



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

Subject: Nathalie Des Rosiers and the CCLA; U of O Senate
From: dgr@uottawa.ca
Date: Mon, 2 February, 2009 6:12 pm
To: admin@ccla.org
mail@ccla.org
Cc: dgr@uottawa.ca
redaction@larotonde.ca
actualites@larotonde.ca
news@thefulcrum.ca
executive@thefulcrum.ca
editor@thefulcrum.ca
edwardtubb@gmail.com
nathalie.desrosiers@uottawa.ca

Alan Borovoy
General Counsel of the CCLA
Canadian Civil Liberties Association

Dear Mr. Borovoy,

A full and tenured professor is told that he will not be permitted to attend a public Senate meeting but that he is welcome to send his comments about an agenda item concerning governance transparency to the administration by email.

Can the credibility of the CCLA survive Nathalie Des Rosiers?

Denis Rancourt
Professor

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

Subject: RE: Monday's Senate meeting
From: "Nathalie Des Rosiers" <Nathalie.Desrosiers@uottawa.ca>
Date: Mon, 2 February, 2009 9:08 am
To: dgr@uottawa.ca

Dear Professor Rancourt,

The University has not changed its position. You are under administrative suspension and have been issued a direction to remain off campus, except to communicate with your bargaining representative. I urge you to comply with this direction. Disregarding this direction from your employer is

evidence of uncooperative behavior and insubordination. It could be presented as such in future instances.

We are not seeking unnecessary conflict in this matter and are working to ensure that your opportunity to be heard and to present your challenges under the Collective Agreement is processed expeditiously. I invite you again to reconsider your decision to disregard the University's direction to you.

You may provide your comments on the draft Policy on Video Recording, Broadcasting and Picture Taking during Senate meetings by email.

Nathalie Des Rosiers
Secrétaire / Secretary
Université d'Ottawa / University of Ottawa
tél : 613 562 5950
fax: 613 562 5178

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

From: dgr@uottawa.ca [mailto:dgr@uottawa.ca]
Sent: February 1, 2009 4:04 PM
To: Nathalie Des Rosiers; Secrétaire de l'université - Secretary of the University
Cc: dgr@uottawa.ca
Subject: Monday's Senate meeting
Importance: High

February 1, 2009

Nathalie Des Rosiers
Secretary of the University
University of Ottawa

Re: Monday's Senate meeting

Dear Nathalie Des Rosiers,

In light of the fact that I was allowed on campus unimpeded on Friday, I am assuming that there is no longer any ban on my being on the campus.

I understand that a motion regarding filming of Senate proceedings will be discussed at the beginning of the Senate meeting of Monday February 2, 2009.

I have a keen interest in this central question of transparency in

university governance at Canada's university.

Therefore, I will attend the Senate meeting and I respectfully ask that you schedule my contribution into the agenda of the meeting.

This is a vital question in which many university community members and many broader community members have a legitimate interest, regarding our great publicly funded institution. I trust that the Senate and Chair will allow everyone to be heard rather than use artificial time and space constraints. Other matters can wait, as demonstrated by the Chair's unilateral and precipitous cancellation of the previous Senate meeting.

I look forward to an exemplary demonstration of democracy.

Sincerely,
Denis Rancourt
Professor

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

Subject: Suspension and barring of Denis Rancourt from campus
From: dgr@uottawa.ca
Date: Mon, 26 January, 2009 9:45 am
To: nathalie.desrosiers@uottawa.ca
Cc: dgr@uottawa.ca
admin@ccla.org
mail@ccla.org
redaction@larotonde.ca
actualites@larotonde.ca
news@thefulcrum.ca
executive@thefulcrum.ca
editor@thefulcrum.ca
lpvalin@uottawa.ca

January 26, 2009

Nathalie Des Rosiers
Secretary of the University
University of Ottawa

Cc: Alan Borovoy, L Page-Valin, media

Re: Barring of Denis Rancourt from campus

Dear Nathalie Des Rosiers,

Thank you for your quick response (attached below) and for your further comments sent via Louise Pagé-Valin on January 23rd (also attached below).

Your letters affirm that your administration will continue to attempt to use its "administrative suspension" of me to bar me from my weekly campus radio show at CHUO 89.1 FM, from the weekly public documentary film and discussion series that I host on campus, from meeting my research collaborators and graduate students on campus, from attending public events on campus, from accessing my office and laboratory, etc.

As the designated General Counsel of the Canadian Civil Liberties Association, as the Secretary of the University responsible for the university's legal department, and as an academic and lawyer, you are no doubt aware that the *Statement on Procedural Standards in Faculty Dismissal Proceedings*, jointly approved by the American Association of University Professors and the Association of American Colleges in 1958, forms the original basis for legal precedent in North American academic labour law practice. This 1958 Statement provides:

"Suspension of the faculty member during the proceedings is justified only if immediate harm to the faculty member or others is threatened by the faculty member's continuance."

