

## Re: Accommodation Request response

Richard Mann <mannr@uwaterloo.ca>

Thu 11/10/2022 3:32 PM

To: Mark Giesbrecht <mwg@uwaterloo.ca>

Cc: Karen Parkinson <kparkinson@uwaterloo.ca>; Chelsey Heystee <cheystee@uwaterloo.ca>

Bcc:

■ 1 attachments (22 KB)

2020-08-18-Correspondence\_Dean.pdf;

Thursday November 10 2022

Dean Mark Giesbrecht,

CC: Karen Parkinson

CC: Chelsey Heystee

Dear Dean Giesbrecht,

I am writing to state that I would like to have a personal meeting with you before the November 18 deadline imposed by the Provost. I plan to be accompanied by a FAUW representative.

Before then I would like to clarify some of the items in your letter of November 8 2022.

1. You write "In particular, there is no support in your medical documentation or in policy that a guaranteed evaluation of 1.4 in all components is warranted or acceptable."

While it is true that the current medical documentation does not support this, the accommodation achieved in 2010 provided such medical documentation and, in fact, this solution was suggested by Occupational Health (Dr Barbara Schumaker and RN Linda Brogden at the time) and approved by the then Provost. I note that this is not "guaranteed" it is a guideline, which can be negotiated individually each year. Unfortunately time did not permit me to obtain all necessary documentation to support every one of the medical accommodations I had before. My main concern with the most recent request was to deal with teaching load and I did not have time to justify every one of the previous accommodations, nor did I expect them to be renegotiated. This puts significant burden on me to renegotiate everything, and to do so under time pressure.

2. You write "We note that we have been asking you to work with Occupational Health since May 2022, but you chose not to until last month."

This is missing important information. In April 2022 immediately after getting my new assignments from the Chair, I wrote to the Chair, yourself, and finally the Provost. I claimed that the assignment (two sections of CS251, in Fall 2022) was inconsistent with my 2010 accommodations, which stipulated an eight month notice to prepare for a new course. While I have taught CS251 in the past, that was ten years ago and I requested advance time to prepare as the material has changed significantly. My request for time

and/or teaching relief was denied. I then filed a grievance against the School and followed this with lengthy discussions with the Provost. Meanwhile I attempted to negotiate with the Provost on the timing of my negotiation. My initial idea was to defer negotiation until Spring, so that I could focus all my attention on preparing to teach CS251 in W23 and get in front the class as soon as possible. This request for a delay was denied by the Provost and I was forced to go to Occupational Health, which involved getting new medical documentation from two doctors. The delay therefore may not be attributed to me.

3. You write that “The School of Computer Science allows for teaching not to be balanced year-over-year and for a faculty member to accrue a surplus or deficit. You are informed of your teaching balance each term, most recently in August 2022, when your balance was listed as owing a significant number of courses as of the end of Winter 2022.”

From calendar year 2016 to 2021 I taught one course per year. During this time I do not recall receiving any letters or warnings about any “debt” that I was occurring for courses owed. Nor do I recall being shown an excessively large negative teaching balance. It may have been recorded, but I have no way of knowing when it appeared or how large negative teaching balance was recorded. Had I been informed this I would have approached you at that time.

Further, I note that during 2017 I attempted to add a second course (CS371 in S17) but was not sufficiently prepared to teach the course. I also began negotiation with FAUW in 2018 towards a two-course teaching load. This included a doctor’s note. It was sent to Occupational Health but we were not able to continue the process. In fact at that time FAUW told me to wait on negotiations as a new Dean was being installed.

On July 28 2020 wrote to you to ask about negotiations and also about taking a Sabbatical leave. On Aug 18 2020 you replied:

“We agree the right thing for you to do , as you suggest, is to keep your existing work arrangement and delay ongoing negotiations. Since we don’t know when the Pandemic will “end”, I would suggest we review your situation in April 2021.”

and

“During this time you will continue the teaching arrangement and funding your students as per our last agreement (with me as Directory). Plans for you upcoming sabbatical must be done through your Director, as per Policy 3, and approved by me as Dean. I see no obvious impediment to your application from my perspective “

This letter (attached) was sent to my then “academic mentor” (Robin Cohen), my FAUW rep (Lori Curtis) and Occupational Health (Linda Brogden).

