

June 20, 2006

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

G-6

Dear Mrs. Pagé-Valin:

Notice of grievance: Dean's unethical behaviour, CHUO student complaint

On November 16, 2005, I filed a grievance in order to be shown an alleged student complaint (about an invitation I made to students to be interviewed on CHUO 89.1 FM) that Dean Christian Detellier had claimed existed. The latter grievance and all of the related documents are the background for the present grievance.

I have yet to be shown the alleged student complaint but in the course of the ongoing November 16, 2005, grievance process my lawyer, Mr. Yavar Hameed, has made a detailed examination, on June 2, 2006, of documents that the employer claimed were or contained the alleged student complaint about my CHUO invitation. This examination has revealed that not a single word from a student in any document provided by the employer can be interpreted as a student complaint against my CHUO invitation.

I hereby therefore file the present grievance on two counts:

(1) The Dean has lied about the existence of a student complaint about my CHUO invitation in pursuing a disciplinary investigation against me. I use the word lie in the usual sense of an intentional false statement. This is not a mistake. The Dean's letter of October 25, 2005, is quite clear that the basis of his disciplinary action is a student complaint about my CHUO invitation: "[...] une plainte d'un étudiant [...] Cette plainte est indépendante des questions qui me préoccupent dans le cadre du cour PHY 1703 [...] L'étudiant étais offense par le contenu de votre courriel." (It has also been quite clear that the purpose of my November 16, 2005, grievance was to see this alleged student complaint about my CHUO invitation.) Lying about a student complaint in the course of

a disciplinary process constitutes an action that is outside of commonly accepted norms of ethical behaviour (10.3.1).

(2) The actions of the Dean constitute an illegitimate attempt to contravene my academic freedom (9(a)) and my freedom of speech. Such an attempt is unethical (10.3.1). In this regard, it is relevant that the CHUO invitation is related to criticism of the University of Ottawa.

Such breaches in professional ethics are quite serious. I ask that the Dean be disciplined by his superiors. I ask for a written apology from the Dean. I also ask that the Dean be informed in writing by vice-President Academic Robert Major, with cc to me, that lying about student complaints is unacceptable under any circumstances and that academic freedom is to be respected at all times. I ask that these two documents (apology and letter from the vice-President) be added to my file. Finally, I ask that another document be added to my file in which the employer rescinds all allegations and accusations related to my CHUO invitation and that none of the related documents be removed from my file.

(As a note: I believe it is my right to not have documents removed from my file but instead corrected using separate documents, as this offers protection against what I perceive to be a pattern of harassment from the employer; for example, my grievance filed on November 28, 2005, on harassment.)

Accompanying documents: Grievance filed on November 16, 2005; Dean's letter dated October 25, 2005; Dean's e-mail dated September 26, 2005; my November 4, 2005, e-mail reply to Dean's letter.

Sincerely,

A handwritten signature in black ink that reads "Denis Rancourt". The signature is written in a cursive, flowing style with a long horizontal stroke at the end.

Denis Rancourt
(Professor)
Department of Physics

cc: APUO

November 16, 2005

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

Dear Mrs. Pagé-Valin:

Notice of grievance: Alleged student complaint

I hereby file a notice of grievance regarding Dean Detellier's signed letter dated October 25, 2005, which itself refers to his e-mail dated September 26, 2005, having subject line "An item of concern". The September 26 e-mail contains an attached e-mail from the Chairman of Physics.

The Dean, in his signed letter of October 25, 2005, claims that there has been a student complaint, that a student has complained about my call to all students to participate in a radio interview on a radio show that I co-host (The Train, CHUO 89.1 FM): "je vous faisais parvenir par courriel une plainte d'un étudiant que le directeur du département de physique m'avait fait suivre [...] L'étudiant était offensé par le contenu de votre courriel". The Dean then goes on to ask that I explain myself regarding this student complaint, under threat of the disciplinary section of the Collective Agreement.

The Dean's claim is unsubstantiated since none of the Dean's messages (letter, e-mail, attached forwarded e-mail from the Chairman of Physics) contain a single word from the student, nor does the Chairman make this claim in his e-mail attached to the Dean's e-mail. In an e-mail dated November 4, 2005, I asked to be shown the student complaint. There has been no response to or acknowledgement of my e-mail.

The Dean has alleged the existence of a student complaint without providing me any evidence of this complaint and has used the alleged complaint to threaten disciplinary action. I ask to be immediately shown the entire student e-mail including the dated header and with only the student's identity removed.

Such methods as used here by the Dean are against the rules of the Collective Agreement and are against basic principles of fairness. Even if the Dean were not threatening disciplinary action, a professor is entitled to see all official complaints made against him. I ask that the Dean acknowledge this and refrain from using such methods in the future.

Accompanying documents: Dean's letter dated October 25, 2005, Dean's e-mail dated September 26, 2005, my November 4, 2005, e-mail reply to Dean's letter.

