

August 19, 2015

Dear Colleagues:

The events at UBC following the unexplained resignation of Professor Arvind Gupta as President have been exceptional. Fallout from the resignation created the unprecedented situation in which the Chair of the Board of Governors is alleged to have compromised the academic freedom of a UBC faculty member. Academic administrators are also implicated in allegations surrounding this incident.

Since these allegations came to our attention last Wednesday, we have been working hard to maintain the integrity of the normal labour relations processes we use at UBC to resolve our grievances. While these processes have been working well as we investigate the roles that various academic administrators have played in this case, established procedures have been compromised as they pertain to the alleged actions of the Chair.

The concerns leading to this conclusion focus on the fact that the University itself has sidestepped standard protocols for handling grievances. More specifically, the Chair of the Board of Governors, the Board's chief spokesperson, gave public, personal testimony related to the case in a University media release. We were shocked that this happened in a formal University media release posted on a University website. (This media release seems to have been removed from news.ubc.ca late Tuesday evening. We have a downloaded copy.) Mr. Montalbano has confused personal interests with the University's interests.

As a result of this communication, we had earlier in the day decided to call for Mr. Montalbano to step aside during an investigation of the allegations against him.

By late afternoon, we became aware Mr. Montalbano was giving a series of interviews on radio and television, entirely in contradiction to the August 17<sup>th</sup> press release signed by Provost pro tem Anji Redish and Interim President Martha Piper in which it was affirmed that: "it would entirely be inappropriate to comment further on the allegations until this process has been concluded."

And, yet, Mr. Montalbano was doing precisely this in his capacity as Chair of UBC's Board of Governors.

Finding a sound and proper process inside the University or with the Board for investigation of the concerns around Mr. Montalbano's behaviours no longer seemed a viable option.

While the University has publicly said that a grievance involving Mr. Montalbano could be managed under our usual collective agreement processes, this no longer seemed possible. Mr. Montalbano is a government appointee, not a University employee, so establishing and implementing a fair process to investigate the Chair of the Board of Governors given that Chair's dominating presence in and apparent mobilization of the entire system in his own interest seemed challenging, to say the least.

Indeed, even though we had initiated our usual informal processes with the University in a way that made it clear that there were serious allegations against Mr. Montalbano, Mr. Montalbano did not step aside as Chair pending the conclusion of a full investigation.

We have lost confidence that there can be an internal investigation process uninfluenced by Mr. Montalbano, either within our usual labour relations processes or through a Board-driven process.

Consequently, we are calling for Mr. Montalbano's immediate resignation as Chair of the Board of Governors. He has shown an inability to allow proper procedures to proceed and has used his office as Chair of the Board to engage personally and publicly with the issues under investigation. This behaviour is ill judged and threatens the integrity of ongoing processes.

We did not take this decision to request Mr. Montalbano's resignation lightly. His handling of Professor Gupta's resignation and his mismanagement of subsequent events are now compounded by breaches of standard protocols, and lead us to believe that his resignation will be in the best interests of the University and the public.

Please read our letter carefully.

Sincerely,

Mark Mac Lean  
President