

**Subject:** Re: Letter to Provost, Re: medical accommodations

**From:** Mark Giesbrecht <mwg@uwaterloo.ca>

**Date:** 5/30/22, 03:22

**To:** Richard Mann <mannr@uwaterloo.ca>

**CC:** CS Director <cs-director@uwaterloo.ca>, Roydon Fraser <rafraser@uwaterloo.ca>

Dear Professor Mann,

The conditions of employment - including the place of work and the assigned duties - are determined by the employer, not by medical professionals. A doctor cannot dictate how an employer is to accommodate someone (i.e. cannot specify duties or courses). The doctor is to provide the University with restrictions, limitations and barriers imposed by the underlying medical condition(s), and the University's Occupational Health unit will explore solutions which satisfy these restrictions in the context of your faculty position and its duties. This exploration is conducted by UW Occupational Health in connection with your own doctor. Neither the Director of CS nor I are medical professionals, and we are not in a position to assess the underlying conditions and needs; moreover, in keeping with provincial privacy legislation we are not privy to personal medical information. Thus, these solutions can only be explored by working with UW Occupational Health.

The accommodation that you had in place pre-pandemic is the accommodation agreement from 2011; these are the accommodation restrictions that I followed when I served as Director of CS. I have reviewed your proposed teaching assignment for the upcoming year, and find it to be consistent with this agreement. In the absence of any other approved accommodation, I would like to confirm the teaching assignment for the upcoming terms (F22 and W23), as assigned by the Director of CS. Any changes to this or further accommodation agreements must be handled through application to UW Occupational Health.

Yours truly,

Mark Giesbrecht

Dr. Mark Giesbrecht  
Dean, Faculty of Mathematics. Professor, David R. Cheriton School of Computer Science  
University of Waterloo, Canada. Email: [mwg@uwaterloo.ca](mailto:mwg@uwaterloo.ca) URL: <https://cs.uwaterloo.ca/~mwg>

On May 24, 2022, at 05:44, Richard Mann <[mannr@uwaterloo.ca](mailto:mannr@uwaterloo.ca)> wrote:

May 23, 2022

Dear Professor Giesbrecht, Dean  
CC: CS Director  
CC: Roydon Fraser, FAUW

Are you ignoring my Doctors' note? It says that I am to return to those duties I had before the Pandemic.

Clearly you are aware of my previous medical accommodations while you were Chair? Why are you ignoring those now?

Meanwhile, I will be visiting my GP (to document my current stress) and I will also be progressing with a Psychologist to complete the proper paper work for Occupational Health.

Sincerely,  
Richard Mann  
Waterloo ON

On 5/19/22 13:41, Mark Giesbrecht wrote:

Dear Professor Mann,

I am writing to follow up on your email and welcome you back to campus.

However, I have confirmed that as of this morning - May 19th, 2022 - no request has been received by Occupational Health for either a new medical accommodation or continued medical absence. In the absence of any approved absence or accommodation, I am expecting that you have now returned to full duties, subject to the provisions in your 2011 accommodation agreement, including research, service and teaching. I would also like to reiterate and confirm the teaching assignment for the upcoming terms (F22 and W23), as assigned by the Director of CS. Any changes to this or further accommodation agreements must be handled through application to Occupational Health.

Yours truly,

Mark Giesbrecht

Dr. Mark Giesbrecht

Dean, Faculty of Mathematics. Professor, David R. Cheriton School of Computer Science  
University of Waterloo, Canada. Email: [mwg@uwaterloo.ca](mailto:mwg@uwaterloo.ca) URL: <https://cs.uwaterloo.ca/~mwg>

On May 7, 2022, at 7:04 PM, Richard Mann <[mannr@uwaterloo.ca](mailto:mannr@uwaterloo.ca)> wrote:

May 7 2022

Dear Professor Rush  
CC: others

I have take an day to reflect,

Stress is bad for me.

The previous return to work was based on a return to historical (2016--2021) duties.

Changing both course taught and term taught will cause me unnecessary stress.

Therefore I will be applying ASAP to my Doctor for a graduated return to work.

What this means in practice is that I will not be ready to teach CS251 in the Fall of 2022. I will need preparation time, to prepare for Winter 2023 at the earliest.

Sincerely,  
Richard Mann

On 5/4/22 14:58, Vice Pres Academic Provost wrote:

Dear Professor Mann,

I am writing in response to your April 26 and May 2 emails which I have read and considered.

