



UNIVERSITY  
of Prince Edward  
ISLAND

Office of the VICE-PRESIDENT,  
PEOPLE and CULTURE

March 20, 2026

Margot Rejskind, PhD  
Executive Director and Grievance Officer  
University of PEI Faculty Association

**Subject: Consent from Faculty Association on Final Drafts of Harassment and Discrimination Policy and Sexual Violence Policy**

Dear Dr. Rejskind,

Thank you for confirming that all concerns previously raised by the Faculty Association have now been addressed in the final drafts of the Harassment and Discrimination Policy and the Sexual Violence Policy.

The Faculty Association's confirmation of the language of these policies is significant.

It acknowledges the extensive work undertaken to consult broadly across the campus community to ensure that the policies apply to everyone – faculty, students, staff and all members of our campus community.

**Withholding of Consent**

Although the Faculty Association has now confirmed that it agrees with the substance of the policies, it continues to withhold its consent unless the University amends the collective agreement in a manner that would allow the Association to block any future policy changes.

As a result, the adoption of policies that are otherwise complete and agreed is being delayed for reasons unrelated to their content or compliance. The University considers it important for members of the campus community to understand that this delay arises from a condition tied to collective agreement language, rather than any outstanding concerns with the policies themselves. In effect, the condition being advanced would reinforce a form of veto over future policy changes.

In light of the Association's withholding of consent for approval of the policies, I want to outline the University's position in this regard.

**1. The Policies Are Complete, Collaborative, and Substantively Agreed**

The University's position is that the policies are complete, have been developed through an extensive collaborative process, and are now substantively agreed by the Faculty Association.

The policies are the product of over fifteen months of work undertaken by the Fair Treatment Policy Replacement Committee, which included representation from across the University community, including the Faculty Association. The process was supported by external legal expertise and informed by campus-wide consultation. Following the conclusion of that process, the University also provided a further opportunity to consider and incorporate additional feedback from the Faculty Association. Those concerns have now been addressed and incorporated into the final drafts.

In these circumstances, there is a shared understanding of the substance of the policies, and the remaining step is to obtain the Faculty Association's express written consent under Article A17.1 so that the policies may proceed to final approval and implementation.

## **2. Collective Agreement Amendments Must Be Addressed Through Bargaining, Not as a Condition of Consent to Policy Changes**

The University will not agree to amend or reinforce collective agreement provisions as a condition of providing consent to policies whose substance has already been agreed.

The Memorandum of Understanding proposed by the Faculty Association would have the effect of modifying or expanding collective agreement language. With collective bargaining set to commence shortly, the appropriate forum for considering any such changes is the bargaining table, where both parties can address proposed amendments in a structured and reciprocal manner.

It would not be appropriate to negotiate changes to the collective agreement outside of that process, nor to condition the implementation of policies on agreement to unrelated contractual terms.

The University's position is that collective agreement provisions, including any proposed changes to Article A17.1, are appropriately addressed through the collective bargaining process.

## **3. The Policies Serve the Entire University Community and Should Not Be Delayed**

The University's position is that the implementation of these policies should not be further delayed, as they are intended to serve its most vulnerable members and meet the University's legal and institutional obligations.

The policies are not discretionary. They respond to evolving legislative requirements and to the University's commitments arising from the Rubin Thomlinson report and the UPEI Action Plan. They are designed to provide clearer processes, strengthen procedural fairness, and incorporate trauma-informed and survivor-centred approaches.

They also reflect the lived realities of our campus community. Data from the Sexual Violence Prevention and Response Office demonstrates that concerns of sexual violence and misconduct affect all groups within the University, with the majority of individuals seeking support being students. Annual reporting under the Fair Treatment Policy similarly shows that complaints of harassment and discrimination arise most often from faculty and

staff. These are community-wide issues that require a clear, current, and effective policy framework.

More broadly, the University does not accept that any single constituency should uniquely exercise what amounts to a veto over the adoption or amendment of policies that are intended to apply to and protect the entire University community.

The University is therefore concerned that the implementation of policies that have been collaboratively developed and are now substantively agreed is being delayed for reasons unrelated to their content or compliance.

### **Commitment to Ongoing Consultation**

The University remains committed to ongoing, broad-based consultation on any future changes to these policies. These policies are intended to apply to and support all members of the University community — faculty, staff, and students — and it is essential that their continued development reflects that shared responsibility. In fact, the new policies contains provisions that require broad consultations before any future amendments can be made.

The University's position in this regard is principled and forward-looking. Accepting the proposed Memorandum of Understanding would risk entrenching a process whereby consent to policy updates could be conditioned on matters unrelated to policy substance, potentially delaying future improvements that are necessary to meet legal obligations and evolving community needs.

We remain hopeful that we can move forward on the basis of the substantial work that has already been completed and our shared interest in ensuring a fair, transparent, and legally compliant framework for all members of our community.

### **Final Request for Consent and Next Steps**

In light of the above, the University reiterates its demand that the Faculty Association provide its **unconditional** express written consent to the Harassment and Discrimination Policy and the Sexual Violence Policy no later than **the end of day on Monday, March 23, 2026**, so that the materials may proceed to the Board of Governors for consideration at its meeting on March 31, 2026.

The University is ready and committed to implement policies that equally apply to all members of the community, consistent with its legal and governance responsibilities.

Sincerely,



Jane Ngobia, PhD  
Vice President, People and Culture