All of this goes to say that from 2016–2021 while not standard teaching loads, I was making a good faith attempt to reach a minimum level, which I thought at the time could be two courses per year. Meanwhile no one was telling me that I somehow owed courses, or that this may present a problem for Sabbatical leave for example.

Are you suggesting that the past teaching balance should be held against me? If so how will this be done?

4. You write “If you unable to work as a full-time faculty member, at a full course load as

required, then we can explore formally reducing your workload as a part-time faculty member”.

I take this to mean that I will be given no teaching relief at all as a medical accommodation. Is that correct?

In summary, it appears from your letter that I am not to be given any teaching relief nor any special consideration in performance evaluations due to my disability. Therefore, to reduce my work load I must go to a part-time load. Is that correct?

Please address all of these points and get back to me ASAP.

Regardless of your answers I would like to have a personal meeting with you along with your assurance that the Provost will not invoke a unilateral decision and cease my pay until we can have a reasonable negotiation in good faith.

Sincerely,  
Richard Mann  
Waterloo ON

Attached: Correspondence of Aug 18 and July 28, 2020.

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From: Mark Giesbrecht <mwg@uwaterloo.ca>  
Sent: Tuesday, November 8, 2022 12:54 PM  
To: Richard Mann  
Cc: Karen Parkinson; Chelsey Heystee  
Subject: Re: Accommodation Request response

Dear Professor Mann,

Attached please find a response to your concerns regarding your accommodation agreement. As you have requested, I am available to meet you (and a FAUW or faculty representative at your discretion, along with Chelsey Heystee) in the coming few days. Please contact my assistant Dana Hociung <dhociung@uwaterloo.ca> who can arrange a time.

Yours truly,

Mark Giesbrecht

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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 Nov 6, 2022, at 3:06 PM, Richard Mann <[mannr@uwaterloo.ca](mailto:mannr@uwaterloo.ca)> wrote:

Sunday Nov 6 2022

Dear Dean Mark Giesbrecht,  
CC: Karen Parkinson Occupational Health

I note that in every aspect the new accommodations reduce the privileges and considerations given in the 2010/2011 version.

My 2010/11 accommodations focused on performance evaluations, setting the number to a default value (1.4) to avoid the ongoing and continuous conflict between myself and my Chair over these numbers. Also graduate student supervision was not required. My teaching load (three courses then) was not conditional on graduate students or any other condition.

I went from one course per year from 2016—2021, most of that under your directorship. You are now 'transitioning' me to a new agreement with three (or four) courses in year 2022/2023. Further you add additional stress with your requirements that I take graduate students or teach more courses.

I suggested to Occupational Health that the sensible thing would be to put my teaching load at two sections per year.

Teaching double sections causes great stress and it leaves with no energy to develop curriculum needed to move the course forward, we identified that.

I am more than happy to suggest other things, like supervising undergraduate projects, however, making my teaching assignments and/or performance evaluation contingent upon graduate students is counterproductive.

I want to help to contribute to the school, but cannot do this under the stress of the workplace.

In my mind threats of pay cessation from the Provost and your initial refusal to address my teaching assignments in the spring. That adds stress and causes me severe emotional and psychological hardship.

I will be revisiting my psychologist to document the ongoing stress.

In the meantime I continue work preparing for CS251 in Winter 2023. Can you assure me that I will be teaching this course, or do you (or the Provost) intend to take this away from me?

Meanwhile, all the time/ energy lost in my preparation is entirely due to failure of Chair, yourself and Provost to solve this informally (for example, give me teaching relief in Fall 2022). Instead I was required to go through accommodation process again, which has

actually generated no relief on my workload.

I ask that we meet in person to discuss this, and that I be allowed to bring a Faculty colleague to the meeting.

Sincerely,  
Richard Mann

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From: Mark Giesbrecht  
Sent: Sunday, November 6, 2022 9:13 AM  
To: Richard Mann  
Cc: Chelsey Heystee; Karen Parkinson  
Subject: Re: Accommodation Request response

Dear Professor Mann,

This is to acknowledge receipt of this email (along with the other messages) and to provide the requested document, though I believe you already have it as it is now posted on your website.

I will respond to the points raised in your emails in the coming week.

Yours truly,

Mark Giesbrecht

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Dr. Mark Giesbrecht  
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University of Waterloo, Canada. Email:  
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