Decisions related to teaching duties are made at the department and faculty levels. Accordingly, I am not in a position to reinstate your former teaching duties (nor would I be in a position to determine the teaching duties for any other faculty members in Computer Science, or any other department).

With respect to possible new medical accommodations, I will echo the statements made by Dean Giesbrecht in his April 23 email. The process for putting new medical accommodations in place would generally entail the following. You would first submit appropriate medical documentation to Occupational Health, to allow Occupational Health to assess your restrictions. This would be followed by discussions between you, Occupational Health, your Department and, if you wish, FAUW, to develop a plan and to put appropriate accommodations in place, based on your medical restrictions.

I hope this email helps to clarify matters and, if you do require further medical accommodation, I would encourage you to continue to engage with Occupational Health.

Best Regards,

James W.E. Rush  
Vice-President Academic and Provost  
University of Waterloo  
200 University Ave. W.  
Waterloo, ON, CANADA N2L3G1

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**From:** Richard Mann <[mannr@uwaterloo.ca](mailto:mannr@uwaterloo.ca)>

**Date:** Tuesday, April 26, 2022 at 12:46 PM

**To:** Vice Pres Academic Provost <[provost@uwaterloo.ca](mailto:provost@uwaterloo.ca)>, Mark Giesbrecht <[mwg@uwaterloo.ca](mailto:mwg@uwaterloo.ca)>, Dean of Math <[deanmath@uwaterloo.ca](mailto:deanmath@uwaterloo.ca)>,

CS Director [<cs-director@uwaterloo.ca>](mailto:cs-director@uwaterloo.ca), Lori Curtis [<ljcurtis@uwaterloo.ca>](mailto:ljcurtis@uwaterloo.ca), Roydon Fraser [<rafraser@uwaterloo.ca>](mailto:rafraser@uwaterloo.ca)

**Subject:** Letter to Provost, Re: medical accommodations

Tues Apr 26 2022

To: Professor James Rush, Provost

CC: Professor Mark Giesbrecht (Dean Math, former Chair CS)

CC: Professor Raouf Boutaba (Chair, CS)

CC: Professor Lori Curtis (prev FAUW rep, current president FAUW)

CC: Professor Sally Gunz (prev FAUW rep)

CC: Professor Roydon Fraser (current FAUW rep)

Dear Professor Rush

Context:

I have encountered many difficulties at Waterloo. These may broadly be described as a toxic work environment, which has also taken on academic bullying, both before and after the Pandemic.

These issues began soon after I arrived at Waterloo. I began seeing the FAUW about performance reviews and the lack of clarity on this topic. I have what some may call a disability, others may would call it anxiety and depression. The result is that I am unable to function when there is a lack of clarity or transparency and for this reason I became involved with FAUW and Occupational Health.

These were already mentioned in my Appeal of suspension (Nov 17, 2021, Attached). I refer you to submitted material "Additional comments regarding the lack of consultation between the Dean of Mathematics and myself which must also be taken into consideration".

My previous accommodation focused on performance reviews, and on control over timing and choice of my teaching duties. In addition to duplicate sections, I was allowed control over sections so that I was not co teaching with others, a significant problem for me in the past. I began negotiation with Sally Gunz and after many unsuccessful attempts, achieved an agreement in 2011. At that point we instituted a fixed performance review number and this was approved by a former Provost.

Since 2011 a lot has changed. In particular, I took medical leave in 2014, and did not return to teaching until 2016. Beginning 2016 I developed my own course, a project based course, which has high engagement students and has allowed me to flourish

both in instruction and research.

As mentioned in previous correspondence I have continued to teach my project course, while negotiating with Lori Curtis (FAUW, current President). This negotiation was ongoing until the Pandemic started.

Request:

I am writing to ask that you,

1. Re instate my teaching duties to those before my medical leave.
2. Begin a new negotiation of medical accommodations, with a goal of achieving a negotiated settlement on a finite duration time window.

I remind you that medical accommodations do not specify a required work load or specific duties.

So far neither the Chair nor the Dean has addressed those issues. In fact, they have ignored my most recent medical documentation.

I ask that you inform me of your decision as soon as possible and certainly before my back to work date.

Sincerely,

Richard Mann

Waterloo ON

Attached:

A. Appeal of Suspension, Nov 11, 2021. See "Additional comments regarding the lack of consultation between the Dean of

Mathematics and myself which must also be taken into consideration"

B. Correspondence with Occupational Health, Apr 8 2022.

C. Correspondence with Chair, Apr 12, 2022.

D. Correspondence with Dean, Apr 24, 2022.

