



October 7, 2021

Dr. Vianne Timmons,
President and Vice-Chancellor
Memorial University

Dear Dr. Timmons,

Re: Censorship and the Respectful Workplace Policy

I am writing to you on behalf of the MUNFA Executive to express our concern about recent comments that you made to media in relation to your instructions to remove posters on campus. While we understand that conversations surrounding the vaccine mandate and Memorial University's tuition fee policies have likely been challenging at times, your comments to CBC, and reference to the Respectful Workplace Policy (RWP) could have a chilling effect on free expression and Academic Freedom at Memorial University.

To be clear, MUNFA agrees that acts of harassment against yourself, Dr. Strzelczyk, or any other member of the University community are unacceptable. However, the posters calling for your resignation do not constitute harassment, particularly in a university context. Rather than a personal attack, we understand those posters as a form of protest directed at the public role of the university president, rather than you as an individual person.

Our concerns about the handling of these posters pertains to our members' Academic Freedom. Clause 2.04 of MUN/MUNFA Collective Agreement explicitly states that:

Academic freedom includes the right to discuss and criticize policies and actions of the University and the Association and protects against the imposition of any penalty by either Party for exercising that right.

While there is no suggestion that ASMs are responsible for the posters in question, your comments to media were directed at all members of the University community and can readily be interpreted as a statement that criticism directed at members of the senior administration is illegitimate.

In a similar vein, we are very concerned about inappropriate references to the RWP by other members of your administrative team. Specifically, our office was copied on correspondence between an ASM and Memorial's Chief Risk Officer, wherein Mr. McDougall responded to thoughtful, critical questions regarding implementation of the vaccine mandate with a reference to the RWP. Any such use of the RWP to stifle an ASM's commentary on Memorial's implementation of the vaccine mandate would constitute a clear violation of the ASM's right to discuss and criticize policies and actions of the University, as enshrined in Clause 2.04 of the Collective Agreement.

We ask that you clarify your comments to both CBC and the University community, and make clear that you endorse Memorial University's adherence to and respect for Academic Freedom and that ASMs engaging in criticism and protest against senior administration in their role as representatives of the University will not be threatened with the Respectful Workplace Policy. We further ask that you follow up with Mr. McDougall and direct him to Article 2 of the MUN/MUNFA Collective Agreement.

Sincerely,



Dr. Josh Lepawsky
President, MUNFA

cc: Geoff Williams, Director – Faculty Relations



OFFICE OF THE PRESIDENT AND VICE-CHANCELLOR

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October 12, 2021

Dr. J. Lepawsky
President, MUNFA
Room ER4047
Alexander Murray Building
St. John's, NL A1B 3X5

Via email: munfa@mun.ca

Dear Dr. Lepawsky,

I was surprised to receive your letter of October 7, 2021, regarding Censorship and the Respectful Workplace Policy. Removing the posters does not in any way impact on Academic Freedom. The definition of Academic Freedom from Universities Canada is:

In teaching, academic freedom is fundamental to the protection of the rights of the teacher to teach and of the student to learn. In research and scholarship, it is critical to advancing knowledge. Academic freedom includes the right to freely communicate knowledge and the results of research and scholarship.

As to Clause 2.04 of MUN/MUNFA Collective Agreement, I do not see removing the posters as an imposition of any penalty on your members.

As President of Memorial University, I am a staunch supporter of our faculty's academic freedom. I also must promote our Respectful Workplace Policy, which states:

Memorial is committed to maintaining an environment of understanding and respect for the dignity and worth of each person in support of inclusiveness in its workplace programs and practices.

These posters were personal. I would not allow such posters that called for faculty or staff member's resignation to be posted on campus. This does not reflect, "respect for the dignity and worth of each person in support of inclusiveness in its workplace."

I know that ASMs were not responsible for the posters as the media interviewed the student who hung them. I do not know how it can be interpreted that I directed criticism at any of your members.

I will always support our community's academic freedom and continue to be vigilant in defending this principle. Additionally, I will follow up with Greg McDougall as I am unaware of the correspondence you reference in your letter.

Although I am surprised by the concerns outlined in your letter, I do want to say that I appreciate the meetings we have had. I hope we can continue to work together to support our academic staff and the university community. I look forward to continued discussions.

