



FOR APPROVAL

PUBLIC

OPEN SESSION

TO: Business Board

SPONSOR: Kelly Hannah-Moffat, Vice-President,
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PRESENTERS: Same as above
CONTACT INFO:

DATE: November 15, 2021 for November 24, 2021

AGENDA ITEM: 4

ITEM IDENTIFICATION:

Updates to Staff Policies (Professional/Managerial Staff, Confidential Staff and Senior Research Associates and Research Associates)

Professional/Managerial Staff Policy
2.01.02: Recruitment, Selection, and Hiring

Confidential Staff Policies:
2.01.01: Types of Employees
2.01.02: Recruitment, Selection, and Hiring
5.01.01: Termination of Employment

Senior Research Associates and Research Associate Policy:
2.01.02: Recruitment, Selection, and Hiring

JURISDICTIONAL INFORMATION:

Business Board has jurisdiction over employee policies and terms and conditions of employment for non-union staff.

GOVERNANCE PATH:

- 1. Business Board [For Approval] (November 24, 2021)**

PREVIOUS ACTION TAKEN:

n/a

HIGHLIGHTS:

- Further to recommendations of the [Cromwell Report](#) and the [Presidential response](#), released in March 2021, recruitment policies for non-union staff have been updated to include reference to confidentiality, conflict of interest, and retention of records.
- Language has been made as consistent as possible across Professional/Managerial, Confidential, and Senior Research Associates & Research Associates recruitment policies
- Timeline for posting has been adjusted from six (6) working days to seven (7) working days to align to the new requirements in the USW collective agreement.
- Relocation pool provisions for Confidential staff whose jobs are eliminated have been removed:
 - Existing language referenced internal applicant status during the relocation pool period (similar to redeployment pool provisions for USW staff), however no additional preference in hiring was provided under the existing language
 - Confidential staff termination provisions have instead been replaced with replicate language from the Professional/Managerial termination provisions

RECOMMENDATION:

Be It Resolved

THAT the updated Policy language for Professional/Managerial, Confidential, and Senior Research Associates and Research Associates be approved.

DOCUMENTATION PROVIDED:

Updated Policy language for the following:

Professional/Managerial Staff Policy
2.01.02: Recruitment, Selection, and Hiring

Confidentials Staff Policies:
2.01.01: Types of Employees
2.01.02: Recruitment, Selection, and Hiring
5.01.01: Termination of Employment

Senior Research Associates and Research Associates Policy:
2.01.02: Recruitment, Selection, and Hiring

INTRODUCTION

The staffing process for administrative Professionals/Managers positions is intended to meet the following objectives:

- to foster excellence in the workplace and contribute to the achievement of the mission of the University through hiring the best qualified candidate in accordance with the policies of the University; and
- to continue to meet or exceed its commitments under the institutional [Statement on Equity, Diversity, and Excellence](#); and
- to ensure barrier-free employment in accordance with the Ontario Human Rights Code, Accessibility for Ontarians with Disabilities Act; and
- to encourage and provide opportunities for career development of Professionals/Managers staff.

a) THE STAFFING PROCESS

ELIGIBILITY

- Any administrative Professionals/Managers staff member, full-time or part-time, who has completed their initial probationary period may be considered for an internal transfer; and
- Candidates who are legally entitled to work in Canada, in the role for which they are being considered.

POSTING

- All continuing staff appointed Professionals/Managers job opportunities which are not filled within the hiring department will be advertised for a minimum of seven (7) working days:
 - consecutively, University-wide and as required, externally; or
 - concurrently with both a University-wide posting and an external posting when the position requires specialized or expert skills not typically found in the University's workforce.
- Term staff appointed job opportunities may be advertised accordingly or may be filled by a secondment which may or may not be advertised within the University or externally. (See Secondments section below)
- University-wide job opportunities will be advertised on the HR website for a minimum of seven (7) days and will include the typical duties and qualifications required, the classification, salary range and source of funding, the type of appointment including end date, if applicable.
- Posting for a position that may attract a foreign national worker must be conducted in accordance with the Immigration and Refugee Protection Act, as well as applicable government regulations.

APPLICATION PROCESS

- Employees must submit a written application, including an up-to-date resume, within the period indicated on the posting. Late applications may be accepted at the discretion of the University in extenuating circumstances.

SELECTION

- Selection, if any, will be based on the best qualified candidate for the position taking into account factors such as the candidate's qualifications, skill, education, training, previous related experience, ability and potential, and the requirements of the position.
- Where these factors are equal between an internal and external applicant, the internal applicant will be selected.

