

November 28, 2005

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Louise Pagé-Valin
Associate Vice-President
Human Resources Services
University of Ottawa
Tabaret Hall
INTRA

DGR
copy

Dear Mrs. Pagé-Valin:

Notice of grievance: Fairness and ethical behaviour

I hereby file a notice of grievance regarding several of Dean Detellier's recent administrative actions directed against me in this fall 2005 term that, in particular, constitute violations of commonly accepted norms of fairness and ethical behaviour (10.3.1). Taken as a whole, and culmination in the events that transpired in November as described below, I characterize these actions as harassment and deliberate interference with my performance of workload duties (10.3.2(e)). These actions by the Dean followed the filing of my grievance dated October 11, 2005 and are summarized and described individually as follows.

Dean's letter dated October 24, 2005, notification of disciplinary procedure

Here the Dean accuses me of having not followed my teaching responsibilities in PHY 1703 ("vous avez abusé de votre pouvoir d'être en charge d'un cours universitaire, en le détournant de ses intentions premières, en changeant titre et contenu"), despite changes having been communicated both to the students and to the program director (Environmental Studies) well before the start of term, despite the course content being consistent with the course description (21.1.2(b)), and despite the Dean not having properly investigated the alleged offence (39.1.2.1), or having provided any relevant complaint (39.1.2.1(a)) (although complaints were claimed separately), or having informed me (39.1.2.1(c)) of having undertaken any such required investigation that would fit this allegation of inappropriate course content; all this after having explicitly approved the course, its structure and its content, before the start of the third class in the term. An allegation of inappropriate course content or direction must be preceded by an investigation of the course content (39.1.2) and is illogical in a case like this one where the Dean has, after some discussion, approved the course in writing at the start of term (memorandum of agreement dated September 28, 2005).

Dean's letter dated October 25, 2005, alleged student complaint

In this letter the Dean threatened disciplinary action (conditional on the nature of my response) related to a new and not previously disclosed or mentioned student complaint that the Dean did not provide, nor did the Dean provide the student complaint after I requested it in writing (e-mail dated November 4, 2005). I filed a separate grievance dated November 16, 2005, to redress the specific problem of not being shown the complaint used against me. The Dean then sent a letter dated November 22, 2005, retracting all related letters and stating that he cannot produce the student complaint. The latter response suggests that the alleged student complaint may have been fabricated. The separate on-going grievance on this point may shed light on this matter.

Dean's letter dated November 1, 2005, unsubstantiated claim of anti-Semitism

In this letter the Dean falsely accuses me of propagating anti-Semitic material in my class (PHY 1703) (“je vous demanderai de justifier comment du contenu offensant peut se trouver ainsi véhiculé dans un cours universitaire”), again under threat of disciplinary action, and without having performed even the most rudimentary investigation. Despite my detailed rebuttal (dated November 13, 2005) of the Dean's unsubstantiated claim, the Dean has not seen fit to quickly retract his error, leaving stand a rather grave and false written accusation that two of the university's professors have disseminated hateful material in a university course.

Dean's letter dated November 3, 2005, CUPE grievance

The union representing teacher assistants (CUPE local 2626) filed a grievance against a statement I made in my open letter to the Dean (dated September 26, 2005; concerning his September 21, 2005 cancellation of PHY 1703). The Dean used this CUPE grievance as yet another occasion to threaten me with disciplinary action, if, by implication, I did not comply with the reparation requested in the CUPE grievance, again without even a rudimentary independent investigation and without first informally asking me for my feedback.

Dean's letter of allegation dated November 25, 2005, alleged unethical behaviour in CUPE matter

Despite my detailed letter dated November 22, 2005, regarding the CUPE misunderstanding, and despite a majority of Physics graduate students implicated in the collective grievance denouncing its position, the Dean has filed this unsubstantiated letter of allegation claiming unethical behaviour, that is based solely on a true statement taken out of context of my open letter of September 26, 2005. I responded in an e-mail dated November 28, 2005.

Dean's intervention to increase my winter 2006 teaching workload duties

In the last week of October 2005, my chairman and I had a meeting to discuss that the Dean wished him to impose a new course in my teaching duties for the winter 2006 term. In rationalizing this request from the Dean, my chairman explained by stating that “the Dean is out to get you”. I agree with this assessment. My summary of this meeting with

my chairman and my reply are contained in an e-mail that I sent to my chairman (cc: APUO) on October 31, 2005.

Dean's intervention to block my classroom booking privileges

As part of my plans to improve the learning experience for students registered in my winter 2006 PHY 1702 course, I booked an extra regular classroom time. It is not unusual for professors to do this but it is unusual for a Dean to take note and to ask the professor's chairman to cancel the classroom booking. An ongoing exchange was initiated with my chairman. The fact that the Dean initiated this action and part of my (admittedly frustrated) exchange with my chairman is documented in my e-mail to my chairman (cc: APUO) dated November 1, 2005.

