not less than the equivalent of two (2) years of service while holding a Continuing, Contingent Term, or Limited Term appointment as a member of the academic staff in the Department to which the staff member will be returning following the leave.
- 18.4.5 Assisted study leave shall be for a period of twelve (12) consecutive months (which may be extended for one additional period of twelve (12) consecutive months) or twenty-four (24) consecutive months. Any leave beyond twenty-four (24) consecutive months shall be 'without pay.'

- 18.4.6 Assisted study leave normally begins July 1; however, requests for other starting dates will be considered.
- 18.4.7 The assisted study leave provisions which shall apply shall be those in effect when the leave actually commences.
- 18.4.8 Entitlement to vacation with pay does not accrue during an assisted study leave.
- 18.4.9 Except where an earned annual vacation not exceeding one (1) year's entitlement is taken immediately prior to the commencement of an assisted study leave, all paid or unpaid leaves of absence forming a continuous leave period with the assisted study leave must be approved in writing by the Provost and Vice-President (Academic).
- 18.4.10 The maximum University assistance available to a staff member during an assisted study leave period (12 months or 24 months) is an amount (not per annum rate) equal to one-half of the minimum annual salary rate for the rank of Associate Professor at the commencement of the leave period. The maximum assistance amount will, however, be paid only when that amount together with net outside aid does not exceed 125% of the staff member's annual academic rank salary rate at the commencement of the leave.
- 18.4.10.1 Net outside aid shall mean the total of all forms of outside financial support which the staff member may receive related to the leave program, including research and scholarship leaves, scholarships, bursaries, forgivable loans, and travel grants, less costs actually incurred by the staff member for tuition / registration fees, books and research materials related to the program of study, and travel expenses not to exceed round-trip economy class air fare between Calgary and the place of study not more than twice in any calendar year for the staff member, spouse and children.
- 18.4.10.2 When the maximum assistance amount together with net outside aid exceeds 125% of the staff member's annual rank salary rate at the commencement of the leave, the maximum assistance amount shall be reduced such that the amount of assistance payable by the University when added to the amount of net outside aid equals 125% of the staff member's annual academic rank salary rate at the commencement of the leave.
- 18.4.10.3 An academic staff member who receives less than the maximum assistance amount during the first 12-month period of leave and whose leave continues or is extended to cover a second 12-month period may receive the balance of the assistance in the second year provided, however, that in the event the balance of the assistance together with net outside aid in the second year exceeds 125% of the staff member's annual rank salary rate at the commencement of the leave the balance of the assistance actually payable by the University will be a reduced amount which when

added to the amount of net outside aid equals 125% of the academic staff member's annual rank salary rate at the commencement of the leave.

18.4.10.4 An academic staff member may receive the amount of assistance from the University under these provisions in a lump sum or on an installment basis.

18.4.11 A staff member granted assisted study leave must sign an agreement undertaking to return to regular full-time service of the University for two (2) years on completion of the leave period; the staff member may, as an alternative, refund 1/24 of the financial assistance received from the University for each month of the 2-year period not served.

18.4.12 An academic staff member on assisted study leave shall be expected to devote full time to studies.

18.4.13 Under no circumstances shall an academic staff member be granted more than one (1) assisted study leave.

18.5 Special Leaves

18.5.1 Academic staff members may be granted special leave with full pay, with partial pay or without pay for prescribed periods and purposes.

18.5.2 The amount of remuneration or assistance, if any, which a staff member may receive from the University during any period of special leave will be determined by the Provost and Vice-President (Academic) in each case.

18.5.3 Special leave may be granted for the purpose of child care or elder care.

18.6 Secondment

Secondment occurs when the academic staff member is authorized to render service to an outside institution or project and remains wholly or partially on the University of Calgary payroll. Unless otherwise explicitly specified in the secondment arrangements, an academic staff member on secondment to another organization shall be deemed to be fulfilling University of Calgary duties equivalent to the portion of the normal academic rank salary paid by the University of Calgary.

18.7 Leave for Compassionate Reasons

An academic staff member who qualifies for Compassionate Care Benefits under the Employment Insurance Act program will be granted a leave without pay from the University for the period of time approved by Employment Insurance.

If the employee qualifies for Compassionate Care leave it can be combined with a Leave for Urgent Personal Reasons.