CONFLICT OF INTEREST

- All employees involved in the hiring process must abide by the University's Conflict of Interest Policy (3.01.10). If an employee has a real or perceived conflict of interest relating to the hiring process and/or a specific candidate, the employee must immediately declare the conflict of interest to Human Resources, who will work with the hiring manager to determine if the employee can continue their involvement with the recruitment.

CONFIDENTIALITY

- Candidates for positions at the University submit material during the application process that is intended to be held in confidence and used only for the hiring process for which it was submitted. Such material must remain confidential to the members of the duly constituted hiring committee and other University employees or agents who require the information to do their role in relation to the hiring process.
- Confidentiality is also required with respect to discussions among the committee members, and therefore no information about these discussions will be disclosed to anyone outside the committee except to the extent that any other University employee or agent requires the information to do their role in relation to the hiring process.
- Interview panel members must sign an Agreement to Maintain Confidentiality prior to accessing confidential information related to each recruitment process.

RECORD RETENTION

- Information gathered through the course of recruitment will be retained by Human Resources in accordance with the University's File Plan.

PROBATIONARY PERIOD

- A new staff member to the University shall be considered probationary until they have successfully completed their probationary period, which may be up to 12 months of active employment, to be determined by the supervisor. The staff member's employment may be terminated at any time during the probationary period without notice other than as may be required under the *Employment Standards Act* of Ontario. (See Termination Policy, 5.01.01, *Policies for Professionals/Managers*)
- In cases of internal transfer, while there is no probationary period, an appropriate review period will be established of up to six (6) months, the length of which will be based on the applicant's skills and experience in relation to the requirements of the position. The review period should be used to orient the staff member to their new department, set goals for performance, identify and plan for any required training, provide and receive feedback on performance and enhance ongoing communication between the supervisor and staff member.

b) SECONDMENTS

A secondment is an appointment to another position for a limited term, i.e., up to 18 months, at the conclusion of which the incumbent will normally return to their previous position which, by mutual agreement of the division/department head, will have been kept vacant or filled on a term or temporary basis.

Secondments may be used to borrow particular expertise for projects or to temporarily replace a staff member while, at the same time, providing an opportunity for career development.

Secondment opportunities may filled using one of the following:

- a) Through a posting in accordance with the staffing process described above or;
- b) Through a posting within the division/department, or;
- c) Through an employment equity initiative, or;
- d) Through an exchange program with another division, department or institution, or;
- e) Through a career development planning process designed to broaden exposure and experience of staff members.

INTRODUCTION

Members of the administrative Professionals/Managers staff of the University of Toronto are committed to achievement of the University's mission. Hence, their primary commitment is to the work of the University and their personal activities may not conflict with the University's interests.

Occasionally, in the course of the exercise of their responsibilities, administrative staff members may develop commitments to persons or organizations other than the University and may perform services for others for which they are paid. In such cases, situations may arise when a staff member's personal or financial interests may conflict, or may seem to conflict, with the staff member's obligations to the University. All staff members have an obligation to report and discuss with the person to whom they report all such conflicts that the staff member believes, or an objective observer would believe, to be significant. If the person to whom the staff member reports concludes the activities constitute a conflict of interest, the staff member may not continue to engage in them.

Any alleged breaches of this policy will be handled under the Termination for Cause section of the Termination of Employment Policy, 5.01.01, *Policies for Professionals/Managers Staff*.

APPLICATIONS

1. Use of University Resources

Professionals/Managers may not make more than trivial use of University facilities, supplies or administrative services for personal purposes without authorization. On occasion, a Professionals/Managers staff member may wish to make more than trivial use of University facilities, supplies or services. Application must be made in writing to the person to whom the person reports. If the request is granted, the Professionals/Managers staff member shall reimburse the University for the full cost, including overhead, of the facilities, supplies or support staff used.

2. Conflict of Interest Resulting from Family or Other Personal Relationships

- a) Any situation involving the hiring (including casual hiring), supervising, or conferring or denying of any material benefit to any person with whom there exists or has recently existed an intimate personal or family relationship must be discussed by the staff member with his or her supervisor.
- b) Where funds involved are administered by the University, no staff member may, directly or indirectly, purchase from or sell to, or confer or deny any financial or commercial benefit on or engage in any commercial transaction with any person or organization with whom the staff member has, or recently had, an intimate, family or business relationship without the prior approval of the person at the next higher level of authority. In requesting the approval, the staff member shall indicate in writing why the benefit should be conferred on, or the activity should be carried out by the person.

