



# University of Prince Edward Island FACULTY ASSOCIATION

2008-09 Officers & Staff

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**To:** All Members of the Faculty Association  
**Date:** March 3, 2009  
**Subject:** Public hearing set to deal with mandatory retirement

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Complaints of age discrimination against UPEI were first filed by faculty members, Thomy Nilsson and Richard Wills, in November 2005. Now, after more than three years, the PEI Human Rights Commission has scheduled a public hearing for July 2009 to deal with the issue. Presently, six age discrimination complaints are before the Commission which allege that UPEI's mandatory retirement policy discriminated against individuals when they were forced to retire at age 65. In addition to Nilsson and Wills, complaints have also been filed by faculty members, Barry Bartmann, Ron Collins and Robert O'Rourke and by a staff member, Yogi Fell.

The UPEI Faculty Association continues to support these retired faculty members in their fight to see the University's mandatory retirement policy eliminated. The Union has opposed the policy despite the fact that it signed a collective agreement with the Employer in 2006 which continued the mandatory retirement provision. In trying to end a strike at that time and to salvage the semester for the students, the Union signed the deal and went back to work. It did so, however, with the University's written agreement and understanding that the Human Rights Commission would ultimately rule on the policy's status and that the policy would be eliminated should the Commission rule it to be discriminatory. At that time, the Union never expected that it would take more than three years for a hearing to be scheduled.

The Association will continue to keep members informed on this issue as the scheduled hearing draws near. The Human Rights Commission hearing is normally open to the public unless the Commission panel determines that the hearing should be held in private. It is not anticipated that this will be the case. The Association will provide details of the dates/times and location for the hearing as soon as they are known. In the meantime, please contact the Association directly should you have any questions regarding this issue.