

A modest proposal for an alternative "disciplinary process for noncompliant faculty"

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To: Vice Pres Academic Provost <provost@uwaterloo.ca>

Cc: Lori Curtis <lcurtis@uwaterloo.ca>; Erin Windibank <erin.windibank@uwaterloo.ca>; Roydon Fraser <rafraser@uwaterloo.ca>; Jean-Paul Lam <jplam@uwaterloo.ca>; Jasmin Habib <jasmin.habib@uwaterloo.ca>; Mark Giesbrecht <mwg@uwaterloo.ca>; Siv Sivaloganathan <ssivaloganathan@uwaterloo.ca>

To: James Rush, Vice President Academic and Provost, University of Waterloo

Cc: Lori Curtis, President, FAUW

Erin Windibank, Executive Manager, FAUW

Roydon Fraser, Jasmin Habib and Jean-Paul Lam,

Academic Freedom & Tenure Committee, FAUW

Mark Giesbrecht, Dean, Faculty of Mathematics

Siv Sivaloganathan, Chair, Department of Applied Mathematics

From: Edward R. Vrscaj, Department of Applied Mathematics

Re: A modest proposal for an alternative "disciplinary process for noncompliant faculty"

Date: December 2, 2021

Dear Professor Rush:

My greetings and good wishes to you, hoping that you are in good health and spirits. I am writing at this rather late date – and admittedly rather quickly – to ask if you have ever considered, or are perhaps willing to consider, alternative disciplinary measures for faculty members who remain noncompliant with the University's current mandatory vaccination and testing policy. If, by any chance, you have discussed such measures with the Faculty Association of the University of Waterloo (FAUW), then perhaps this memo is unnecessary. Nevertheless, please allow me to elaborate – albeit very briefly – on this idea since such alternative measures, which may be viewed as more "tolerant" of those who wish to remain noncompliant, are being adopted at other universities, notably one which is situated not too far from us, i.e., the University of Guelph (UG).

I am in regular correspondence with a Professor at UG (a former student of mine) who has been very active, at a high level, with the UG Faculty Association (as well as CAUT) for a good number of years. According to him, the UGFA and the UG Administration were in communication about noncompliant faculty right from the start – something that does not seem to have been the case at UW. (Of course, if I am mistaken here, I stand to be corrected.) The UGFA raised a number of issues – the same issues that I raised in my letters to you, e.g., What happens to graduate students? What happens to funding? The UGFA and UG Administration have, for the moment, agreed upon a financial penalty imposed on noncompliant faculty, possibly deducting from the faculty member's salary the amount of \$8K needed to hire a sessional/overload instructor for any assigned courses that the faculty member will not teach face-to-face. My friend has also stated that the UGFA "will continue to fight and take to arbitration any attempt to terminate a member."

Needless to say, from the perspective of those of us at UW who do not wish to be vaccinated, the situation at UG seems much more "enlightened" than what is happening on our campus. Perhaps it

is due not only to a Faculty Association which is willing to defend the rights of the noncompliant (being unionized may help, but I have always been opposed to unionization) but also to an Administration which may be more willing to admit that there are uncertainties associated with the vaccines themselves. For example, some time ago, in an interview with the *Guelph Mercury*, the UG President admitted, among other things, that vaccinated individuals can spread the virus. (It may also help that UG has internationally-recognized scientists such as Byrum Bridle and Bonnie Mallard who have been quite vocal about the questionable efficacy, as well as potential dangers, of the mRNA vaccines.)

It is for these reasons that I am writing to you, Professor Rush. Instead of suspending a faculty member with the idea of terminating her/his employment – especially one who is heavily involved with graduate student supervision – why not simply allow such a member to continue with her/his supervisory work and deduct an appropriate amount from her/his salary if she/he cannot be on campus at this time to teach courses in person? This would avoid the enormous – and, frankly, uncalled for – disruption of not only the faculty member's research program but, more importantly, of the lives of her/his graduate students.

I am thinking not so much of myself, Professor Rush, but of people such as Professor Dan Smilek of the Psychology Department at UW. Dan was denied a religious exemption, a medical exemption, and an expedited (but long overdue) sabbatical request. I understand that discussions were under way to assign new primary supervisors to his seven graduate students and to plan who will have signing authority on his large NSERC grants – essentially a dismantling of his research laboratory and prolific research program. The first word that comes to mind is “brutal”. But it is beyond brutal – it is barbaric and unbecoming of an academic institution. The immense stress caused by this process has exacerbated Dan's underlying medical condition, such that his medical team suggested he take medical leave, for which he is now applying. If it has not already been doing so, the FAUW should definitely investigate Dan's case. I do think that what is being done to Dan and others is contrary to what was envisaged as “disciplinary measures” in the Memorandum of Agreement between UW and the FAUW. By the way, I had the pleasure of serving on the three-person team of FAUW representatives which negotiated the M of A with the UW Administration back in 1997-98. In no way do I claim to have made any significant contributions to the development of the M of A. Its development was primarily due, most thankfully, to a rather small number of very wise and forward-thinking architects, including then-FAUW President John Wilson (Political Science, UW) RIP. But even these people could not have been expected to foresee the horrors that would be taking place at our institution a little over 20 years later: injustices to which the FAUW itself – except for one outstanding individual who has consistently demonstrated a dedication to truth and fairness – appears to wish to turn its back.

I thank you in advance, Professor Rush, for your consideration of the idea proposed in this memo and look forward to hearing from you. Let me state that I would be most willing to meet online with you to discuss this matter and, if you deem it suitable and/or necessary, to help in any way that I can, not just as a “faculty member” but rather as a member of an institution which I have served to the best of my abilities over the past 35 years. I do this sincerely with the wish to help both my colleagues on this campus as well as the University of Waterloo in general. It may seem to be a rather unorthodox request on my part, but I am desperately seeking solutions to problems that our own Faculty Association seems reluctant to acknowledge.

Sincerely yours

Edward R. Vrscaj
Department of Applied Mathematics

P.S. My good friend, and brother-in-Christ (and fellow Canadian of Slovene descent), Nikolaj Zunic of St. Jerome's University, has informed me that you, too, Professor Rush, are a Roman Catholic. I send you and yours my sincerest wishes for a Blessed Advent and the upcoming Feast of the Immaculate Conception of the Blessed Virgin Mary, December 8. (Is it a coincidence that the deadline for compliance falls on that very day?) Let us pray for the triumphs of the Immaculate Heart of Mary and the Sacred Heart of Jesus, so that all be done according to God's Divine Will.

Yours in Christ
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