3. Conflict of Interest for Supervisor

If the person to whom an employee normally reports has a personal interest in the matter to be discussed, then that individual shall refer the matter to the person at the next higher level of authority.

4. Purchases Involving University Funds

If a staff member has received or is receiving supplementary income from a company, or if the staff member or a member of his or her family or a person with whom the staff member has or has recently had an intimate personal relationship, has a significant financial interest in a company, the staff member must disclose the nature of the involvement with the company in any situation in which the staff member is in a position to influence whether or not University funds will be used to purchase goods and services from that company or where the company may otherwise receive some benefit from the University.

5. Approval of Expenses

All expense claims made by staff members involving funds administered by the University require the signature of the person to whom the staff member reports.

6. Acceptance of Gifts

The acceptance of gifts or any other material benefit or favour from individuals who are associated with the University activities of the staff member, with the exception of minor gifts as token courtesies, is not normally permitted. If a staff member has any doubts about the propriety of accepting a particular gift or favour, s/he should discuss the matter with the person to whom s/he reports.

7. Paid Professional or Commercial Activities

While administrative staff members may in some circumstances engage in professional or commercial activities from which they derive supplementary income, such activities must be fully disclosed to, and receive the approval of, the person to whom the staff member reports. Where, in the opinion of that person, these activities constitute a conflict of interest, the supervisor may insist on the staff member's withdrawal from engaging in them. (This provision does not require disclosure of personal activities with minor financial implications such as renting a basement apartment or cottage, operating a hobby farm, and which have no impact on the staff member's University's responsibilities.)

8. Confidentiality

All information about a staff member gathered under this Policy shall be held in strict confidence and not divulged to any other person, except for internal University administrative purposes required by Policy, or under the compulsion of the law, without the written consent of the staff member.

9. Supplementary Divisional or Departmental Guidelines

More detailed guidelines may be developed for particular divisions or departments, as appropriate and must be approved by the appropriate Vice-President.

10. Protection of Staff Members Reporting Suspected Conflict of Interest

The University or person(s) acting on its behalf shall not i) dismiss or threaten to dismiss or suspend a staff member; ii) discipline or suspend or threaten to discipline or suspend a staff member; iii) impose any penalty upon a staff member; or, iv) intimidate or coerce a staff member, because the staff member has provided information relating to an alleged conflict of interest to an appropriate officer of the University or has sought the enforcement of this Policy through appropriate University channels.

In cases of suspected financial impropriety, staff members should follow the University of Toronto 'Reporting Incidents of Suspected Financial Impropriety' procedure which details the University's protocol for responding to allegations of financial impropriety including procedures for individual staff members.

SECTION II: APPOINTMENT CONDITIONS
POLICY: TYPES OF EMPLOYEES

CODE NUMBER: 2.01.01

DEFINITIONS

Continuing Employees

Continuing employees have no predetermined end date and hold positions that are considered by the employing unit as part of the staff complement of the unit and whose employment will continue unless terminated by the University in accordance with the *Policies for Confidentials* or by an employee through resignation or retirement.

Term Employees

Term employees are hired for an initial appointment of at least six (6) months in length, the maximum period of consecutive term employment not to exceed twenty-four (24) months. Each term appointment shall have a predetermined end date. Should the term(s) exceed a twenty-four (24) month period then such employee shall become a continuing employee.

Sessional Employees

Sessional employees hold positions for which the University requires staffing only during an academic session or part thereof, which may be up to eleven months in length. These employees are on sessional layoff for the balance of the academic year.

Part-time Employees

A part-time appointment is based on less than 100% of the full-time hours of work (See Work Scheduling Policy, 3.01.07, *Policies for Confidentials*).

EXCLUSION

Casual Employees

Casual employees are not staff appointed and are not governed by the *Policies for Confidentials*.

Terms and conditions of employment for casual employees are governed by:

- i) the provisions of the *Employment Standards Act* of Ontario including those provisions pertaining to hours of work, public holidays, overtime, vacation pay, notice of termination; and,
- ii) the written agreement made in relation to their employment at the time of hiring.

EMPLOYMENT PROVISIONS

All administrative staff appointed Confidentials employees are governed by the *Policies for Confidentials*.

The University retains the right to modify or amend the policies in whole or in part from time to time on the giving of written notice to employees of changes in the policies as the University, in its sole discretion, considers appropriate.

