

ARTICLE XX - APPOINTMENT AND PROMOTION

A. INTRODUCTION

The provisions of this Article XX shall not apply to any person holding an appointment to a part-time position in the bargaining unit at a University, with the following exceptions

1. ~~other than a~~ Salaried part-time faculty position at the Massachusetts College of Art and Design,
2. ~~or the~~ three (3) salaried part-time faculty in the English Department at Salem State University,
3. Section C(7) shall apply to any person holding a part-time position in the bargaining unit,
4. ~~except that~~ Sections C(5), C(7), C(9), C(11), I, K, L and M of this Article XX shall apply to any person holding an appointment as a Clinical Nursing Instructor.

Contracts for non-tenured faculty and librarians are term agreements subject to annual renewal after the completion of the established evaluation period.

For the purpose of this Agreement, a degree, including a terminal degree, shall be deemed to have been secured whenever the candidate for the degree has successfully completed all of the academic work required for it and the institution by which the degree will be awarded has acknowledged the same in some official writing. If the conditions just described shall have been fulfilled, a member of the bargaining unit shall be deemed to have secured a degree hereunder even if the ceremonial event at which the degree will be formally conferred has yet to occur.

With regard to promotion, full-time teaching or library experience and full-time employment in rank in this Article include time on paid leave as well as time on unpaid leave, but only if during such unpaid leave the unit member performs full-time teaching or library service at the relevant rank as described in the applicable section of this Article. Unpaid leave of less than the equivalent of one semester (for faculty) or the equivalent of less than one half of a work year (for librarians) shall not be deducted from full-time experience or full-time employment in rank in this Article XX.

No Board shall impose or use any quotas by rank and no quota shall govern the eligibility for promotion of any member of the bargaining unit. A higher order of quality may be demanded for promotion to each higher academic or library rank.

[The section this applies to is below]

C (7). Applications for Vacant Positions: Existing Unit Members

Whenever any member of the bargaining unit, including, for the purposes of this subsection 7, any librarian, shall apply to be a candidate for any vacant position within the bargaining unit at any State University, such member of the bargaining unit

shall be given added consideration as a candidate for such position; provided, however, that such added consideration shall be so given only if such member of the bargaining unit is not, by training and/or experience, less qualified for such position than the most qualified among all the applicants therefor.

Whenever any member of the bargaining unit, including, for the purposes of this subsection 7, any librarian, shall apply to be a candidate for any vacant position within the bargaining unit at any State University, such person's name shall be included on the list of candidates submitted to the President of such University by any screening or like committee, including any such committee constituted pursuant to Section I of Article VI of this Agreement; provided, however, that such person's name need not be so included unless he/she has the minimum advertised qualifications for the position for which he/she is a candidate; and provided further that nothing in this paragraph shall be deemed to abridge any right conferred by the foregoing paragraph.

Whenever any member of the bargaining unit, having applied as such for a vacant position in the bargaining unit, shall have been appointed to such position, his/her appointment shall be governed by subsection 9 of this Section C. No appointment made pursuant to this paragraph shall be deemed to be a transfer for the purposes of Article X of this Agreement.