

# RIGHT OF FIRST REFUSAL



## What is Right of First Refusal and how do I get it?

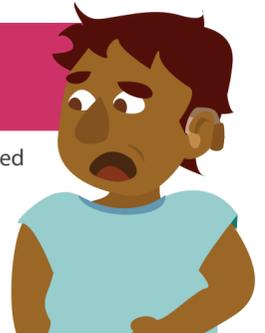
As a **Unit 1 member**, if you teach (or tutor or lead) the same course multiple times, we have a mechanism for you to be offered that position before it is offered to those who have never done so before. We call this our Right of First Refusal (RFR) and **it is our primary means of job security** as Contract Faculty at Trent University. Course Instructors, Tutorial/Workshop Leaders, Clinical Instructors, Academic Skills Instructors and ESL Instructors can all earn RFR. You can have Right of First Refusal in any number of courses at the same time. **Use the information provided to find out how to apply.**

All information is based on section 5.08 of the Unit 1 CUPE 3908 Collective Agreement.

## When am I Eligible for RFR?

To be eligible for RFR, you must have held your appointment for that course or a closely-related course twice, and have requested an evaluation for each. You must have received **at least generally satisfactory** on the first and **at least fully competent** on the second.

Eligibility can differ for different positions, please read section 5.08.03 for specific information about your position.



## How Do I Request an Evaluation?

In order to earn RFR, you must request a performance evaluation. This may be done by checking the appropriate box on your Acceptance of Offer. Alternately, you may submit a request in writing to your Chair, copied to the Dean's Office, within the first 30 days of your appointment for courses of 12 weeks or longer, and within 10 days for courses of less than 12 weeks.

**RFR is established after the second successful evaluation.**



## What Is The Evaluation Process?

Departments determine their own process for conducting evaluations. Members are encouraged to contact their Chair in order to learn what the process is in their department.

### It may include:

1. A review of student evaluations in the given course
2. A Departmental Committee's assessment of teaching effectiveness, which may include an in-class visit (with a minimum of two weeks notice--one week in compressed summer courses)
3. A Departmental Committee's assessment of administrative effectiveness (e.g. submitting grades on time etc.)
4. Assessment of a teaching dossier, should you wish to submit one



## Results of the Evaluation...

The Department is required to deliver a written report summarizing the results of the evaluation, within 60 days of the end of the course (completion of duties).

## Right Of First Refusal By Default:

Where the Department fails to meet the deadline above, members may earn RFR by Default. **According to the CA:**

**“**Failure on the part of the department to deliver the written report to the member within this time-frame will result in a default evaluation of the member as "generally satisfactory". A second failure on the part of the department to deliver the written report will result in the member being evaluated as "fully competent". **”**



## Who Can Appeal The Evaluation Results?

Members may dispute the results of the evaluation, and departments may also dispute a claim of RFR. A member must appeal in writing within 10 working days of the evaluation results to the appropriate Dean, who will investigate and make a decision within 10 working days. **If the member disputes the Dean's decision, a grievance may be filed.**

## How Do I Retain RFR?

You retain your Right of First Refusal as long as:

- A** You have worked in the Department within the last 24 months
- B** The course continues to be offered at least once every five years

**IMPORTANT:**  
 More than one person can have Right of First Refusal for the same course.

When two (or more) CUPE-1 members with RFR apply for the same position, it is awarded to the person who has the most teaching experience as a member of the bargaining unit (5.07.05).



## What About Closely Related Courses?

Right of First Refusal also applies to "closely related courses", defined as those which "encompass substantially similar subject matter".