



SUBJECT	Proposed New Policy Administrative Associate Vice-Presidents Appointment and Review Policy AP15 ("Administrative AVPs Policy")
SUBMITTED TO	Employee Relations Committee
MEETING DATE	September 10, 2020
SESSION CLASSIFICATION	Recommended session criteria from Board Meetings Policy: OPEN
REQUEST	For input only - No action requested
LEAD EXECUTIVE	Hubert Lai, Q.C., University Counsel
SUPPORTED BY	Marcia Buchholz, Vice-President, Human Resources (Responsible Executive) Karen Choi, Legal Counsel

PRIOR SUBMISSIONS

The subject matter of this submission has not previously been considered by the Employee Relations Committee.

EXECUTIVE SUMMARY

The appointment and extension of appointments for academic Associate Vice-Presidents are governed by the Board's Academic Administrator Policy (AP12) and Academic Administrators Extension Policy (AP6). The Board has not established a policy for the appointment and review of administrative Associate Vice-Presidents ("AVPs").

Recently, many administrative AVPs at UBC have served five-year employment terms. Some of those have been limited to a single renewal of an additional five-year term (10 years maximum) upon a successful performance review. The Employee Relations Committee has examined UBC's practices around term lengths for administrative AVPs. Based on information gathered from members of U15 universities and other BC universities that are not part of the U15, the administration determined that most universities hired into administrative AVP positions are hired on an ongoing basis.

In April 2020, the Board approved the following changes to the University's practices:

1. the elimination of terms on contracts for administrative AVPs; and
2. the implementation of formal, five-year leadership and portfolio reviews for administrative AVPs.

The Board also requested that the Office of the University Counsel undertake the development of a new policy addressing the appointment of administrative AVPs. In June 2020, The Office of the University Counsel convened a policy development committee for this purpose. The members of the Policy Development Committee are listed in **Supplemental Materials 1**. The proposed policy documents the existing practice for the appointment of administrative AVPs in alignment with the Board's Academic Administrator Policy, except with respect to with the above-noted changes recently approved by the Board.

The President has designated the Vice-President, Human Resources as the Responsible Executive for this new policy and the Policy Development Committee recommends that the policy be assigned to the Employee Relations Committee.

Key elements to the proposed policy are as follows:

1. **Delegation of authority:** The Board has delegated to the Employee Relations Committee the responsibility to review and approve the *Associate Vice-President Salary Administration Framework and Guidelines* provided by the UBC administration. In addition, the Employee Relations Committee also approves the recommendations made by the UBC administration in respect of the compensation for every AVP appointment. The policy development committee recommends that the Employee Relations Committee retain the responsibility for approval of the *Associate Vice-President Salary Administration Framework and Guidelines* and that the Board delegates to the President responsibility for approval of the contractual terms of administrative AVP appointments, including compensation. This allows the Employee Relations Committee to perform its strategic oversight role while delegating the operational management function to the President. The proposed policy includes a requirement that the appointments made by the President will be reported to the Board at least annually.
2. **No term limits:** Consistent with the changes approved by the Board in April 2020, the proposed policy does not limit the length of appointments for administrative AVPs. The policy development committee notes that both the Academic Administrator Policy and Academic Administrators Extension Policy contain detailed provisions on administrative leaves. Paid administrative leaves are intended to provide a reasonable period of time for senior administrators to focus on their scholarly and professional activities and to re-integrate with their disciplines before they resume their regular duties as faculty members. Academic AVPs typically return to their academic appointments after the end of the academic AVP position and their employment with UBC does not end. There is no provision for administrative AVPs to be granted administrative leave.
3. **Regularized reviews:** In addition to the normal annual reviews, the proposed policy includes a full leadership and portfolio review every five years. This allows the administration to address performance concerns as they arise and provide periodic feedback. The Board has delegated to the Employee Relations Committee the responsibility to approve the process for evaluation of AVPs and to review the results of the administration's evaluation of the performance of the AVPs. A search of the Board records has determined that no process has been approved by the Employee Relations Committee to date. The policy development committee respectfully recommends that responsibility for advising on the process be left with the Vice-President, Human Resources as the Responsible Executive. This would allow for the flexibility for performance reviews to incorporate industry best practices at the time of each review and be appropriate to the portfolio under review. The administration would continue to report the results of the performance evaluations of AVPs to the Board.

The President and the Executive team have been consulted and are supportive of the proposed policy set out in **Appendix 1**.

Subject to any feedback from the Board's Employee Relations Committee, the next step will be to post the proposed Administrative AVPs Policy on the website of the Office of the University Counsel for public comment by the UBC community. The Policy Development Committee will reconvene after the consultation period to consider the comments received. After reviewing the community's input, the Policy Development Committee will submit a final recommendation to the Board of Governors for approval in December 2020. At the time of Board approval of the Administrative AVPs Policy, the Office of the University Counsel will also seek approval to make consequential amendments to the [Employee Relations Committee Terms of Reference](#) and the Board's [Non-Union Compensation Policy](#) (HR12) to align with the proposed policy, if required.

