

----- Original Message -----

Subject: MCD 113 lock out, request for answers, and corrections

From: dgr@uottawa.ca

Date: Thu, 27 November, 2008 10:01 am

To: president@uottawa.ca
allan.rock@uottawa.ca

Cc: dgr@uottawa.ca
apuoadm@uottawa.ca
sean.mcgee@nelligan.ca
vretudes@uottawa.ca
deansci@uottawa.ca
Nathalie.Desrosiers@uottawa.ca
lpvalin@uottawa.ca



November 27, 2008

Allan Rock
President
University of Ottawa

Cc: APUO, NDR, LPV, AEL, RM, SMcG

Re: MCD 113 lock out, request for answers, and corrections

Dear President Rock,

This is a reply to your email of November 26th via Nathalie Des Rosier (attached below; responding for you, with you in cc).

Your response does not address the question of immediate access to the MCD 113 facility for long-term and normalized work and study, which was the purpose of my November 25th email communication, and of my November 26th email communication to you. Your response only addresses the question of retrieval of personal items, and only addresses this for students and professors.

I continue to request that the University state what it is doing regarding any continued lock out and why. I continue to request that the University state how and when the students, volunteers, and employees affected will be normalized into their due work spaces and facilities and working environment.

I await a reply in this urgent matter. Please indicate when answers can be expected.

In your November 26th email via Nathalie Des Rosiers you make several affirmations that you must or should know are incorrect or unsubstantiated. These are:

(1) "As you know, the change of locks was necessary because people who did not have Faculty approval had gained entry to the premises on Thursday November 20th."

I do not know about any unauthorized entry into MCD 113, nor do I know that such an unauthorized entry would necessitate a lock out performed in secrecy. I do know that University policy requires that any security/safety issues be communicated to the laboratory supervisor (me) and that this was not done. I would be pleased to be informed of any details about the alleged unauthorized entry (occurrence, name, report, risk evaluation) if you would be so kind.

(2) "My understanding is that on Friday November 21st, you prevented security personnel and locksmiths from completing their task." (sic)

The lock had been changed four hours before my 3pm arrival, at approximately 11am. Professional changing of a lock in MCD takes minutes.

(3) "In the process, because you blocked entry and exit from the premises for several hours, a security officer was kept in the room and unable to exit."

The guard needed only to stop crushing my foot and open the door to leave. I wanted the guard to leave if she had no business in the laboratory for which I was legally responsible. Had the guard expressed a desire to leave or been physically unable to stop pushing on the door to close it on my foot, I am certain that the at least four other guards on the scene and two Ottawa Police officers and other security employee inside with the guard would have assisted her.

(4) "I understand that you agreed to stop the interference on condition that you be able to recuperate some of your personal documents if you provided Security with a list of same."

I held my position to attempt entry into MCD 113 until it was confirmed to me on the record (via the APUO lawyer by cell phone and later in writing) that the University was locking me out and was withdrawing my legal responsibility for the MCD 113 laboratory. The personal items question was secondary for me. Not so for others: Sean Kelly, Marc Kelly, and Jean-Francois Meunier were present and were denied access to their

personal items.

Your above statements (1 to 4) are contrary to the record and physical evidence. Please correct these misunderstandings; and among your staff. Since the Friday November 21st event is amply documented, I would caution you against fabrication.



Sincerely,
Denis Rancourt
(Professor)

----- Original Message -----

Subject: personal items in MDS 113
From: "Nathalie Des Rosiers" <Nathalie.Desrosiers@uottawa.ca>
Date: Wed, 26 November, 2008 6:17 pm
To: dgr@uottawa.ca
Cc: "Allan Rock" <Allan.Rock@uottawa.ca>

Dear Professor Rancourt,

The President has asked me to respond to your email correspondence of Tuesday November 25th 2008 in which you asked for immediate access to MDS 113 for yourself and for Jean-François Meunier, Sean Kelly, Dr. Mei-Zhen Dang, Marc Kelly as well as Mr. Pierre-Jean Thibault.

As you know, the change of locks was necessary because people who did not have Faculty approval had gained entry to the premises on Thursday November 20th. My understanding is that on Friday November 21st, you prevented security personnel and locksmiths from completing their task. In the process, because you blocked entry and exit from the premises for several hours, a security officer was kept in the room and unable to exit.

I understand that you agreed to stop the interference on condition that you be able to recuperate some of your personal documents if you provided Security with a list of same. We ask you to contact Security to complete this process in order that your items be returned.

As had already been organized, students and professors who have left personal effects in the laboratory will be able to recuperate them. They should communicate with Security for this to be done.

