

FAQs – Open Letter to UBC
By Gordon Yusko

November 2, 2022

What is this about?

This letter provides a summary of numerous ways in which my application for a confirmed position with the UBC Library was handled unfairly. Basic procedures were not followed. The Collective Agreement was disregarded as was the University's conflict of interest policy. The people involved in considering my application fell far short of the University's Board of Governors' expectations for adhering to "the highest ethical standards".

As a result, my application was turned down. I suffered significant and considerable harm over a period of years, which started while I was working at UBC. That harm to my health and well-being continues even now, some three years after leaving my position there.

As the letter states, I made numerous requests to the University to investigate this matter, but so far those requests were either ignored or deflected.

When did you work at UBC?

I began working at UBC on March 1st, 2012 and left my position on October 31, 2019.

Why is the letter being released now?

For a number of reasons, none of which have to do with President Santa Ono's departure from UBC. He is included in the salutation because of the President's role as described in the Collective Agreement between the University and the UBC Faculty Association. He was President during the years that my application was being considered and should still be able to collaborate with UBC officials on this issue. The Interim President, Dr. Deborah Buszard has, in my view, a responsibility to acknowledge the unfair handling of my application, the harm that it has and continues to cause, and to contribute to a resolution of this matter.

Importantly, I requested a number of records from the University, beginning in December of 2018. At first, in what appeared to be a contravention of the Freedom of Information and Protection and Privacy Act, my requests were not answered. Only when the Office of the Information and Privacy Commissioner intervened, did UBC begin the process of locating and releasing records.

Because a number of relevant records were omitted, I submitted an appeal to the Privacy Commissioner and an Inquiry by that Office was deemed appropriate. It wasn't until an adjudicator was able to oversee the Inquiry that the OIPC process began. The Inquiry started in September of 2021 and lasted until February of 2022. Since then I've only been capable for short periods, of analyzing the records and other evidence as a necessary part of developing this open letter.

What's the relevance of a position description?

As part of the Collective Agreement for UBC librarians, and the HR Guidelines given to the Standing Review Committee, an application for a confirmed appointment must be reviewed within the context of responsibilities set out in a position description. The fact an up-to-date and accurate reflection of my core assigned work was never provided by UBC was a key factor that enabled members of the two confirmation committees and the University administration to unfairly handle my application.

My position description was actually mentioned in the September 2017 recommendation letter from the Chair of the Standing Review Committee where it was described as “outdated”, and yet that critically important fact and relevance was dismissed – improperly so, in my opinion.

What documentation supports the statements in the open letter?

Under the Freedom of Information and Protection of Privacy Act, I obtained over 1,500 pages of documentation, even though some key portions were withheld. All of the statements in the open letter are supported by evidence in those records and by other records that I had access to while I was at UBC.

Do you have a lawyer representing you?

Yes. If you have questions about anything in my open letter or these FAQs then you may contact my lawyer, David McWhinnie.

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