SECTION II: APPOINTMENT CONDITIONS**CODE NUMBER: 2.01.02**

POLICY: RECRUITMENT, SELECTION, and HIRING

INTRODUCTION

The objective of the staffing process for administrative Confidentials positions is intended to meet the following objectives:

- to foster excellence in the workplace and contribute to the achievement of the mission of the University through hiring the most qualified candidate in accordance with the policies of the University; and
- to continue to meet or exceed its commitments under the institutional Statement on Equity, Diversity, and Excellence; and
- to ensure barrier-free employment in accordance with the Ontario Human Rights Code, Accessibility for Ontarians with Disabilities Act; and
- to encourage and provide opportunities for career development of Confidential staff.

a) THE STAFFING PROCESS**ELIGIBILITY**

- Any administrative Confidentials staff member, full-time or part-time or sessional, who has completed their initial probationary period may be considered for an internal transfer; and
- Candidates who are legally entitled to work in Canada, in the role for which they are being considered.

POSTING

- All continuing staff appointed Confidentials job opportunities which are not filled within the hiring department will be advertised for a minimum of seven (7) working days:
 - consecutively, University-wide and as required, externally; or
 - concurrently, both a University-wide posting and an external posting, when the position requires specialized or expert skills not typically found in the University's work force.
- Term staff appointed job opportunities may be advertised accordingly or may be filled by a secondment which may or may not be advertised within the University or externally. (See Secondments section below)
- University-wide job opportunities will be advertised on the HR website for a minimum of seven (7) days and will include the typical duties and qualifications required, the classification, salary range and source of funding, the type of appointment including end date, if applicable.
- Posting for a position that may attract a foreign national worker must be conducted in accordance with the Immigration and Refugee Protection Act, as well as applicable government regulations.

APPLICATION PROCESS

- Employees must submit a written application, including an up-to-date resume, within the period indicated on the posting. Late applications may be accepted at the discretion of the University in extenuating circumstances.

SELECTION

- Selection, if any, will be based on the most qualified candidate for the position taking into account factors such as the candidate's qualifications, skill, education, training, previous related experience, ability and potential, and the requirements of the position.
- Where these factors are equal between an internal and external applicant, the internal applicant will be selected.

CONFLICT OF INTEREST

- All employees involved in the hiring process must abide by the University's Conflict of Interest Policy (3.01.10). If an employee is in or will be in a conflict of interest during the hiring process or upon hire of a candidate, the employee must immediately declare the conflict of interest to their supervisor who will determine if the employee can continue their involvement with the recruitment.

CONFIDENTIALITY

- Candidates for positions at the University submit material during the application process that is intended to be held in confidence and used only for the hiring process for which it was submitted. Such material must remain confidential to the members of the duly constituted hiring committee and other University employees or agents who require the information to do their role in relation to the hiring process.
- Confidentiality is also required with respect to discussions among the committee members, and therefore no information about these discussions will be disclosed to anyone outside the committee except to the extent that any other University employee or agent requires the information to do their role in relation to the hiring process.
- Interview panel members must sign an Agreement to Maintain Confidentiality prior to accessing confidential information related to each recruitment process.

RECORD RETENTION

- Information gathered through the course of recruitment will be retained in accordance with the University's File Plan.

PROBATIONARY PERIOD

- A new staff member to the University shall be considered probationary until they have completed six (6) months of active employment. The staff member's employment may be terminated at any time during the probationary period without notice other than as may be required under the *Employment Standards Act* of Ontario. (See Termination Policy, 5.01.01, *Policies for Confidentials*)

Policies for Confidentials

- In cases of internal transfer:
 - i) while there is no probationary period, an appropriate review period will be established of up to six (6) months, the length of which will be based on the applicant's skills and experience in relation to the requirements of the position. The review period should be used to orient the staff member to their new department, set goals for performance, identify and plan for any required training, provide and receive feedback on performance and enhance ongoing communication between the supervisor and staff member;

b) SECONDMENTS

A secondment is an appointment to another position for a limited term, i.e., up to 18 months, at the conclusion of which the incumbent will normally return to their previous position which, by mutual agreement of the division/department head, will have been kept vacant or filled on a term or temporary basis.

Secondments may be used to borrow expertise for projects or to temporarily replace a staff member while, at the same time, providing an opportunity for career development.

Secondment opportunities may filled using one of the following:

- a) Through a posting in accordance with the staffing process described above or;
- b) Through a posting within the division/department, or;
- c) Through an employment equity initiative, or;
- d) Through an exchange program with another division, department or institution, or;
- e) Through a career development planning process designed to broaden exposure and experience of staff members.

