

Exhibit B

FORM 35
PUBLIC SERVICE STAFF RELATIONS ACT

NOTICE OF HEARING (ADJUDICATION)

Effective 22 October, 1975

P.S.S.R.B. FILE

166-2-19116

TO: Mr. C.E. Leclerc
Senior Executive & General Counsel
The Professional Institute of the
Public Service of Canada
786 Bronson Avenue
Ottawa, Ontario

Mr. G. Brackenbury
Section Head
Grievance & Adjudication Section
Treasury Board
West Tower, 6th floor
Esplanade Laurier Building
300 Laurier Avenue West
Ottawa, Ontario

Further to our letter of September 12, 1989,

1. TAKE NOTICE that the hearing on the reference J.J.B. Pierre Blais

which reference was made on September 5, 1989 will be held on Thursday & Friday

the 9th & 10th day of November, 1989, at 9:30 o'clock in the fore

before the Deputy Chairman or an Adjudicator selected by him

at the C.D. Howe Building, 240 Sparks Street, West Tower, 7th floor, Room 714,
Ottawa, Ontario.

2. AND FURTHER TAKE NOTICE that if you fail to attend at the hearing, the adjudicator may proceed in your absence and dispose of the grievance & further notice to you.

If you intend to file an exhibit, and an official version of the document exists in both official languages, you should be prepared to file both texts at the hearing.

Dated at Ottawa, this 29th day of September, 1989.

It is the responsibility of the grievor or the bargaining agent to provide the Adjudicator with the relevant collective agreement or arbitral award at the hearing.

c.c. P. Blais

Deputy

Registrar

c.c. J. Sims, Q.C.
Staff Relations Officer
Health & Welfare



Health and Welfare
Canada

Santé et Bien-être social
Canada

Health Protection
Branch

Direction générale de la
protection de la santé

Ottawa, K1A 0L2

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JUL 14 1989

Dr. Pierre Blais
Bureau of Radiation and Medical Devices
Health Protection Branch
Ottawa, Ontario
K1A 0L2

Dear Dr. Blais:

The investigation into the March 28th and 29th, 1989, media coverage on the Meme Breast Implant has now been concluded. During the course of the review, you were given several opportunities to present your perspective into the various incidents/events surrounding the public coverage and subsequent to it. Based on the findings, I am satisfied that you have conducted several serious infractions which place into question both your scientific integrity and the element of trust and confidence which is essential to carry out your duties as a Research Scientist in the Bureau of Radiation and Medical Devices.

I have determined that, in 1985, you submitted an abstract for review, preparatory to submitting it for publication in the Journal of Plastic & Reconstructive Surgery, Annals of Plastic Surgery. You admitted during the course of the investigation that the article had been rejected by the Journal. You did not advise management of this fact, and proceeded to submit the same abstract to a trade magazine, called Transplantation Implantation Today. Unbeknownst to management, the abstract was published in September 1988. Your failure to have the abstract reviewed and approved prior to its submission to the trade magazine is in direct contravention of practices and procedures used by the Branch in approving articles for publication. In that you are well aware of the internal process, I can only conclude that you deliberately circumvented the process.

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Based on the balance of probability, I am satisfied that you were involved in the unauthorized release of scientifically unsubstantiated material consisting of a memorandum and an internal report to the media on the Meme Breast Implant. This matter raised serious concerns with the public, the medical profession and the industry, which necessitated the commissioning of an independent inquiry at a substantial cost to the Department. The recent release of the report, authored by Carolyn L. Kerrigan, unequivocally establishes that the Meme Breast Implant Prosthesis is safe, quite contrary to your conclusions, which were quoted by the media and which raised both concern and alarm. I find your actions in this regard to have been totally irresponsible, unprofessional and reprehensible in the context of your duties.

In addition to the foregoing, I have concluded that you have been insubordinate on several occasions recently. You were made aware some time ago of the Recovery Program Registry and the manner in which tissue samples are to be received. Despite this, you took no steps to prevent a tissue sample being sent directly to you, in contravention of the policy, even though you had previous knowledge that this was being done. Management intercepted that sample, which was addressed to you. This flagrant disregard of instruction is unacceptable.

In the second instance, you were instructed in a memorandum dated March 13, 1989, to turn over to your supervisor by March 17, 1989, all copies of documentation received from Ms. Wilson. As a result of an Access to Information response, it was discovered that you did not meet your obligations in this regard.

Thirdly, I am satisfied that on March 9, 1989, you were instructed to destroy a specific report supplement. The documentation referred to was the unsubstantiated report previously referred to. In that you had made changes to a subsequent draft and retro-dated it, management concluded that the initial document served no purpose. You did not carry out management's direction. On March 7, 1989, you were directed to retrieve and destroy your memorandum of March 3, 1989, re: "Request from Office of S. Duplessis, M.P.". Management considered the contents of your document inappropriate and unacceptable, in that it demonstrated "... a lack of understanding of rudiments of interaction within the Department...". You were given an opportunity to resubmit a related document. By not taking the appropriate action, you were insubordinate. Also, on March 7, 1989, in a memorandum to you, titled "Communications regarding court cases", you were directed to retrieve and destroy all copies of your memorandum of March 2, 1989. Management's

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decision was based on the fact that your communiqué "... contained errors of fact and judgement, and reflects an ignorance of Departmental procedures and communication...". You again disregarded this directive. Hence, once more you were insubordinate.

In light of the foregoing, I consider your infractions to be serious acts of misconduct which are totally inappropriate and unacceptable, demonstrating your unsuitability for employment in the Public Service.

By the authority delegated to me, I hereby discharge you from the Public Service, effective immediately.

Should you feel aggrieved with my decision, you have a right to submit a grievance in accordance with Section 90 of the Public Service Staff Relations Act.

Yours truly,



A.J. Liston, Ph.D.
Assistant Deputy Minister

I have received this communication and do not agree with its content.
P. Blais

Received by Dr. Pierre Blais
July 17, 1989