

Article 8

PROMOTION AND TRANSFER

A. POSTING

When the University intends to fill a vacant regular position or an apprenticeship **position** in the bargaining unit it will post a copy of the vacancy listing for at least five (5) work days, and will additionally send the Union a copy of the vacancy listing. The vacancy listing shall at a minimum list the qualifications, class, and location of the vacant position, and the location and deadline for application.

B. APPLICATION

An individual may submit an application by the deadline date to the office/location stated in the vacancy listing.

C. SELECTION

1. The University shall have sole responsibility for the selection of an individual or individuals to fill a vacant position. If qualified applicants, as determined by the University, are not available, or if a trainee is desired, the University shall consider for promotion or transfer to the vacant position employee applicants from the same location and from the same or lower class. The University shall consider the seniority of such employee applicants, but shall retain sole authority to select the employee(s) who it determines possess(es) the qualifications to perform the duties of the position most effectively.

2. Employees who have been promoted or transferred to a vacant position shall be promoted and/or transferred to a salary rate determined by the University and consistent with the terms and conditions of this Agreement. If the University determines that the employee cannot successfully perform the job, it may opt to return the employee to his/her former class and/or position within a six (6) month period after the employee is appointed to the vacant position. The University's action to return the employee to his/her former position and/or class, when based on its determination that the employee cannot successfully perform the new job, is not subject to the Grievance and Arbitration Procedures of this Agreement. If the employee determines that he/she cannot successfully perform the job he/she may opt to return to his/her former class and/or position within a two (2) month period after appointment to the new position.

3. Should senior employees, upon applying for vacant positions not be selected, they may, upon request, have a meeting with departmental management to discuss the reasons for the University decision or pursue the Complaint Resolution Procedure in Article 22. If, following such meeting or the completion of the Complaint Resolution Procedure, an employee requests such reasons in writing, they will be provided.

4. A committee composed of two Union and two University representatives will be established to draft policies and procedures to implement the 1990 Apprenticeship Agreement. The draft program must be formally approved by the University and the Union before it is implemented.