

Ontario Labour
Relations Board

505 University Avenue
2nd Floor
Toronto, Ontario M5G 2P1
Telephone: 416-326-7500
Facsimile: 416-326-7531

Commission des relations
de travail de l'Ontario

505, avenue University
2^e étage
Toronto (Ontario) M5G 2P1
Téléphone: 416-326-7500
Télécopieur: 416-326-7531



Our File Number/Numéro de dossier: 2567-10-U

rec. Dec. 13, 2010

December 10, 2010

TO THE PARTIES LISTED ON APPENDIX "A"

Dear Sir/Madam:

**Denis Rancourt v. Allan Rock, University of Ottawa and,
Association of Professors University of Ottawa (APUO)**

Attached is a copy of the Board's Decision dated December 9, 2010 in the above matter which is being sent to you by facsimile, regular mail, courier or e-mail.

Sincerely,

A handwritten signature in black ink that reads "Tim R. Parker".

Tim R. Parker
Registrar

TRP/el
Enclosure

ONTARIO LABOUR RELATIONS BOARD

2567-10-U Denis Rancourt, Applicant v. **Allan Rock, University of Ottawa and Association of Professors University of Ottawa (APUO)**, Responding Parties.

BEFORE: Mary Anne McKellar, Vice-Chair.

DECISION OF THE BOARD: December 9, 2010

1. This is an application under section 96 of the *Labour Relations Act, 1995* ("the Act") alleging a contravention of sections 56 and 76 of the Act.
2. The application as originally filed on November 8, 2010 named one responding party – Allan Rock, President of the University of Ottawa.
3. On December 8, 2010, the applicant filed an "Amended Application". In it he identifies the University of Ottawa ("the University") and the Association of Professors of the University of Ottawa ("the APUO") as responding parties. The style of cause is amended accordingly.
4. The contents of the "Amended Application" also differ from the original, although it is difficult to ascertain in what way the factual statements about the same matters dealt with in the original may have been varied since the applicant has not followed the practice of underlining the changes. Some of the new contents appear not to relate to the applicant's original statement of fact at all, but rather to be in the nature of a reply to the Response filed on behalf of Mr. Rock, and in particular a reply to the requests for dismissal on a preliminary basis. This request on behalf of Mr. Rock will be dealt with by a panel of the Board once the Labour Relations Officer has completed her settlement efforts. The usual practice is for the Board to issue a decision soliciting the submissions of the applicant and offering some guidance as to the topics those submissions should address and the relevant Board caselaw. In other words, the applicant will have an opportunity at the appropriate time to address the issues raised in the response.
5. In the meantime, the newly added parties shall have until December 21, 2010 in which to file responses to this application. It will be sufficient at this point, until such time as the Board specifically directs otherwise, to file responses setting out only those facts relevant to any requests for preliminary dismissal (or deferral) that either of those parties intend to make in their response. At one point in the response already filed by Mr. Rock it was indicated that that response was filed on behalf of the University as well, so it may be that the University does not intend to file its own response, in which case it is simply requested to so advise the Registrar of the Board by letter on or prior to December 21, 2010.
6. For clarity, at this point there is no need for any further material to be filed by the applicant.
7. I am not seized.

"Mary Anne McKellar"
for the Board