SECTION III: EMPLOYMENT CONDITIONS**CODE NUMBER: 3.01.11**

POLICY: CONFLICT OF INTEREST

INTRODUCTION

Members of the administrative Confidentials staff of the University of Toronto are committed to achievement of the University's mission. Hence, their primary commitment is to the work of the University and their personal activities may not conflict with the University's interests.

Occasionally, in the course of the exercise of their responsibilities, administrative staff members may develop commitments to persons or organizations other than the University and may perform services for others for which they are paid. In such cases, situations may arise when a staff member's personal or financial interests may conflict, or may seem to conflict, with the staff member's obligations to the University. All staff members have an obligation to report and discuss with the person to whom they report all such conflicts that the staff member believes, or an objective observer would believe, to be significant. If the person to whom the staff member reports concludes the activities constitute a conflict of interest, the staff member may not continue to engage in them. Any alleged breaches of this policy will be handled under the Wilful Misconduct section of the Termination of Employment Policy, 5.01.01, *Policies for Confidentials*.

APPLICATIONS**1. Use of University Resources**

- a) Staff members are not permitted to carry out an outside professional or commercial activity or work for a voluntary organization using University resources without authorization. If a situation arises where a staff member wishes to make use of University facilities, services or supplies, application must be made in writing to the person to whom the staff member reports. If the request is granted, the staff member shall reimburse the University for the full cost, including overhead, of the facilities, supplies or administrative staff used.
- b) If a staff member has a serious concern about whether s/he may legitimately undertake work that has been assigned, the staff member should discuss the request with his or her supervisor or, if circumstances so require, with the department or division head.

2. Conflict of Interest Resulting from Family or Other Personal Relationships

- a) Any situation involving the hiring (including casual hiring), supervising, or conferring or denying of any material benefit to any person with whom there exists or has recently existed an intimate personal or family relationship must be discussed by the staff member with his or her supervisor.
- b) Where funds involved are administered by the University, no staff member may, directly or indirectly, purchase from or sell to, or confer or deny any financial or commercial benefit on or engage in any commercial transaction with any person or organization with whom the staff member has, or recently had, an intimate, family or business relationship, without the prior approval of the supervisor. In requesting the approval, the staff member shall indicate in writing why the benefit should be conferred on, or the activity should be carried out by the person.

3. Conflict of Interest for Supervisor

If the person to whom an employee normally reports has a personal interest in the matter to be discussed, then that individual shall refer the matter to the next higher level of authority.

4. Purchases Involving University Funds

If a staff member has received or is receiving supplementary income from a company, or if the staff member or a member of his or her family, has a significant financial interest in a company or has any transaction with it, the staff member must disclose the nature of the involvement with the company in any situation in which the staff member is in a position to influence whether or not University funds will be used to purchase goods and services from that company or where the company may otherwise receive some benefit from the University.

5. Approval of Expenses

All expense claims made by staff members involving funds administered by the University require the signature of the person to whom the staff member reports.

6. Acceptance of Gifts

The acceptance of gifts or any other material benefit or favour from individuals who are associated with the University activities of the staff member, with the exception of minor gifts as token courtesies, is not normally permitted. If a staff member has any doubts about the propriety of accepting a particular gift or favour, the staff member should discuss the matter with the person to whom the staff member reports.

7. Paid Professional or Commercial Activities

While administrative staff members may in some circumstances engage in professional or commercial activities from which they derive supplementary income, such activities, if related to the staff member's University work, or, if affecting the staff member's University responsibilities and duties, must be fully disclosed to, and receive the approval of, the person to whom the staff member reports. Where, in the opinion of the supervisor, these activities constitute a conflict of interest, the supervisor may insist on the staff member's withdrawal from engaging in them.

8. Confidentiality

All information about a staff member gathered under this Policy shall be held in strict confidence and not divulged to any other person, except for internal University administrative purposes required by Policy, or under the compulsion of the law, without the written consent of the staff member.

9. Supplementary Divisional or Departmental Guidelines

More detailed guidelines may be developed for divisions or departments, as appropriate and must be approved by the appropriate Vice-President.

10. Protection of Staff Members Reporting Suspected Conflict of Interest

The University or person(s) acting on its behalf shall not i) dismiss or threaten to dismiss or suspend a staff member; ii) discipline or suspend or threaten to discipline or suspend a staff member; iii) impose any penalty upon a staff member; or, iv) intimidate or coerce a staff member, because the staff member has provided information relating to an alleged conflict of interest to an appropriate officer of the University or has sought the enforcement of this Policy through appropriate University channels.

