

From: Brett Fairbairn (President)
Sent: Thursday, December 16, 2021 10:47 AM
To: Oleksandr Kondrashov <okondrashov@tru.ca>
Subject: RE: Open Letter: TRU Investigation

Dear Oleksandr (Sasha),

Thank-you for your inquiry regarding the Board of Governors' ongoing investigation, as well as your recent comments at Senate. I respect the passion you clearly have for TRU and our community.

In reference to the request in your open letter to have individuals placed on paid administrative leave pending the outcome of this investigation, I can advise the following:

- Deciding to place an employee on administrative leave pending the outcome of an investigation is not a straightforward matter, and there are various factors to weigh. From a legal perspective, general considerations include: the seriousness and credibility of allegations; the ability of respondents to influence the investigation; and the length and impact of any leave. An administrative leave imposed without proper justification or for too lengthy a period will generally amount to a constructive dismissal.
- On the issue of the seriousness and credibility of allegations, it is important to remember that the board's investigation is being conducted by an independent third party at the request of a specific group of anonymous complainants. Consequently, neither TRU senior executives, nor the Board of Governors have specific information that is sufficient to support further action. The law — as well as agreements, policies and legislation that governs universities and TRU — requires authorities to have an adequate basis to place an individual on administrative leave. Allegations reported in media are not enough.
- Placing an employee on paid administrative leave is one form of response to a situation like this. However, there are a variety of others such as reassignment, altering reporting relationships, and other changes in process which negate the need to place a person on administrative leave during an investigation. These decisions require a careful weighing of circumstances and are highly fact driven.

I am aware that concerns may come forward that do not fit in the specific process the Board of Governors had devised for the one group of complainants. To ensure all concerns are properly heard, in a trauma-informed way, and that they are fully investigated, TRU has created independent options for staff to share any concerns. We have announced these measures to ensure safe reporting and handling of all complaints and concerns.

I know reading this may not immediately satisfy your concerns, however, I ask for your patience. Racist and misogynist comments and behaviours will not be tolerated at TRU, and people will be held accountable for any actions and words. It also troubles me that the wide airing of concerns that are part of investigations appears to have caused emotional harm to a number of people, possibly including students. TRU will be principled and thoughtful in how we proceed. We will demonstrate restraint and responsibility as investigations are in progress, and we will treat all

people with respect and kindness. It is through co-operation and a willingness to work together I believe we will emerge stronger and better able to serve all who have chosen to work and learn here.

Sincerely,

Brett Fairbairn

Brett Fairbairn

President and Vice-Chancellor
Thompson Rivers University
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Thompson Rivers University campuses are on the unceded lands of the Tk'emlúps te Secwépemc (Kamloops campus) and the T'exelc (Williams Lake campus) within Secwépemc'ulucw, the traditional territory of the Secwépemc. TRU also serves the peoples of surrounding territories including the St'át'imc, Nlaka'pamux, T'silhqot'in, Nuxalk, Dakelh, and Syilx.