Sincerely,

Denis Rancourt
(Professor)
Department of Physics

Handwritten initials "D.R." in black ink, positioned to the right of the typed name.

cc: APUO
Dean C. Detellier



Université d'Ottawa - University of Ottawa

Faculté des sciences
Cabinet du doyen

Faculty of Science
Office of the Dean

Le 25 octobre 2005

Prof. Denis Rancourt,
Département de physique
Intra

27 OCT. 2005

M. Rancourt,

Le 26 septembre dernier, je vous faisais parvenir par courriel une plainte d'un étudiant que le directeur du département de physique m'avait fait suivre. Une copie de ce courriel est jointe à cette lettre. Je vous demandais de vous en expliquer. Cette plainte est indépendante des questions qui me préoccupent dans le cadre du cours PHY 1703 dont vous êtes responsable cette session. Il y a maintenant vingt jours ouvrables qui se sont écoulés depuis l'envoi de ce courriel, et je n'ai toujours pas reçu de réponse.

L'étudiant était offensé par le contenu de votre courriel. Pouvez-vous donc, dans le cadre de 39.1.2.1, me fournir plus de renseignements sur le courriel en question. En particulier, à qui il avait été envoyé et aussi ce que vous entendez par "our various communication departments".

Lorsque vous m'aurez répondu, je déterminerai alors, selon votre réponse, si des actions supplémentaires sont à engager.

Veillez recevoir, M. Rancourt, l'expression de mes sentiments les plus distingués.

Christian Detellier
Doyen
Faculté des sciences

Subject: Dean's letter dated October 25, "item of concern", DGR's reply
From: Denis Rancourt <dgr@physics.uottawa.ca>
Date: Fri, 04 Nov 2005 15:20:26 -0500
To: Christian Detellier <dean@science.uottawa.ca>
CC: Renata Green <rbotti@uottawa.ca>, Frans De Bruyn
<fdebruyn@uottawa.ca>, Louise Pagé-Valin <lpvalin@uottawa.ca>

Dear Christian,

I acknowledge receipt of your letter dated October 25, 2005, referring to your e-mail dated September 26, 2005 having subject line "An item of concern".

I will be happy to respond to both your letter and to your original e-mail but first I think it is only normal that I be given a copy of the ENTIRE original student e-mail (with only the student's identification removed) that is at the root of your enquiry and accusations. As it stands, your e-mail of September 26 (with Chair Hodgson's forwarded e-mail attached) contains only a section of an e-mail that contains none of the student's message and only an original and undated message that the student was purportedly responding to.

Therefore, your claim that "je vous faisais parvenir par courriel une plainte d'un étudiant que le directeur du département de physique m'avait fait suivre" is not correct, since not a word of the forwarded message is from the student. You then go on to claim "L'étudiant était offense par le contenu de votre courriel". I see no evidence of the latter claim since none of the original student message has been provided, nor does the Chairman make this claim in his e-mail.

How can I be expected to respond to a student complaint, "in the context of 39.1.2.1" as you state, without being shown the student complaint? You followed the same method in your interventions and accusations related to PHY 1703 (Fall 2005): You have not yet provided me or the APUO with copies of any of the claimed student complaints, nor even informed us of their number, which you have claimed is greater than one.

I do not wield the power of section 39.1, but I find your methods, as they pertain to using undisclosed student complaints, unethical and uncollegial.

Therefore, I await a complete copy of the original student e-mail, after which I will be happy to respond to your "item of concern".

Sincerely,

Dean's letter dated October 25, "item of concern", DGR's...

Denis Rancourt
(Professor)

cc: APUO, Louise Page-Valin.

Subject: FW: An item of concern
From: "Christian Detellier" <deansci@uottawa.ca>
Date: Mon, 26 Sep 2005 12:37:46 -0400
To: "Denis Rancourt" <dgr@physics.uottawa.ca>
CC: "Physics Chair" <PHYCHAIR@science.uottawa.ca>, "Louise Pagé-Valin" <lpvalin@uottawa.ca>

Denis,
Il y a quelques jours j'ai reçu ce message du directeur de ton département, me rapportant une plainte d'un étudiant. Peux-tu me fournir des explications sur le contenu du message ci-dessous que tu sembles avoir envoyé à ta classe?
Christian

From: Physics Chair [mailto:PHYCHAIR@science.uottawa.ca]
Sent: Monday, September 19, 2005 10:45 AM
To: dean@science.uottawa.ca
Subject: An item of concern

Christian,

I received a copy of this message from a student in Denis Rancourt's class who is upset with the way the class is being taught. The message below was attached, and was sent out by Denis:

Richard

>I am looking for irate or frustrated or angry or discouraged or
>depressed graduate or undergraduate students
>
>to be interviewed live (in English) on The Train, CHUO 89.1 FM:
><http://www.alternativevoices.ca/train.htm>
>(Every Thursday at 5 pm)
>
>I want to counter the plastic-smile Apathy-U marketing campaigns (from
>our various communication departments) with some gritty reality about
>student life. I think that the public could benefit from such exposure
>and that such an exercise could catalyze some welcome changes... At the
>same time, this could be a frontal attack on our middle class sanitized
>discourse and enforced correctness.
>
>Please contact me if you would be willing to participate (anonymously if
>you prefer) in such a short group interview (I plan several in a

>series... maybe by theme?). Groups and friends are welcome together.
>
>Please help me locate irate students willing to participate: Send them my
>way!
>
>Thank you and tune in!
>
>Denis Rancourt
>co-host, The Train, CHUO 89.1 FM
>

Richard Hodgson
Chair/Directeur
Department of Physics
University of Ottawa
150 Louis Pasteur
Ottawa, Ontario, K1N 6N5
tel: 613-562-5800 ext 6750
fax: 613-562-5190
email: phychair@science.uottawa.ca
<http://www.physics.uottawa.ca>