

December 22, 2008

Louise Pagé-Valin  
Associate Vice-President  
Human Resources Services  
University of Ottawa  
Tabaret Hall  
550 Cumberland Street  
(Via APUO office)

**Re: Grievance G-22 (my code) – MCD113 lockout, source removal, false accusations.**

Dear Mrs. Pagé-Valin:

At approximately 11am on Friday November 21, 2008, the employer used campus police to expelled student Sean Kelly from my laboratory MCD 113. The employer immediately changed the locks on the door of the laboratory. This was done without consulting or advising me.

The same day (November 21<sup>st</sup>), the Chairman of the Department of Physics, Bela Joos, sent an email at 2:02pm to all Physics professors that read:

*“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.”*

I did not access the latter email from the chairman of Physics until the evening (past approximately 8pm) of November 21<sup>st</sup>. Despite being the person legally responsible for the MCD 113 laboratory, I was never advised of any alleged “security reasons” prior to the November 21<sup>st</sup> MCD 113 lock down. Despite the chairman’s promise to the “students ... penalized by the situation” and despite my many written demands that access to the MCD 113 work space be returned immediately, the students affected were not provided “suitable space” until the first accommodated student was able to move into a newly provided empty office on Friday December 5<sup>th</sup>, two weeks after the lock down.

The day of the November 21<sup>st</sup> MCD 113 lock down, I went to the laboratory at approximately 3pm to verify whether the locks had indeed been changed and to verify if my professor pass key still allowed me entry into the MCD 113 laboratory for which I was legally responsible. I found unauthorized individuals to be present in the lab and proceeded to insist on clarification of the situation. After three hours, with the help of APUO Legal Counsel, the employer finally clarified, at my insistence, that the lab was being locked down and that my legal responsibility for the lab was being assumed by the University.

On November 26, 2008, President Allan Rock sent me an email via Secretary Nathalie Des Rosiers (with the President in cc) which made false claims and accusations against me about the November 21<sup>st</sup> incident. In an email to President Rock on November 27<sup>th</sup> I asked that the false statements (“misunderstandings”) be corrected. The President and Secretary never answered my request.

On Monday December 1, 2008, a meeting was held (a court reporter transcript of the meeting was produced) at which the employer implied that the laboratory lockout had been necessary to implement a new safety protocol, the “final draft” of which had been newly prepared just in time (literally) for the meeting, as the record of communications shows. As user and the holder of the radiation licence for MCD 113, I was never consulted or informed prior to December 1<sup>st</sup> that a new radiation protocol was being developed that would substantively impact access to MCD 113 and its associated student offices that have been in use under my supervision since 1987.

On December 3, 2008, I was given an electronic key to the new electronic lock of the MCD 113 laboratory and accessed the laboratory for the first time since the November 21, 2008, lockout. I found that all the radioactive Co-57 Mössbauer sources had been removed from the laboratory. This had been done without consulting or informing me. This is significant because I hold the radiation licence for all the sources and I am legally responsible for each source movement. I sent the dean an email on the same day to enquire why the sources, which are essential for all experiments in the laboratory, had been removed and asked for clarifications. I requested an answer by December 12, 2008, stating that I needed to consider a grievance and alerting NSERC. The dean did not reply.

I grieve the lockout and the removal of the radiation sources from the laboratory during the lockout. I grieve the manner in which the entire episode was handled by the employer. The related employer actions and omissions were done in contravention of established rules, practice, and procedures, were done in a manner that is unethical, and caused me and several students and employees to be subjected to undue stress and danger, including undue use of force by a campus security guard.

I grieve the President’s false accusations and false statements contained in the November 26<sup>th</sup> email. These caused me undue stress and the president’s views probably contributed incorrect and undue influence in the matter of the lockout.

I grieve the continued effects (up to the date of arbitration or settlement of this grievance) of the radiation source removals on my research and the research and work of students and employees.

I request individual written apologies from all university executives, officers and agents who were involved in the decisions to approve and actuate the lockout and source removal, and in producing the false statements of the November 26<sup>th</sup> email. I request a written apology from the Protection Services for its handling of the November 21, 2008, incident.

I request that research funds be attributed by the employer to compensate for all the delays and damage to my research efforts. I request that the affected students and employees be compensated for the disruptions and damages.

The entire lockout and radiation source removal matter of the present grievance should be examined in the broad context that includes the administrative suspension that was imposed on me on December 10<sup>th</sup> and the recommendation that I be dismissed that was communicated to me on December 10<sup>th</sup>. It appears that the lockout and source removal matter may have been an integral part of the employer's actions to suspend all my professional activities.

Sincerely,

A handwritten signature in black ink that reads "Denis Rancourt". The signature is written in a cursive style with a large, sweeping flourish at the end.

Denis Rancourt  
(Professor)