APPENDICES (required reading for Governors)

1. Proposed Administrative AVPs Policy

SUPPLEMENTAL MATERIALS (optional reading for Governors)

1. List of Members of the Policy Development Committee

 The University of British Columbia Board of Governors	Policy No.: AP 15
Long Title: Administrative Associate Vice-Presidents Appointment and Review Policy	
Short Title: <p style="text-align: center;">Administrative AVPs Policy</p>	

Background & Purposes:

The purpose of this Policy is to establish the selection processes for the appointment of Administrative Associate Vice-Presidents and to establish procedures for the administrative and leadership review procedures.

1. Definitions and Interpretation Rules

- 1.1 A schedule to this Policy establishes the definitions of terms used in this Policy and any unique rules of interpretation that apply to this Policy.

2. Scope

- 2.1 This Policy applies to all appointments and reviews of **Administrative Associate Vice-Presidents**.

3. Delegation of Authority

- 3.1 The Board of Governors delegates to the President the authority to appoint **Administrative Associate Vice-Presidents**.
- 3.2 The Board further delegates to the President the authority to establish the terms and conditions for such appointments, including the responsibility to approve compensation in accordance with the Associate Vice-President Salary Administration Framework and Guidelines approved by the Board of Governors.
- 3.3 All Administrative Associate Vice-President appointments made pursuant to the President's delegated authority will be reported to the Board of Governors at least annually.

4. Selection of Candidates for Appointments

- 4.1 For the selection of candidates for **Administrative Associate Vice-Presidents**, the **Supervisor** shall convene an **Advisory Committee** as described in the Procedures and will consider the advice of the **Advisory Committee** in making a recommendation to the President.

- 4.2 The **Supervisor's** recommendation, which may include recommended terms and conditions of the appointment, will be considered by the President, who has the authority to approve the appointment and to establish the terms and conditions for any such appointment.

5. Performance Reviews

- 5.1 Where an **Administrative Associate Vice-President** is approaching five years in the position, the **Supervisor** will undertake a full administrative and leadership review of the portfolio, and every fifth year thereafter.
- 5.2 Prior to initiating a 5-year review of an **Administrative Associate Vice-President**, the **Supervisor** will consult with the Responsible Executive for guidance on best practices for performance reviews.
- 5.3 In addition to 5-year reviews, **Supervisors** will conduct annual reviews to provide regular feedback to their **Administrative Associate Vice-Presidents**.
- 5.4 Where a review results in concerns regarding the performance of an **Administrative Associate Vice-President**, the **Supervisor** will address the concerns as appropriate through performance development processes or in accordance with the terms of the **Administrative Associate Vice-President's** employment agreement.
- 5.5 The administration will provide to the Board of Governors the results of the 5-year reviews of the **Administrative Associate Vice-Presidents**.

6. Pro-Tem Appointments

- 6.1 Notwithstanding anything else in this Policy, the **Supervisor** may designate in writing that an individual, including the incumbent, take on the role of **Administrative Associate Vice-President** in a pro-tem capacity where the incumbent's appointment has ended and a successor has not yet taken office; provided however, that:
 - 6.1.1 any such designation normally will not be for a period of more than 12 months; and
 - 6.1.2 if successive designations are made, the aggregate length of the designations normally will not exceed 24 months.

SCHEDULE TO ADMINISTRATIVE AVPS POLICY

DEFINITIONS AND OTHER INTERPRETATION RULES

1. Definitions

In the Administrative Associate Vice-President's Policy, the following terms have the meaning defined below, and shall have the same meaning in any Procedures associated with that Policy:

- a. **"Administrative Associate Vice-Presidents"** means the positions designated by the Responsible Executive from time to time, in the Procedures associated with this Policy.
- b. **"Advisory Committee"** means an advisory committee to the **Supervisor** as defined in the Procedures associated with this Policy.
- c. **"Supervisor"** means the individual to whom the **Administrative Associate Vice-President** reports; for positions that report to more than one individual, those individuals will jointly determine who among them will undertake the **Supervisor's** responsibilities set out in the Policy.



PROCEDURES ASSOCIATED WITH THE ADMINISTRATIVE AVPS POLICY

Pursuant to the Regulatory Framework Policy, the President may approve Procedures or the amendment or repeal of Procedures. Such approvals must be reported at the next meeting of the UBC Board of Governors or as soon thereafter as practicable.

Capitalized terms used in these Procedures that are not otherwise defined herein shall have the meanings given to such terms in the accompanying Policy, being the Administrative AVPs Policy.