In cases of suspected financial impropriety, staff members should follow the University of Toronto 'Reporting Incidents of Suspected Financial Impropriety' procedure which details the University's protocol for responding to allegations of financial impropriety including procedures for individual staff members.

11. Grievances

Any complaint by a staff member about the contravention of, or decisions made in the application of, this Policy and its applications may be raised in accordance with the Grievance Procedure (see *Policies for Confidentials*, 3.01.09).

SECTION V: TERMINATION OF EMPLOYMENT
POLICY: TERMINATION OF EMPLOYMENT

CODE NUMBER: 5.01.01

INTRODUCTION

Employment may be terminated as a result of reorganization or changing requirements for which the staff member is not suited or other circumstances where no cause for termination exists. Where termination occurs for reasons other than cause, individuals must be treated fairly and appropriate severance arrangements made. Where termination is for cause, employment may be terminated without notice or severance.

TERMINATION FOR CAUSE

Where the decision to terminate the employment of an administrative Confidentials staff member is for cause such as unsatisfactory performance*, including the culminating incident in a series of performance problems, fraud, violence, gross negligence of duty, or breach of confidentiality, the supervisor, may, after seeking the advice of Human Resources and receiving the approval of their Division Head, initiate an immediate termination without notice or severance.

* See the Performance Assessment Policy, 4.01.01, *Policies for Confidential Staff*.

INVOLUNTARY TERMINATION OTHER THAN FOR CAUSE

This policy applies to all staff appointed administrative Confidentials staff holding continuing appointments.

Termination other than for cause may include circumstances such as departmental reorganizations or business process changes. In all cases, the supervisor must receive the approval of their Division Head prior to the termination of a staff member's employment.

Where the University decides to terminate employment without cause employees will be provided with working notice or severance pay, or a combination of both, on the basis of one (1) month per completed year of continuous service** with the University, to a maximum of twenty-four (24) months, provided that in no case will an employee receive less working notice than the minimum working notice required under the *Employment Standards Act* of Ontario or less severance pay than the severance pay, if any, required under the *Employment Standards Act* of Ontario.

** Continuous service is defined as years of service from the staff member's most recent employment date as a full- or part-time staff appointed employee.

Formal notice of termination shall be in writing and will be delivered personally to a staff member or by registered mail to their home address most recently provided by the employee to the University and will specify the employee's termination date.

All benefits coverage and pensionable service ceases effective the date of termination of employment and employees shall have no claim whatsoever for benefits coverage or pensionable service beyond the date of termination of employment.

The staff member will be required to sign a full and final release before receipt of any severance pay.

The staff member will be entitled to career transition services for up to three months following the date of termination.

PREAMBLE

There are two categories of research positions. The normal qualifications for each category are the same, an advanced degree (e.g., PhD, MD or equivalent) in the field where the research is to be carried out. The distinction between the two categories rests on whether the position is analogous to a career position or whether the position is for a relatively short period of time from which the incumbent would move to a faculty or other position.

Senior Research Associate positions are continuing positions where it is expected that grant funding for the position will continue. Such positions will be terminated only under the conditions of this Policy. Research Associates (Limited Term) will be appointed on a limited term, renewable to a total of five years. The combined terms may not exceed this total of five years.

While the work of Research Associates (Limited Term) and Senior Research Associates is academic in nature, they are not members of the teaching staff. These individuals are intrinsically involved in research projects where they contribute, by way of their academic expertise, to the projects directed by the principal investigator. From time to time, they may be asked to participate in the teaching program of the department or division. Any teaching will be a minor part of the individual's activity and should not be assigned on a continuing basis. Any teaching assigned must be in compliance with the collective agreement between the University and CUPE 3902 Unit 3.

It is important that the positions of Research Associate (Limited Term) or Senior Research Associate be used only in circumstances where an individual meets the qualifications for the position as described above and is carrying out research responsibilities with a high degree of independence, albeit under the direction of the principal investigator. In exceptional circumstances, where the chair of the department so recommends and the dean approves, and where the policies and terms and conditions of the funding sources permit, a Senior Research Associate may act as co-investigator with a University of Toronto faculty member on a project.

In developing a set of policies and procedures for Research Associates (Limited Term) and Senior Research Associates, it was recognized that any policy or procedure should retain a high degree of flexibility for the principal investigator while at the same time providing fair and equitable treatment to individuals holding these research positions.

These policies apply to all staff appointed Senior Research Associates and Research Associates (Limited Term), full-time or part-time, unless otherwise stated in policy.