18.8 Parenting Leaves

These provisions apply to members of the academic staff holding Continuing, Contingent Term, or Limited Term appointments, whether full-time or part-time.

18.8.1 Parental Leave

An academic staff member who is a biological parent shall be granted parental leave without pay for a period up to a maximum of thirty-five (35) weeks. A parental leave can be claimed by one parent or shared between the two partners but shall not exceed a combined maximum of thirty-five (35) weeks. The leave period must be completed within fifty-two (52) weeks of the child's birth date.

18.8.2 Maternity Leave

18.8.2.1 An eligible female academic staff member shall be granted maternity leave for a consecutive period up to eighteen (18) weeks around the birth of her baby (week 18 is considered parental leave and is considered as one of the 35 weeks in Clause 18.8.1). Assistance shall be at the rate of 100% salary, inclusive of payments received by the staff member pursuant to the maternity and parental leave provisions of Employment Insurance and other applicable regulations. If the academic staff member does not apply or applies and does not qualify for Employment Insurance maternity benefits, the University will only provide the difference between the normal Employment Insurance maternity benefit and the 100% rate. The academic staff member shall apply for benefits from such programs and report payments received to the University.

18.8.2.2 The academic staff member must provide to the Department Head or equivalent a minimum of ten (10) work days' written notice of the date on which the maternity leave is expected to commence.

18.8.2.3 Maternity leave shall commence not later than the date of the academic staff member's confinement and must continue for a period of at least thirty (30) calendar days following the date of delivery. At the discretion of the Dean or equivalent in consultation with the academic staff member, the remainder of the maternity leave may be granted in broken periods over a period not exceeding twelve (12) months from the date of delivery.

18.8.2.4 The University will make its regular contributions toward premiums for those benefit plans which the academic staff member elects to continue while on maternity leave.

18.8.3 Partner Leave

18.8.3.1 An academic staff member who is the spouse or domestic partner of a woman on maternity leave is entitled to a leave of absence with pay for a maximum period of twenty (20) work days. The academic staff member is entitled to take up to ten (10) work days around the date the child is born. Scheduling of the balance of the twenty (20) days must be taken during the parental leave of the spouse and subject to the approval of the Dean or equivalent.

18.8.3.2 Partner leave shall commence not later than five (5) work days after the date the child is born.

18.8.4 Adoption Leave

18.8.4.1 An academic staff member who has adopted a child younger than six (6) years of age shall be granted adoption leave for a consecutive period up to eighteen (18) weeks around the date the academic staff member receives the child for adoption. Assistance shall be at the rate of 100% salary, inclusive of payments received by the staff member pursuant to the maternity and parental leave provisions of Employment Insurance and other applicable regulations. If the staff member does not apply or applies and does not qualify for Employment Insurance parental benefits, the University will only provide the difference between the normal Employment Insurance parental benefit and the 100% rate. The academic staff member shall apply for benefits from such programs and report payments received to the University.

18.8.4.2 The academic staff member shall advise the Department Head or equivalent in writing of the intention to adopt a child within one (1) month of the date the adoption application is filed with the social services agency concerned, and shall provide a minimum of ten (10) work days' written notice to the Department Head or equivalent (or such shorter period of notice as is acceptable to the Department Head or equivalent) prior to the commencement of the leave.

Adoption leave shall commence not later than the date the child is received. At the discretion of the Dean or equivalent in consultation with the academic staff member, the commencement date may be varied, and/or the leave granted in broken periods, as may be appropriate in the circumstances.

18.8.4.3 Where both parents are members of the academic staff, a period of adoption leave in accordance with 18.8.4.1 may be divided between the parents in a manner which is acceptable to the parents and to the Provost and Vice-President (Academic).

18.8.4.4 An academic staff member who is the adoptive parent shall be granted parental leave without pay which in combination with any weeks taken under Article 18.8.4.1 does not exceed thirty-five (35) weeks provided the leave period is completed within fifty-

two (52) weeks of the date the adopted child is placed with the adoptive parent. Parental benefits can be claimed by one parent or shared between the two partners but shall not exceed a combined maximum of thirty-five (35) weeks.

18.9 Political Leave

18.9.1 A member of the full-time or part-time academic staff holding an appointment with Tenure shall be granted political leave provided:

- a) arrangements satisfactory to the staff member's Department Head and Dean or equivalent can be made to cover the academic staff member's teaching and/or other assigned duties and responsibilities; and
- b) the staff member is not/will not be on paid or unpaid leave or on a research and scholarship leave during the period of political leave.

