

MEMORANDUM OF SETTLEMENT

Between

University of Prince Edward Island Board of Governors

("the Employer")

- and -

University of Prince Edward Island Faculty Association

("the "Association")

WHEREAS the Association filed a Grievance on February 18, 2021 alleging that the Employer's Fair Treatment Advocate had disclosed the home addresses of complainants in harassment investigations to respondents (FA-21-03-A);

AND WHEREAS the Grievance was referred to arbitration and scheduled to be heard by an Arbitration Board on May 24 and 25, 2022;

AND WHEREAS the Parties have agreed to resolve the Grievance on the following terms and conditions;

NOW THEREFORE the Parties agree as follows:

1. The Employer shall send a copy of the letter attached as Appendix "A" to the three Fair Treatment Policy complainants who are members of the Association and whose home addresses were disclosed to respondents during the period from February 2018 to present.
2. The Association withdraws the Grievance.
3. The terms and conditions of this settlement agreement are without precedent and without prejudice to any other matters between the Employer and the Association.

DATED this 5th day of April, 2022.

K. Bottschall-Pass
UPEI

[Signature]
Witness

[Signature]
UPEIFA

Witness

Appendix "A"

April __, 2022

Name
Address

Dear Name:

Re: Disclosure of Personal Information

I am writing to advise you of the disclosure of certain of your personal information in the context of a Fair Treatment Complaint that you filed on **DATE**.

Specifically, a review has been conducted, and it indicates that your complaint document was provided to the respondent without redaction. As a result, your home address was disclosed to the respondent.

We understand the importance of protection of personal information. The University takes the protection of personal information very seriously. We take care to ensure that lapses in privacy are properly reviewed, brought to people's attention, and addressed.

As a result of this review, it is evident that these circumstances fall below our privacy standards. We apologize for the situation, and we are sorry that your personal information was unnecessarily disclosed.

The University has taken measures to ensure that personal information disclosed during a fair treatment complaint is managed in accordance with both the UPEI Access to Information and Protection of Personal Information and Privacy Policy and the PEI *Freedom of Information and Protection of Privacy Act*. Steps have already taken to ensure that appropriate processes and procedures are in place, and that this type of disclosure does not inadvertently happen again in the future.

Specifically, the Fair Treatment Complaint Form has been amended to better address privacy and the disclosure of information. Further we have reviewed the protocols for handling personal information with those who handle Fair Treatment Complaints. HR Atlantic has implemented preventative measures to ensure that disclosures of this nature do not occur again.

If you have any questions, please contact the undersigned, or you may contact your Faculty Association representative.

Sincerely,