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Policies for Librarians Negotiations

Executive Summary of Policies for Librarians (PFL)

Summary of PFL Negotiations and Agreement in Principle

UTFA and the University Administration have reached a tentative agreement to modernize and amend the *Policies for Librarians* (PFL) and Article 4 of the Memorandum of Agreement (MoA), according to the "Facilitation/Fact-finding Process" outlined in Article 6 of the Memorandum of Agreement. The parties have also negotiated three (3) new agreements relating to librarians: a Letter of Understanding on Scholars Portal Librarians, a Letter of Understanding on Research and Study Leave for Scholars Portal Librarians, and a Letter of Understanding on Secondments.

The negotiation of these documents was guided from the outset by three key UTFA goals:

1. **Enhance clarity and consistency within and across policies;**
2. **Enhance transparency and collegiality of processes; and**
3. **Enhance fairness and equity, and decrease precarity of employment**

Together, and subject to ratification by UTFA and the Administration, the five negotiated agreements will bring about numerous improvements to the working conditions of U of T librarians.

Included in this package for review:

- The amended PFL;
- The amendments to Article 4 of the MOA;
- The Letter of Understanding on Secondments;
- The Letter of Understanding on Scholars Portal CLTA Librarians including Scholars Portal Recurring-Term Appointment Librarians (SPRTALS); and

- The Letter of Understanding Regarding Research or Study Leave for SPRTALS.

The PFL and Article 4 of the MOA govern all librarians' general employment terms and conditions. The Letter of Understanding on Scholars Portal Librarians sets out additional terms and conditions that apply only to Scholars Portal librarians on CLTAs. The Letter of Understanding regarding Secondments (applicable to all permanent status librarians) and the Letter of Understanding regarding Research and Study Leave for Scholars Portal Librarians (applicable to Scholars Portal Recurring-Term Appointment Librarians) are new agreements that will remain in effect for a five-year term unless extended by the parties.

Further to the five negotiated agreements, UTFA and the Administration have agreed to meet in future to discuss the consistency of librarian titles (i.e., titles of senior librarian administrators) across the three campuses.

The negotiated documents containing all of the changes are attached for member review; however, key changes include the following:

Document 1: The Policies for Librarians

The amended policy:

- Introduces new language recognizing the integral role of librarians in advancing the University's mission and in collegial processes, and enshrining a commitment to consistency in practice across all units and campuses.
- Introduces new language enshrining a commitment to equity, diversity, and inclusion as guiding principles for recruitment, hiring, appointment, and promotion.
- Introduces a new section that clearly defines the three areas of responsibility of librarians (i.e., professional practice, research and scholarly contributions and creative professional activities, and service), and makes them consistent with the Workload Policies and Procedures for Faculty and Librarians (WLPP), Librarian Workload Policy, the Librarian Annual Activity Report Form and Annual Librarian Performance Assessments – Procedures & Rating Scale.
- In relation to permanent status review, clarifies, makes consistent, and elaborates upon the criteria and procedures. This includes:
    - Criteria now align with the three areas of librarian responsibility.
    - Required documentation, procedures for review by the Committee on Permanent Status, and timelines for review have been clarified.
    - The nature of activities performed by librarians that may be considered, and of evidence that may be put before reviewing committees, have been broadened.
    - Procedures now include provision for assessment by two external referees (including one selected from a list provided by the candidate).
    - Procedural protections in the review process have been enhanced, including:
        - Candidates are now entitled to receive a summary of the evidence before their Committee on Permanent Status.
        - Candidates may request a delay in review based on Human Rights Code grounds or serious personal circumstances.
        - Denial of permanent status now requires written reasons to be provided to the candidate, to which they may respond, before a final recommendation regarding permanency is made.