Your egregious violation of this precept puts in jeopardy your standing within the civil rights community and the reputation of the University of Ottawa.

Sincerely,
Denis Rancourt
Professor

Cc: Alan Borovoy, General Counsel of the CCLA
Cc: Louise Page-Valin, Human Resources, University of Ottawa
Cc: media

----- Original Message -----
Subject: Re: Barring of Denis Rancourt from UofO campus
From: "Nathalie Des Rosiers" <Nathalie.Desrosiers@uottawa.ca>
Date: Thu, 22 January, 2009 4:03 pm
To: dgr@uottawa.ca

Monsieur Rancourt, j'ai bien reçu votre message. Je vous encourage fortement à respecter les directives du vice-recteur. Comme vous le savez, vous aurez l'opportunité de présenter votre point de vue dans le cadre du processus prévu par la convention collective.

Veillez agréer, monsieur Rancourt. l'expression de mes sentiments distingués,

Nathalie Des Rosiers

----- Message d'origine -----

De : dgr@uottawa.ca <dgr@uottawa.ca>

À : Nathalie Des Rosiers

Cc : dgr@uottawa.ca <dgr@uottawa.ca>; admin@ccla.org <admin@ccla.org>;

mail@ccla.org <mail@ccla.org>; redaction@larotonde.ca

<redaction@larotonde.ca>; actualites@larotonde.ca

<actualites@larotonde.ca>; news@thefulcrum.ca <news@thefulcrum.ca>;

executive@thefulcrum.ca <executive@thefulcrum.ca>; editor@thefulcrum.ca

<editor@thefulcrum.ca>

Envoyé : Thu Jan 22 11:45:38 2009

Objet : Barring of Denis Rancourt from UofO campus

January 22, 2009

Nathalie Des Rosiers
Secretary of the University
University of Ottawa

Re: Barring of Denis Rancourt from campus

Dear Nathalie Des Rosiers,

As you know, the University of Ottawa, represented officially by you, the Dean of Science, and the VP-Academic, informed me at our meeting on December 10 that I was summarily suspended and physically barred from campus, on the preposterous pretext of my having given all A+'s in a course.

I have sought independent legal advice on this matter. As the designated General Counsel of the Canadian Civil Liberties Association, you are no doubt aware that this barring of me from campus is indefensible.

Accordingly, please be advised that I intend to go freely and lawfully onto campus in connection with my professorial duties and responsibilities.

Sincerely,
Denis Rancourt

Professor

Cc: Alan Borovoy, General Counsel of the CCLA
Cc: media

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Denis Rancourt <denis.rancourt@gmail.com>

Response to your e-mail to Secretary Des Rosiers

Louise Page-Valin <lpvalin@uottawa.ca> Fri, Jan 23, 2009 at 7:18 PM
To: Denis Rancourt <denis.rancourt@gmail.com>
Cc: APUOADM <apuoadm@uottawa.ca>

Dear Professor Rancourt:

Your email of January 22, 2009 to Nathalie Des Rosiers has been referred to me for reply since it raises issues relating to your employment with the University.

You have been issued a direction to remain off campus. This direction was issued in conjunction with a recommendation which has been made regarding your dismissal from employment. It is limited to the period when that recommendation is being processed under the procedures which are prescribed in the Collective Agreement between the University and APUO.

The provisions in the Collective Agreement contain important protections of your rights as an employee. They also affirm certain rights of the University in its role as your employer.

It is the position of the University that its direction to you to remain off campus during this limited period of time is consistent with its authority as your employer. Your refusal to honour that direction will be regarded as insubordination.

The University respects your right to challenge its direction through the mechanisms provided in the Collective Agreement. If you consult with your APUO representatives, I believe you will be advised that the proper course of action is that you should obey your employer's direction during such time as any dispute regarding the propriety of that direction is determined by a third party. This approach flows from principles of labour relations law which have been universally accepted to be applicable in such circumstances.

I remind you that the University has recognized your legitimate right to communicate with your bargaining representative and has authorized your presence on campus for this purpose.

I would ask you to reflect carefully regarding your decision to disregard the University's direction to you. We are not seeking unnecessary conflict in this matter and will provide full co-operation in ensuring that your legal challenges under the Collective Agreement are processed expeditiously. But just as you have on numerous occasions reminded the University of your rights under your Collective Agreement, it is expected that you would afford the University with reciprocal respect for its authority under the same document.

Sincerely,

Louise Pagé-Valin
Vice-recteure associée, ressources humaines/
Assoc. Vice-President, Human Resources
Université d'Ottawa / University of Ottawa
Tel : (613) 562-5936
Fax : (613) 562-5783
Courriel / E-mail : lpvalin@uottawa.ca
www.uottawa.ca

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