Dean's creation of an unneeded ad hoc committee to examine a new course proposal

In my attempt to resolve the administration's apparent discomfort with the methods and content that I use in PHY 1703 (not to be confused with 1702, as the two are very different and offered to different faculties) and so that a similar course can be given bilingually and every year and without faculty registration restrictions (as is the case for PHY 1703), and given the documented significant student demand for such a course, I officially proposed the creation of a new course to be first given in September 2006, with a general science (SCI) code and title "Science, Activism, and Society". The rationale for such a course and its methods had already been given in detail in my e-mail to the Dean dated September 26, 2005, and the new course description was quite explicit about content and methods. This new course project is consistent with many guiding statements of our university's Vision 2010 document and it is in line with one of my research areas (Science in Society, one graduate student presently). This new course would not be required in any academic program (at this time) and would not be a prerequisite for any other course (at this time). Any such new course is already subject to pre-approval by six separate committees, yet the Dean felt it necessary to create an ad hoc Faculty committee ('working group') that reports to his office to examine the validity of this course and any such courses falling under the general theme "Science and Society". I interpret this as undue interference to be judged in the light of the above items. Despite my interest and relevant interdisciplinary research area, I was denied a position in this working group, without explanation, following an official request.

Dean's arbitrary cancellation of a scheduled grievance Step-1 meeting

Our first grievance Step-1 meeting (grievance filed October 11, 2005) was originally scheduled for November 15, 2005 according to Collective Agreement guidelines and was arbitrarily cancelled by the Dean's office without agreement from the grievor, only days before the scheduled meeting. There was also a documented attempt to cancel the second scheduled date for this Step-1 meeting, now slated for December 6, 2005.

Dean's letter of allegation dated November 22, 2005, alleged anti-Semitic discrimination

This claim, like the Dean's letter of allegation dated November 25, 2005, is so far from any reasonable interpretation of the facts (e.g., outlined in my e-mail dated November

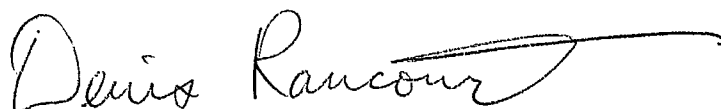
13th) that it would be difficult for anyone not to interpret it as misguided. I submit that it is part of a campaign of harassment.

These interventions and their nature, based on tenuous claims and positions and unsubstantiated in every attempt to obtain the relevant documents, taken together can be interpreted as stepping far outside of the norms of fairness and ethical behaviour, especially given that each incident individually would probably not under normal circumstances have generated the observed official response.

In addition, the Dean's actions have significantly interfered with the performance of my workload duties (10.3.2(e)), as I have had to effectively stop all my research activities (and work beyond normal working hours) in order to comply and respond and so as to meet my teaching responsibilities. My research group (graduate student and PDF supervisions) has also suffered as a result.

I ask that the Dean refrain from any more such interventions immediately, that he apologize in writing for having used his executive power to step beyond the norms of fairness and ethical behaviour, and that he redress each of the above specific incidents and anomalies immediately. In order to partly repair my lost research productivity, I ask that the employer pay the salary of a post-doctoral assistant for my research group for a period of 6 months, at a competitive salary sufficient to attract a top candidate for a half-year contract (\$55,000./y divided by 2).

Sincerely,

A handwritten signature in cursive script that reads "Denis Rancourt". The signature is written in black ink and has a long, sweeping horizontal line extending to the right from the end of the name.

Denis Rancourt
(Professor)
Department of Physics

Most relevant documents:

Dean's e-mail dated September 21, 2005, decision to cancel course
DGR's e-mail dated September 26, 2005, response to course cancellation
Dean's e-mail dated September 27, 2005, decision to break up class
Memorandum of agreement dated September 28, 2005
Dean's letter dated October 24, 2005, disciplinary notice, course content
Dean's letter dated October 25, 2005, new alleged student complaint
DGR's e-mail dated November 4, 2005, response to alleged student complaint
Grievance dated November 16, 2005, alleged student complaint
Dean's letter dated November 22, 2005, will not provide alleged student complaint
Dean's letter dated November 1, 2005, allegation of anti-Semitism

DGR's e-mail dated November 13, 2005, refutation of anti-Semitism charge
Dean's letter dated November 3, 2005, disciplinary threat, CUPE grievance
DGR's e-mail dated November 22, 2005, response to CUPE matter
Dean's letter of allegation dated November 25, 2005, alleged unethical behaviour CUPE
DGR's e-mail dated November 28, 2005, response to letter of allegation, CUPE
DGR's e-mail to Physics Chairman dated October 31, 2005, teaching load
DGR's e-mail to Physics Chairman dated November 1, 2005, classroom reservations
Dean's letter of allegation dated November 22, 2005, anti-Semitic discrimination

cc: APUO, Vice-President Robert Major, President Gilles Patry, Chairman of Physics