

# ACADEMIC PROMOTION REHEARING PROCEDURE

## PURPOSE

Applicants for academic promotion who are not promoted may appeal the decision by an application for rehearing.

The sole ground for appeal is a procedural irregularity resulting in a material disadvantage in the promotion decision. An appeal is not available based on the merit of the decision alone.

## SCOPE

This procedure applies to candidates not recommended for promotion to:

- lecturer or research fellow (level B);
- senior lecturer or senior research fellow (level C);
- associate professor or associate professor (research) (level D); and
- professor or professor (research) (level E).

Candidates not recommended for promotion are herein collectively referred to as 'you' for the purpose of this procedure.

## PROCEDURE STATEMENT

### 1. Initiating the rehearing process

- 1.1 If you wish to appeal a promotion decision, you must first seek advice before lodging an application for a rehearing. Advice is to be sought from:
- for a Level B promotion decision:
    - in a faculty – the relevant Dean or, in Malaysia, the Pro-Vice Chancellor and President (Malaysia); or
    - in a non-faculty area – the relevant Vice-Provost or Deputy Vice-Chancellor; and
  - for a Level C-E promotion decision – the chair of the relevant committee.
- 1.2 The application for a rehearing must be in writing and submitted to the Provost and Senior Vice-President within seven working days of notification of the promotion decision. You must demonstrate a procedural irregularity resulting in material disadvantage in the promotion decision.
- 1.3 The application must include:
- a description of the procedural irregularity and the consequent material disadvantage in the promotion decision (ground of appeal);
  - evidence in support of the ground of appeal; and
  - a copy of the promotion decision letter.

### 2. The rehearing process for promotion to Level B (including non-faculty based applications)

- 2.1 For an appeal relating to promotion to Level B, the Provost and Senior Vice-President will determine whether a prima facie case exists within fourteen working days.
- 2.2 You will be notified in writing of the outcome within fourteen working days of the decision.

- 2.3 If a prima facie case is found, the application will be referred to a sub-committee of the relevant Level C promotion committee for final determination. The sub-committee will comprise:
- the chair of the promotion committee; and
  - three members of the promotion committee.
- 2.4 The sub-committee will meet within twenty-one working days of the referral.
- 2.5 You will be notified in writing of the determination of the sub-committee within seven working days.
- 2.6 The decision of the sub-committee is final, and there is no further appeal.

### 3. The rehearing process for promotion to Levels C - E (including non-faculty based applications)

- 3.1 For an appeal relating to promotion to Levels C - E, a review panel will determine whether a prima facie case exists. If found, the final determination of the application is by the relevant promotion rehearing committee: Level C, D or Level E.
- 3.2 The review panel will meet within fourteen working days of receipt of the application. The review panel will comprise:
- the Provost and Senior Vice-President, or nominee (chair);
  - a representative from the University professorial promotion committee, nominated by the Provost and Senior Vice-President; and
  - a representative at the level of professor nominated by the President, Academic Board.
- 3.3 The majority of the review panel must not have been members of the promotion committee.
- 3.4 You will be notified in writing of the outcome within seven working days of the decision.
- 3.5 If a prima facie case is found, the application will be referred to the relevant promotion rehearing committee for final determination (see section 4 or 5 below). The application will be accompanied by a written report of the review panel's findings and annex:
- the original application; and
  - the application for a rehearing, with its supporting evidence.
- 3.6 The decision of the review panel is final, and there is no further appeal.

### 4. The promotion rehearing committee Levels C - D (including non-faculty based applications)

- 4.1 For an appeal relating to promotion to Levels C - D, the faculty or Malaysia promotion rehearing committee will meet within twenty-one working days of the referral.
- 4.2 Australian non-faculty applications will be considered by the faculty promotion rehearing committee in the faculty that assessed the application for promotion.
- 4.3 The faculty promotion rehearing committee is constituted as follows:

Faculty Promotion Rehearing Committees	
Senior Lecturer Committee	Associate Professor Committee
<ul style="list-style-type: none"> <li>• at least two-thirds of the members of the faculty senior lecturer promotion committee, including the chair;</li> <li>• a representative appointed by the Provost and Senior Vice President; and</li> <li>• a nominee of the President of the National Tertiary Education Union, Monash Branch.</li> </ul>	<ul style="list-style-type: none"> <li>• at least two-thirds of the members of the faculty associate professor promotion committee, including the chair;</li> <li>• a representative appointed by the Provost and Senior Vice President; and</li> <li>• a nominee of the President of the National Tertiary Education Union, Monash Branch.</li> </ul>
<p>Quorum: six members comprising:</p> <ul style="list-style-type: none"> <li>• chair;</li> <li>• external member;</li> <li>• at least one of the elected members;</li> <li>• at least one of the appointed members;</li> <li>• the representative appointed by the Provost and Senior Vice-President; and</li> <li>• a nominee of the President of the National Tertiary Education Union, Monash Branch.</li> </ul>	<p>Quorum: six members comprising:</p> <ul style="list-style-type: none"> <li>• chair;</li> <li>• President, Academic Board (or nominee);</li> <li>• at least one of the elected members;</li> <li>• at least one of the appointed members;</li> <li>• the representative appointed by the Provost and Senior Vice-President; and</li> <li>• a nominee of the President of the National Tertiary Education Union, Monash Branch.</li> </ul>

- 4.4 The [relevant promotion coordinator](#) will attend to provide administrative and procedural support.