Questions concerning these Policies or related procedures or guidelines may be directed to the appropriate divisional HR Office.

* The University retains the right to modify or amend these policies in whole or in part from time to time on the giving of written notice to staff members of changes in the policies as the University, in its sole discretion, considers appropriate.

SECTION II: APPOINTMENT CONDITIONS

POLICY: RECRUITMENT, SELECTION & HIRING**CODE NUMBER: 2.01.02**

INTRODUCTION

The staffing process for Research Associate (Limited Term) and Senior Research Associate positions is intended to meet the following objectives:

- to foster excellence in the work place and contribute to the achievement of the mission of the University through hiring the best qualified candidate in accordance with the policies of the University; and
- to continue to meet or exceed its commitments under the institutional [Statement on Equity, Diversity, and Excellence](#); and
- to ensure barrier-free employment in accordance with the Ontario Human Rights Code, Accessibility for Ontarians with Disabilities Act; and
- to encourage and provide opportunities for career development of RA/SRA staff.

a) THE STAFFING PROCESS**ELIGIBILITY**

- Any Research Associate (Limited Term) and Senior Research Associate staff member, full-time or part-time, who has completed their initial probationary period may be considered for an internal transfer; and
- Candidates who are legally entitled to work in Canada, in the role for which they are being considered.

POSTING

- All Research Associate (Limited Term) and Senior Research Associate job opportunities which are not filled within the hiring department will be advertised for a minimum of seven (7) working days:
 - consecutively, University-wide and as required, externally; or
 - concurrently with both a University-wide posting and an external posting when the position requires specialized or expert skills not typically found in the University's workforce.
- Term staff appointed job opportunities may be advertised accordingly or may be filled by a secondment which may or may not be advertised within the University or externally. (See Secondments section below)
- University-wide job opportunities will be advertised on the HR website for a minimum of seven (7) days and will include the typical duties and qualifications required, the classification, salary range and source of funding, the type of appointment including end date, if applicable.
- Posting for a position that may attract a foreign national worker must be conducted in accordance with the Immigration and Refugee Protection Act, as well as applicable government regulations.

APPLICATION PROCESS

- Employees must submit a written application, including an up-to-date resume, within the period indicated on the posting. Late applications may be accepted at the discretion of the University in extenuating circumstances.

SELECTION

- Selection, if any, will be based on the best qualified candidate for the position taking into account factors such as the candidate's qualifications, skill, education, training, previous related experience, ability and potential, and the requirements of the position.
- Where these factors are equal between an internal and external applicant, the internal applicant will be selected.

CONFLICT OF INTEREST

- All employees involved in the hiring process must abide by the University's Conflict of Interest Policy (3.01.10). If an employee is in or will be in a conflict of interest during the hiring process or upon hire of a candidate, the employee must immediately declare the conflict of interest to their supervisor who will determine if the employee can continue their involvement with the recruitment.

CONFIDENTIALITY

- Candidates for positions at the University submit material during the application process that is intended to be held in confidence and used only for the hiring process for which it was submitted. Such material must remain confidential to the members of the duly constituted hiring committee and other University employees or agents who require the information to do their role in relation to the hiring process.
- Confidentiality is also required with respect to discussions among the committee members, and therefore no information about these discussions will be disclosed to anyone outside the committee except to the extent that any other University employee or agent requires the information to do their role in relation to the hiring process.
- Interview panel members must sign an Agreement to Maintain Confidentiality prior to accessing confidential information related to each recruitment process.

RECORD RETENTION

- Information gathered through the course of recruitment will be retained by Human Resources in accordance with the University's File Plan

PROBATIONARY PERIOD

A new Senior Research Associate to the University shall be considered probationary until s/he has successfully completed six (6) months of active employment. Whereas, a new Research Associate (Limited Term) shall be considered probationary until s/he has successfully completed no less than four (4) months of active employment.

Policies for Senior Research Associates & Research Associates (Limited Term)

The staff member's employment may be terminated by the University at any time during the probationary period upon giving appropriate notice in accordance with the *Employment Standards Act* of Ontario, as amended from time to time (See Section V, Termination of Employment).

SECTION III: EMPLOYMENT CONDITIONS

POLICY: CONFLICT OF INTEREST

CODE NUMBER: 3.01.13

INTRODUCTION

Senior Research Associates and Research Associates (Limited Term) of the University of Toronto are committed to achievement of the University's mission. Hence, their primary commitment is to the work of the University and their personal activities may not conflict with the University's interests.