1. Administrative Associate Vice-Presidents

1.1 The positions designated as **Administrative Associate Vice-Presidents** and their **Supervisors** are as follows:

Administrative Associate Vice-President	Reports To
AVP Alumni Engagement	Vice-President, Development & Alumni Engagement
AVP Campus & Community Planning	Vice-President, External Relations
AVP Communications	Vice-President, External Relations
AVP Development	Vice-President, Development & Alumni Engagement
AVP Equity & Inclusion	Deputy Vice-Chancellor and Principal, UBC Okanagan Provost and Vice-President, Academic Vice-President, Students Vice-President, Human Resources
AVP Finance & Operations	Deputy Vice-Chancellor and Principal, UBC Okanagan Vice-President, Finance & Operations
AVP Finance and Operational Excellence	Vice-President, Finance & Operations
AVP Government Relations & Community Engagement	Vice-President, External Relations
AVP Facilities	Vice-President, Finance & Operations
AVP Student Housing & Community Services	Vice-President, Students
AVP, Students, UBCO	Deputy Vice-Chancellor and Principal, UBC Okanagan Vice-President Students
Chief Audit and Risk Officer	President
Chief Information Officer and AVP	Provost and Vice-President, Academic Deputy Vice-Chancellor and Principal, UBC Okanagan
University Counsel	President

2. Advisory Committee for the Appointments

- 2.1 For the selection of an **Administrative Associate Vice-President**, the **Supervisor** will convene an **Advisory Committee** with the following membership:

Position	#	Source/Composition	Selected by:
Chair	1	Supervisor	Ex Officio
Secretary	*	A member of the administrative staff of the Supervisor *(non-voting and not counted in quorum)	Chair
Members	3	Persons	Chair
	1	Associate Vice-President other than the incumbent Administrative Associate Vice-President	Chair
	1	Dean or Principal	Chair
	1	1 person who reports directly to an Administrative Associate Vice-President , other than the Administrative Associate Vice-President being selected	Chair
Additional Members		Other persons to whom the Administrative Associate Vice President will report, if any	Ex Officio
		Such other person(s) as the Chair may choose to appoint	Chair

3. Selection of Advisory Committee Members

- 3.1 In making appointments to an **Advisory Committee**, including replacement appointments under Article 4 of these Procedures, the Chair will endeavour to provide for a diverse and balanced **Advisory Committee** and to reflect a balance of representation between the Okanagan and Vancouver campuses.

4. Replacement of Advisory Committee Members

- 4.1 **Vacancy or Inability to Participate:** If a member of an **Advisory Committee** becomes unwilling or unable to serve as a member of the **Advisory Committee** before it has completed its work, the Chair may appoint a replacement member. While the replacement member may be any person whose participation is expected to contribute significantly to the Advisory Committee's activities, the usual practice is for the replacement member to be from the same stakeholder group as the person being replaced.
- 4.2 If a replacement member is not appointed, the **Advisory Committee** may complete its work notwithstanding the vacancy.

5. Procedure for Advisory Committee

- 5.1 The Chair of the Advisory Committee will be responsible for calling meetings.
- 5.2 Meetings may be held face-to-face, via telephone conference, video conference or by any means determined by the Chair of the **Advisory Committee**.

5.3 The quorum required to transact business at meetings will be a majority of the members of the ***Advisory Committee*** unless otherwise determined by the Chair.

6. Remuneration

6.1 The form and amount of remuneration of an ***Administrative Associate Vice-President*** must be established and documented in writing at or before the effective date of the appointment.



EXPLANATORY NOTES REGARDING THE ADMINISTRATIVE AVPS POLICY AND ASSOCIATED PROCEDURES

Issued December 2020 [anticipated] by the Office of the University Counsel

The OUC has prepared these Explanatory Notes to provide context and background regarding the Administrative AVPs Policy. These Explanatory Notes do not replace or supersede the content of the Administrative AVPs Policy and its Procedures.

Policy Long Title:	Administrative Associate Vice-Presidents Appointment and Review Policy
Policy Short Title:	Administrative AVPs Policy
Policy Number:	AP15
Responsible Executive:	Vice-President, Human Resources
Responsible Board Committee:	Employee Relations Committee
Related Policies:	GA2 - Regulatory Framework Policy AP12 - Academic Administrators Appointment Policy AP6 - Academic Administrators Extension Policy AP14 – Administrative VPs Policy
History:	<ul style="list-style-type: none">The Administrative AVPs Policy and Procedures were first approved by the Board of Governors in December 2020. [anticipated]
Related Legislation:	N/A

Supplemental Materials #1

Members of the Administrative Associate VPs Policy Development Committee

The Office of the University Counsel constituted a Policy Committee comprised of the following members:

	Name	Title
1	Karen Choi (Chair)	Legal Counsel, Office of the University Counsel
2	Marcia Buchholz (Responsible Executive)	Vice-President, Human Resources
3	Lesley Cormack	Deputy Vice-Chancellor and Principal, UBC Okanagan
4	Lindi Frost	Interim Managing Director, Advisory Partnerships, Central Operational Services and HR Professional Standards
5	Robert Helsley	Dean, Sauder School of Business
6	Peter Smailes	Vice-President, Finance and Operations
7	Michael White	Associate Vice-President, Campus & Community Planning