4.5 The Monash University Malaysia promotion rehearing committee is constituted as follows:

Monash University Malaysia Rehearing Committees	
Senior Lecturer Committee	Associate Professor Committee
<ul style="list-style-type: none"> <li>at least two-thirds of the members of the relevant campus promotion committee, including the chair; and</li> <li>a representative appointed by the Provost and Senior Vice-President.</li> </ul>	<ul style="list-style-type: none"> <li>at least two-thirds of the members of the relevant campus promotion committee, including the chair; and</li> <li>a representative appointed by the Provost and Senior Vice-President.</li> </ul>
<p>Quorum: five members comprising:</p> <ul style="list-style-type: none"> <li>chair;</li> <li>external member;</li> <li>at least two of the members; and</li> <li>a representative appointed by the Provost and Senior Vice-President.</li> </ul>	<p>Quorum: five members comprising:</p> <ul style="list-style-type: none"> <li>chair;</li> <li>President, Academic Board (or nominee);</li> <li>at least two of the members; and</li> <li>a representative appointed by the Provost and Senior Vice-President</li> </ul>

4.6 A representative of Monash HR will attend to provide administrative and procedural support.

4.7 The promotion rehearing committee will determine the application.

4.8 You will be notified in writing of the determination within seven working days of the decision.

4.9 The decision of the promotion rehearing committee is final and there is no further appeal.

## 5. University professorial promotion rehearing committee

5.1 For an appeal relating to promotion to Level E, the University professorial promotion rehearing committee will meet within twenty-one working days of the referral.

5.2 The University professorial promotion rehearing committee is constituted as follows:

University Professorial Promotion Rehearing Committee
<ul style="list-style-type: none"> <li>at least two-thirds of the University Professorial Committee, including the chair;</li> <li>a representative appointed by the Provost and Senior Vice President; and</li> <li>a nominee of the President of the National Tertiary Education Union, Monash Branch (Australian-based campus applications only).</li> </ul>
<p>Quorum: six members of the full professorial committee, including the following:</p> <ul style="list-style-type: none"> <li>chair;</li> <li>at least one of the following: Vice-Provost (Research) or nominee; Vice-Provost (Faculty and Graduate Affairs) or nominee; or Deputy Vice-Chancellor and Vice-President (Education) or nominee; and</li> <li>nominee of the President of the National Tertiary Education Union, Monash Branch (Australian-based campus applications only); and</li> <li>Pro Vice-Chancellor and President (Monash University Malaysia) or nominee, for Malaysia based campus applications only</li> </ul>

5.3 A representative of Monash HR will attend to provide administrative and procedural support.

5.4 You will be notified in writing of the final determination within seven working days of the decision.

5.5 The decision of the professorial promotion rehearing committee is final, and there is no further appeal.

## 6. Voting

6.1 The decision of a committee is the decision of the chair, informed by the committee's vote. The chair, in consultation with committee members, may determine the method of voting. During the meeting, each voting member may cast one 'yes' or 'no' vote.

## 7. Breach of procedure

7.1 We treat any breach of our policies or procedures seriously. We encourage reporting of concerns about non-compliance and manage compliance in accordance with the applicable Enterprise Agreement or contract terms.

## DEFINITIONS

HR Business Partner	A key member of the Monash HR Business Partnering Community who provides strategic advice, guidance and solutions that underpin key client goals, HR strategy and organisational vision to a particular client group.
Procedural irregularity	Refers to where the University has not followed a process that is articulated in the <a href="#">Academic Promotion: Level B Procedure</a> or <a href="#">Academic Promotion: Levels C-E Procedure</a> .
Promotion committee	The relevant committee constituted in accordance with the <a href="#">Academic Promotion: Levels C-E Procedure</a> that is responsible for assessing and determining the promotion application.
Promotion coordinator	A designated employee within Monash HR who is responsible for the administration and coordination of the promotion process. The relevant promotion coordinators are: <ul style="list-style-type: none"><li>• for applications to professor (Level E), the Senior Adviser, Academic Performance (Promotion) in Monash HR;</li><li>• for Australian-based applications to lecturer or research fellow (level B), senior lecturer or senior research fellow (level C) and associate professor (level D), an employee within the Academic Performance team, Workplace Relations, Monash HR; and</li><li>• for Malaysian-based applications to senior lecturer or senior research fellow (level C) and associate professor (level D), a member of the HR Team at the University's Malaysia campus.</li></ul>

## ADMINISTRATION

Parent policy	<a href="#">Probation, performance and promotion</a>
Supporting policies	<ul style="list-style-type: none"><li>• <a href="#">Employment conditions</a></li><li>• <a href="#">Equal opportunity</a></li><li>• <a href="#">Ethics Statement</a></li><li>• <a href="#">Integrity and respect</a></li><li>• <a href="#">Leave and wellbeing</a></li><li>• <a href="#">Pay, benefits and entitlements</a></li><li>• <a href="#">Recruitment and appointment</a></li></ul>
Supporting procedures	<ul style="list-style-type: none"><li>• <a href="#">Academic Promotion: Level B</a></li><li>• <a href="#">Academic Promotion: Levels C-E</a></li></ul>
Supporting documents	<ul style="list-style-type: none"><li>• <a href="#">Academic promotion website</a></li><li>• <a href="#">Contact list of promotion coordinators</a></li></ul>
Legislation mandating compliance	
Responsibility for implementation	
Approval body	Chief Human Resources Officer
Procedure owner	Director Workplace Relations
Date effective	22 May 2018
Review date	3 years from effective date
Category	Human Resources
Version number	7
Content enquiries	<a href="#">ask.monash</a> or phone Monash HR on (03) 990 20400