Occasionally, in the course of the exercise of their responsibilities, Senior Research Associates and Research Associates (Limited Term) may develop commitments to persons or organizations other than the University and may perform services for others for which they are paid. In such cases, situations may arise when a staff member's personal or financial interests may conflict, or may seem to conflict, with the staff member's obligations to the University. All staff members have an obligation to report and discuss with the person to whom they report all such conflicts that the staff member believes, or an objective observer would believe, to be significant. If the person to whom the staff member reports concludes the activities constitutes a conflict of interest, the staff member may not continue to engage in them.

Any alleged breaches of this policy will be handled under the Termination for Cause section of the Termination of Employment Policies, 5.01.01 and 5.01.02, Section V, Policies for Senior Research Associates and Research Associates (Limited Term).

APPLICATIONS

1. Use of University Resources

Senior Research Associates and Research Associates (Limited Term) may not make more than trivial use of University facilities, supplies or administrative services for personal purposes without authorization. On occasion, a staff member may wish to make more than trivial use of University facilities, supplies or services. Application must be made in writing to the person to whom the person reports. If the request is granted, the staff member shall reimburse the University for the full cost, including overhead, of the facilities, supplies or support staff used.

2. Conflict of Interest Resulting from Family or Other Personal Relationships

a) Any situation involving the hiring (including casual hiring), supervising, or conferring or denying of any material benefit to any person with whom there exists or has recently existed an intimate personal or family relationship must be discussed by the staff member with his or her supervisor.

b) Where funds involved are administered by the University, no staff member may, directly or indirectly, purchase from or sell to, or confer or deny any financial or commercial benefit on or engage in any commercial transaction with any person or organization with whom the staff member has, or recently had, an intimate, family or business relationship without the prior approval of the person at the next higher level of authority. In requesting the approval, the staff member shall indicate in writing why the benefit should be conferred on, or the activity should be carried out by the person.

3. Conflict of Interest for Supervisor

If the person to whom a staff member normally reports has a personal interest in the matter to be discussed, then that individual shall refer the matter to the person at the next higher level of authority.

4. Purchases Involving University Funds

If a staff member has received or is receiving supplementary income from a company, or if the staff member or a member of his or her family or a person with whom the staff member has or has recently had an intimate personal relationship, has a significant financial interest in a company, the staff member must disclose the nature of the involvement with the company in any situation in which the staff member is in a position to influence whether or not University funds will be used to purchase goods and services from that company or where the company may otherwise receive some benefit from the University.

5. Approval of Expenses

All expense claims made by staff members involving funds administered by the University require the signature of the person to whom the staff member reports.

6. Acceptance of Gifts

The acceptance of gifts or any other material benefit or favour from individuals who are associated with the University activities of the staff member, with the exception of minor gifts as token courtesies, is not normally permitted. If a staff member has any doubts about the propriety of accepting a particular gift or favour, s/he should discuss the matter with the person to whom s/he reports.

7. Paid Professional or Commercial Activities

While Senior Research Associates and Research Associates (Limited Term) may in some circumstances engage in professional or commercial activities from which they derive supplementary income, such activities must be fully disclosed to, and receive the approval of, the person to whom the staff member reports. Where, in the opinion of that person, these activities constitute a conflict of interest, the supervisor may insist on the staff member's withdrawal from engaging in them. [This provision does not require disclosure of personal activities with minor financial implications such as renting a basement apartment or cottage, operating a hobby farm, and which have no impact on the staff member's University's responsibilities.]

8. Confidentiality

All information about a staff member gathered under this Policy shall be held in strict confidence and not divulged to any other person, except for internal University administrative purposes required by Policy, or under the compulsion of the law, without the written consent of the staff member.

9. Supplementary Divisional or Departmental Guidelines

More detailed guidelines may be developed for particular divisions or departments, as appropriate and must be approved by the appropriate Vice-President.

10. Protection of Staff Members Reporting Suspected Conflict of Interest

The University or person(s) acting on its behalf shall not i) dismiss or threaten to dismiss or suspend a staff member; ii) discipline or suspend or threaten to discipline or suspend a staff member; iii) impose any penalty upon a staff member; or, iv) intimidate or coerce a staff member, because the staff member has provided information relating to an alleged conflict of interest to an

appropriate officer of the University or has sought the enforcement of this Policy through appropriate University channels.

In cases of suspected financial impropriety, staff members should follow the University of Toronto "Reporting Incidents of Suspected Financial Impropriety" procedure which details the University's protocol for responding to allegations of financial impropriety including procedures for individual staff members.