

March 26, 2021

Employer Proposal

NOTE: BLUE TEXT REFLECT CHANGES AS BETWEEN THE UNIVERSITY'S FEBRUARY 28, 2021 AND MARCH 26, 2021 PROPOSALS

ARTICLE 23 – AFFIRMATIVE ACTION

23.01 In recognition of the substantial contribution to the University community made by long-term employees, and of the obstacles that have faced these employees in their attempts to find academic employment, the parties have agreed to establish Affirmative Action Program as outlined below. The parties agree that this Program is an ongoing commitment. In addition, in order to more fully expand opportunities for these employees, the employer and the bargaining agent of the full time faculty (YUFA) have agreed to Article 12.31(b) of the YUFA collective agreement concerning Affirmative Action for Members of the CUPE 3903 Affirmative Action Pool.

23.02 AFFIRMATIVE ACTION

23.02.1 Definition – All bargaining unit members at York University who meet the following criteria:

- (i) have at least five years of service to the University and who, from 1 May 1983 to 30 April in the year preceding the current contract year, held at least 1 Type 1 position in each of four years and a total of at least 12 Type 1 or equivalent positions over those four years; or
- (ii) have at least ~~five~~ three years of service to the University and who, from 1 May 1983 to 30 April in the year preceding the current contract year, held at least 2 ~~3~~ Type 1 positions in any three ~~four~~ years and at least 9-7 type 1 or equivalent positions in any four ~~three~~ years and who belong to at least one Equity Group of the four employment equity groups (i.e. aboriginal people, persons with disabilities, visible minorities and women) shall be eligible for inclusion in the Affirmative Action Pool.

23.02.2 Identification – The criteria for inclusion in the Affirmative Action Pool shall be submitted to the Labour/Management Committee which will identify those individuals who qualify. The Committee shall afford to all those employees who believe that they meet the criteria an opportunity to satisfy the Committee as to their eligibility.

23.03 SEARCH AND SELECTION

23.03.1 Units wishing to appoint a particular eligible employee to a probationary-tenure position, either within a Unit or on a cross-appointed basis, may apply through the Dean to the Vice-President Academic for approval of a position and an allocation of monies from the Fund per Article 23.04(i).

23.03.2 Units wishing to have a special search directed to the pool of eligible employees may apply through the Dean to the Vice-President Academic for approval of a probationary-tenure position and an allocation of monies from the Fund per Article 23.04(i).

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23.03.3 An individual may apply for a probationary tenure-stream position to a Dean/Principal. Where an application is submitted directly to a Dean/Principal the Dean/Principal will consult with the relevant hiring unit(s) concerning the application.

23.03.4 In all cases candidates will identify the stream (Alternate, Professorial or both) to which they are applying and hiring units will identify the stream(s) they are recommending.

23.04 FUNDING

- (i) The employer shall provide incentive funding to a hiring unit(s) recommending an affirmative action pool member to a tenure stream position. This funding will normally cover the differential between the starting salary of the appointment and the cost of three full course directorships. The employer shall make \$130,000 available in incentive funding in each year of the collective agreement.

- (ii) For appointments commencing on each of the 2018-19 year and the 2019-20 year July 1, 2022 and July 1, 2023 the Office of the Vice-President Academic and Provost shall, make at least two (2) recommendations in 2018-19-2021-22 and two (2) recommendations in 2019-20-2022-23 of Affirmative Action Pool members for full-time faculty positions to the tenure stream. A minimum of one recommendation in each of the two years will be prioritized for ~~from among~~ candidates who self-identify as Aboriginal (Indigenous) or as a member of a visible minority (racialized group) ~~a member of one or more of the designated equity groups will be made over two years.~~ Where in either of the two years, the Office of the Vice-President Academic and Provost is unable to make a recommendation with respect to a prioritized candidate who self-identifies as Aboriginal (Indigenous) or as a member of a visible minority (racialized group), the next priority will be to make a recommendation with respect to a candidate from one or more of the other Equity Groups.

- (iii) During this period, should any member of the Affirmative Action Pool be appointed to a tenure-stream position as a result of a normal search process, the hiring unit receiving the appointment will be entitled to receive incentive funding under Article 23.04(i).

- (iv) Normally, tenure-stream recommendations per 23.03.1 and 23.03.2 shall be made by January 15 for appointments commencing the following July 1.

- (v) If an applicant is not recommended by the School or Department, an explanation will be provided to the applicant on request.