Sincerely,



Vianne Timmons, OC, Ph.D.
President and Vice-Chancellor

c. Mr. G. Williams, Director, Faculty Relations



October 21, 2021

Dr. Vianne Timmons,
President and Vice-Chancellor
Memorial University
St. John's, NL

Re: Censorship and the Respectful Workplace Policy

Dear Dr. Timmons,

Thank you for your response to our letter regarding Censorship and the Respectful Workplace Policy (RWP).

I am following up to ask again that you clarify your statements to CBC and the University community, making clear that you endorse Memorial University's adherence to and respect for Academic Freedom, and that Academic Staff Members (ASMs) who engage in criticism of University policy, including protest against members of the senior administration in their role as representatives of the University, will not be threatened with the Respectful Workplace Policy.

The definition of Academic Freedom that you cited from Universities Canada refers to such freedom in the context of teaching and research. It is silent on the fundamental Academic Freedom right to criticize the university as an institution and its administration as representatives of the institution. That silence is concerning.

Academic Freedom is core to the university mission. The Canadian Association of University Teachers' [policy on Academic Freedom](#) includes the following statement:

*Academic freedom includes the right, without restriction by prescribed doctrine, to freedom to teach and discuss; freedom to carry out research and disseminate and publish the results thereof; freedom to produce and perform creative works; freedom to engage in service; **freedom to express one's opinion about the institution, its administration, and the system in which one works**; freedom to acquire, preserve, and provide access to documentary material in all formats; and freedom to participate in professional and representative academic bodies. **Academic freedom always entails freedom from institutional censorship.***

Furthermore, [Article 2](#) of the MUN/MUNFA Collective Agreement enshrines ASMs' Academic Freedom Rights at Memorial University. We particularly draw your attention to Clause 2.04, which states:

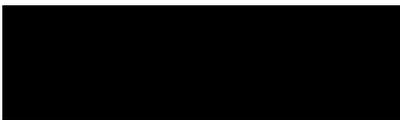
Academic freedom includes the right to discuss and criticize policies and actions of the University and the Association and protects against the imposition of any penalty by either Party for exercising that right.

The comments that you made to media on September 16, 2021 regarding the removal of posters suggest your willingness to censor criticism or protest directed towards the public representative role of the University President or another member of the senior administration, and indicate that individuals who carry out such actions will be threatened with the RWP. The fact that your comments were, in this case, directed at a student rather than a member of the academic staff is hardly reassuring to faculty. In addition to its implications for ASMs' exercise of Academic Freedom rights, this reaction has a chilling effect on free expression at the University more generally – particularly because, beyond your representative role, as Memorial's President, you hold a position of both power and authority relative to other members of the university community, which we feel is an important contextual aspect that must be considered in terms of its implications for fostering or constraining debate.

As I stated in my previous communication, MUNFA Executive agrees that acts of harassment against yourself, Dr. Strzelczyk, or any other member of the University community are unacceptable. Members of MUNFA Executive are alert to the facts demonstrating that women, racialized minorities, and members of other minoritized groups, are disproportionate recipients of harassing behaviour. The RWP should be reserved for addressing such issues of harassment and workplace violence, not as a tool to censor protest.

To reiterate, MUNFA Executive requests again that you clarify your comments on this matter to both CBC and the University community. Furthermore, we request that you explicitly state your endorsement of Academic Freedom as a core principle of the University, and your commitment to the democratic principle of free expression among members of the University community. We also ask that MUNFA be copied on your correspondence with Mr. McDougall informing him of ASMs' Academic Freedom rights and his misuse of the RWP.

Sincerely,



Dr. Josh Lepawsky
President, MUNFA

cc: Geoff Williams, Director – Faculty Relations



Office of the President

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October 22, 2021

Dr. Josh Lepawsky
President, Memorial University of Newfoundland Faculty Association
Room ER 4057
Alexander Murray Building
St. John's, NL A1B 3X5

Via: MUNFA@mun.ca

Dear Dr. Lepawsky,

Thank you for your correspondence of October 21, 2021, with regards to Censorship and the Respectful Workplace Policy.

I will take your suggestions under consideration.

Sincerely,



Vianne Timmons, OC, Ph.D.
President and Vice-Chancellor

Ref: U/VT/LEPA1022.DOCX (2021)