- [Note: Librarians appointed before January 1, 2024, will by default undergo permanent status review under the 1978 PFL, however, where the candidate requests in writing, they may elect to do so under the 2024 PFL].
- In relation to promotion review, clarifies, makes consistent, and elaborates upon the criteria and procedures. This includes:
    - Criteria now align with the three areas of librarian responsibility.
    - Qualifications, required documentation, and procedures and timelines for promotion review at each rank have been clarified, and revised for transparency and consistency. This includes:
        - Procedures for promotion now align with existing assessment procedures.
        - Procedures now include provision for external referees (including as selected from list provided by the candidate) for promotion to Librarian III and IV.
- Enhances procedural protections in the review process, including by:
    - Where a candidate has multiple supervisors, they will all provide input into annual performance assessments and recommendations for promotion.
    - Candidates may request a delay in review based on Human Rights Code grounds or serious personal circumstances.
- Introduces new appeal processes:
    - Denial of promotion to Librarian II now requires written reasons and can be appealed.
    - Denial of promotion to Librarian III or IV may be grieved under the MoA.
- In relation to appointment, clarifies, makes consistent, and elaborates upon the criteria and procedures. This includes:
    - Criteria now align with the three areas of librarian responsibility.
    - Documentation requirements, application procedures (including Search Committee processes), and procedures for confirming appointments, have been clearly defined.
    - Introduces a new mechanism of conditional appointments to support equity, diversity, and inclusivity.
    - Search Committee composition has been revised to ensure a majority membership of permanent status librarians, a majority membership from the candidate's campus, and normally, the inclusion of a librarian from the candidate's department.
    - Introduces a new requirement for librarian positions to be posted on the UofT job website (jobs.utoronto.ca).
    - [Note: Searches for new librarians commenced prior to January 1, 2024, will be conducted under the 1978 PFL].
- Removes language that previously allowed the Administration to terminate the appointment of a permanent status librarian for reasons of "financial exigency" or "fiscal stringency", and strengthens the protections related to termination for cause (e.g., misconduct or incompetence).
- Increases job security and rights for librarians on CLTAs and clarifies terms and conditions of employment, including:
    - Clarification of normal rank and duration of appointment.
    - Introduced clear timeline for notification of contract renewal (i.e., three months prior to end of existing contract).
    - Enhanced termination and severance pay where non-renewal occurs for reasons other than dismissal with cause:
        - Librarians on CLTAs employed for 6-12 months are entitled to at least 1 month's notice/termination pay, and applicable severance pay at the rate of the greater of 2 weeks per year of service to a maximum of 26 weeks or in accordance with the Employment Standards Act.

        - Librarians on CLTAs employed for over 12 months and less than 3 years are entitled to at least 4 months' notice/termination pay, and applicable severance pay at the rate of the greater of 2 weeks per year of service to a maximum of 26 weeks or in accordance with the Employment Standards Act.
- Confirmed eligibility to apply for permanent status stream positions and consideration of CLTA service in applications, and if successfully appointed, in the timeline for permanent status review.
- Negotiated the same definition of cause for termination applied to permanent status stream librarians.

Document 2: Amendments to Article 4 of the MoA

- Enshrines the right to a research leave or study leave for librarians in Article 4 of the MoA (alongside the right to research and study leave for faculty members).
- Enshrines the right to a research leave or study leave for part-time librarians with appointments of 50% or more who hold the third in a series of three-year part-time appointments in Article 4 of the MoA.

Document 3: New Letter of Understanding on Scholars Portal Librarians

- Increases job security and rights for Scholars Portal librarians on CLTAs funded by the Ontario Council of University Libraries (OCUL), and clarifies terms and conditions of employment, including:
    - Scholars Portal Librarian III and IVs on CLTAs with at least three years of continuous service at the University will automatically be granted a recurring term appointment (Scholars Portal Recurring Term Appointment Librarians or SPRTALs), with the following enhanced job security provisions:
        - SPRTALs are automatically renewed from year to year (i.e., no job application required), unless given written notice of termination.
        - If a SPRTAL is terminated because OCUL funding is reduced or eliminated, they are entitled to 6-12 months of notice/termination pay based on their years of service, and severance pay in accordance with the Employment Standards Act.
        - If a SPRTAL is terminated for any other reason except for dismissal for cause, they are entitled to a minimum of 6 months of notice/termination pay, and up to 18 months of severance pay based on their years of service, for a combined maximum of 24 months of pay.
        - Introduces enhanced procedural protections where a librarian is not renewed:
            - A new right to grieve under the MoA on the ground that non-renewal was not related to the reduction or elimination of OCUL funding.
            - A new right to appeal non-renewal on the grounds of discrimination, bad faith, or reprisal for the exercise of academic freedom.
- Introduces a clear timeline for notification of contract renewal for all other Scholars Portal Librarians on CLTAs (i.e., those not eligible for a SPRTAL) normally three months prior to end of existing contract).
- Clarifies and confirms eligibility for all Scholars Portal Librarians on CLTAs to apply for permanent status stream positions and consideration of their CLTA service in applications, and if successfully appointed, in the timeline for permanent status review.

Document 4: New Letter of Understanding on Research Leave or Study Leave for Scholars Portal Librarians

- On a five-year pilot basis, the parties agree that Scholars Portal Recurring Term Appointment Librarians or SPRTALs will be entitled to research leave or study leave on the following terms:
    - Eligibility requirements, compensation for leave, and application procedures, shall be in accordance with Article 4 of the MoA.
    - For operational reasons, normally only one SPRTAL will be approved for leave at a time.

Document 5: New Letter of Understanding on Secondments

- For a five-year period, introduces enhanced commitment by the UTL to provide permanent status stream librarians with opportunities for secondments, namely:
    - A commitment to provide opportunities for secondments of up to 18 months, where operationally feasible, and recognizing the value of such secondments for librarians. Secondments shall only take place with the agreement of the librarian.
    - Two librarians may also propose a “job exchange” subject to approval.

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