Regards,

Nathalie Des Rosiers

Secrétaire / Secretary
Université d'Ottawa /University of Ottawa

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----- Original Message -----

Subject: Lock out from MCD 113
From: dgr@uottawa.ca
Date: Tue, 25 November, 2008 10:25 am
To: president@uottawa.ca
allan.rock@uottawa.ca
Cc: dgr@uottawa.ca
apuoadm@uottawa.ca
sean.mcgee@nelligan.ca
vretudes@uottawa.ca
deansci@uottawa.ca

November 25, 2008

Allan Rock
President
University of Ottawa

Re: Lock out from MCD 113

Dear Mr. Rock,

On Friday November 21, 2008, my employees, students, and I were locked out of our laboratory and office work space MCD 113, without any prior notice or prior explanations.

Student Sean Kelly was expelled from MCD 113 by campus security guards at approximately 11am (Nov.21) when a team including security guards, the dean of science, the chairman of physics, and two locksmith technicians, entered to expel all occupants and change the lock on the main door.

I went to investigate MCD 113 at approximately 3pm on the same Friday November 21st and confirmed that the lock had been changed. I also found two unknown individuals inside MCD 113. I refused to allow them to shut me out of the room and stayed in the doorway while I asked the two individuals that I could see to identify themselves. I identified myself and explained that I was legally responsible for the laboratory until this responsibility was removed from me by my dean or his superior.

I stood my ground until, some more than three hours later, it was finally

formally communicated to me for the first time, via APUO lawyer Sean McGee by cell phone, that the University had locked me out of MCD 113 and had assumed all legal responsibility for MCD 113 and its content.

Later (approximately 8pm on Nov.21) I read an email (attached below) from the chairman of physics confirming the lock out and confirming that students are suffering consequences from this lock out.

The physics chairman's email (attached below) also states that the students' lock out from MCD 113 will be remediated early this week.

I urge the University to indeed give the all the students and volunteers and employees and me immediate access to MCD 113. Most urgently: MSc student Jean-Francois Meunier, MSc student Sean Kelly, volunteer Dr. Mei-Zhen Dang, and CUPE employee Marc Kelly. Mr. Pierre-Jean Thibault may also need urgent access to his pedagogical material for the course that he teaches in the department of Earth Sciences.

In addition, you should give Radiation Safety access to perform the leak test that is required to maintain my radiation licence needed for my research.

The issue of legal responsibility for the laboratory should also be negotiated or clarified as soon as possible. The issue of reparations for losses and damage can be discussed in second priority.

Sincerely,
Denis Rancourt
(Professor)

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----- Original Message -----

Subject: Re: Lock out from MCD 113, attachment
From: dgr@uottawa.ca
Date: Tue, 25 November, 2008 10:45 am
To: president@uottawa.ca
allan.rock@uottawa.ca
dgr@uottawa.ca
apuoadm@uottawa.ca
sean.mcgee@nelligan.ca
vretudes@uottawa.ca
deansci@uottawa.ca

And the attachement:

----- Original Message -----

Subject: MCD113

From: "Chairman of dept. of Physics" <phychair@UOTTAWA.CA>

Date: Fri, 21 November, 2008 2:02 pm

To: PHYPROFS-L@LISTSERV.UOTTAWA.CA

Dear Graduate students,

This morning around 11:00 am, the lock was changed to room MCD113 under the orders of the dean. No-one but Protection has now access to the room. This was done for security reasons that I am not at liberty to discuss now.

I regret the situation and I want to reassure the students who will be temporarily penalized by this situation, that they will get their offices back within a few working days or be given other suitable space, if further delays are required.

Béla

Béla Joós, PhD, P.Phys.
Directeur / Chairman
Département de physique / Department of Physics
Université d'Ottawa / University of Ottawa
150 Louis Pasteur
Ottawa, Ontario K1N 6N5
Ph. 613-562-5758
Fax: 613-562-5190

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> November 25, 2008

>

> Allan Rock

> President

> University of Ottawa

>

> Re: Lock out from MCD 113

>

> Dear Mr. Rock,

>

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> of our laboratory and office work space MCD 113, without any prior notice
> or prior explanations.

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> approximately 11am (Nov.21) when a team including security guards, the
> dean of science, the chairman of physics, and two locksmith technicians,
> entered to expel all occupants and change the lock on the main door.

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> two unknown individuals inside MCD 113. I refused to allow them to shut
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> individuals that I could see to identify themselves. I identified myself
> and explained that I was legally responsible for the laboratory until this
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> formally communicated to me for the first time, via APUO lawyer Sean McGee
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> student Jean-Francois Meunier, MSc student Sean Kelly, volunteer Dr.
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> also need urgent access to his pedagogical material for the course that he
> teaches in the department of Earth Sciences.

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> research.

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> Sincerely,
> Denis Rancourt
> (Professor)

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