18.9.2 If nominated for election (or re-election) to political office, an academic staff member who is not otherwise on leave or a research and scholarship leave shall be granted political leave from regular duties and responsibilities with salary and benefit support in accordance with the following table, subject to all of the other sub-clauses of Article 18, Clause 18.9.

For Election / Re-election to	Duration of Leave	Salary & Benefit Support During Leave Period
a) Federal Parliament	(i) 15 work days or	100%
	(ii) 30 work days	50%
b) Alberta Legislature	(i) 10 work days or	100%
	(ii) 20 work days	50%
c) Calgary City Council or School Board	(i) 10 work days or	100%
	(ii) 20 work days	50%
d) Mayor of Calgary	(i) 10 work days or	100%
	(ii) 20 work days	50%

18.9.2.1 A period of political leave for a lesser term than that specified in Article 18, Clause 18.9.2 may be approved.

- 18.9.2.2 Where the duration of the leave exceeds the term specified for 100% salary and benefit support, the salary and benefit support shall be 50% for the entire leave period.
- 18.9.3 An academic staff member who is elected to the Provincial Legislature shall be placed on political leave of absence without pay effective from the date of election for the life of the Legislature, or, if a candidate for re-election, until the staff member actually resumes regular full-time duties at the University of Calgary.
- 18.9.4 An academic staff member who is elected to Parliament shall be placed on political leave without pay effective from the date of election for the life of Parliament, or, if a candidate for re-election, until the staff member actually resumes regular full-time duties at the University of Calgary.
- 18.9.5 Notwithstanding Article 18, Clauses 18.9.3 and 18.9.4, political leave shall not extend to a third consecutive term of office.
- 18.9.6 Arrangements for political leave with or without pay (appropriate to the circumstances) will be made to accommodate academic staff members elected to municipal or other local government office in Alberta.

18.10 Military Leaves

Military leave without pay shall be granted to an academic staff member:

- a) where the academic staff member's services are required by the Canadian Department of National Defense to meet a civil emergency - for the duration of the emergency; or
- b) where during a national emergency an academic staff member is required to serve in the Canadian Armed Forces - for the duration of the emergency

18.11 Court Leaves

Leave without loss of salary and benefits shall be granted to an academic staff member subpoenaed to be a witness or juror in Canada.

The academic staff member shall notify the Department Head and Dean (or administrative equivalent) immediately upon being subpoenaed.

18.12 Career Stop-Out Leaves

- 18.12.1 Continuing full-time members of the academic staff who hold appointments with Tenure and who are age 40 or more but less than 60 at the time of election, shall be

entitled to elect a three-year fixed term leave without pay, to explore a permanent alternative employment opportunity or career change.

- 18.12.2 Unless otherwise mutually agreed, an academic staff member must provide a minimum of nine months' notice prior to the commencement of the leave and must confirm his/her intention to return to active service with the University not less than nine months before the scheduled date of return.
- 18.12.3 A leave under this provision may be deferred for a period of up to one year at the sole discretion of the Provost and Vice-President (Academic).
- 18.12.4 A leave elected under this provision may not be used if the alternative employment being pursued is an appointment at another university.

Article 19: Intellectual Property

- 19.1 The Governors and the Association recognize the existence of the Intellectual Property Policy approved by the General Faculties Council and the Board of Governors.
- 19.2 The Governors agree that any future changes to the policy approved by General Faculties Council on March 17, 1994, and the Board of Governors on April 29, 1994 which bear on the rights of individual faculty members shall be subject to mutual agreement between the Association and the Governors pursuant to Article 25: Joint Liaison Committee.
- 19.3 Subject to the concurrence of the General Faculties Council, the Association shall be represented by a non-voting member on the Research Development and Policy Committee.

Article 20: Discipline

- 20.1 An academic staff member may be disciplined only in accordance with the provisions of this Article and only for good and sufficient reason.
- 20.2 In any case where a Dean or other senior leadership team member considers that the conduct or performance of an academic staff member in his or her Faculty or area of responsibility warrants discipline, the Dean or other senior leadership team member may take action as considered appropriate in the circumstances.

Disciplinary action is defined as: a counselling letter, a written warning or reprimand, a suspension without pay, or a recommendation for dismissal.