

Toronto, May 29<sup>th</sup>. 2014

Attn. **Dr. Robert Walker – President & CEO AECL**

#1 Plant Rd., Chalk River, Ontario K0J 1J0

Dear Sir,

Thank you for the letter I received recently from AECL advising me about the Return To Work (RTW) program.

It is great that AECL finally decided to comply with the policies / procedures pertaining to the health and safety. I am still distressed though about why AECL has arbitrarily selected to ignore the issue of my Return to Work for almost 9 years. I believe you would agree with me that this is too little and too late. AECL consistent selective compliance with the policies and procedures in my case has caused irreparable damages including damaging my life, my family, my career and my health. It is no secret that I am suffering from Post Traumatic Stress Disorder (PTSD) mainly due to AECL ongoing abuse of my security records, my sick leave benefits, my long term disability benefits as well as my health, safety and welfare. This effectively inhibited my speedy recovery leading to my current disability due to PTSD as my specialist Doctor will testify.

I do have at least seven (7) serious concerns about returning to work. Thus far AECL has not decided on how these concerns will be addressed in order that I may be able to return **safely** to work.

1. **My name has never been cleared:** In order to be able to return back to work I do need more than just an updated security clearance though I had already submitted the forms as requested. I do need the Government to publicly clear my name. This is essential for me to be able to live as an ordinary citizen in the small community of Deep River, Ontario and in the society at large.
2. **My Personal Safety:** Indeed I still have many concerns about my personal safety while living in such a remote small community where everybody knows everybody yet my name has never been properly cleared of the false allegations made by AECL against me in the aftermath of the 9/11 events.
3. **Retaliation by Fringe groups:** Further retaliations against me by fringe groups closely associated with AECL security is also a high risk. Since 9/11/2001, both I and my family have been the subjects of intense and ongoing abuse and discrimination because we happen to be Muslim-Canadians. I do believe and the fact is that all this took place under the eyes and with the blessings of AECL security. They viewed us as an easy target to intimidate, to proselytize and to steal our identities by taking advantage of the fears that AECL managed to create in our lives upon destroying my reputation and portraying me as a security suspect.
4. **Role played by Fringe Groups in breaking up my family:** Indeed members of this fringe group came to my house three (3) times while I was out of my job (Sept – Dec. 2001) trying to proselytize our family. They were (Mr. George Poly) & (Ms. Ivy Chung), both were and maybe still employees of AECL. Despite the huge duress we were experiencing, I patiently and tactfully advised them that:
  - (a) This was not the right timing to entertain such issues while we were under such huge duress;
  - (b) I also told them that we are simple Muslim-Canadians practicing our beliefs while respecting other people's beliefs; and that we are not contemplating conversion any way.

(c) I proposed to them instead to adopt a more positive approach by requesting their church to sponsor, facilitate and host a public information presentation about Islam which I was willing to provide in order to reduce the tension and minimize the fears created by the 9/11 events. Apparently they rejected this idea. However they turned towards my ex-spouse taking the opportunity of my absence to attend my father's funeral (Dec. 2001 – Jan.2002). They gave her money, persuaded her to kidnap our 4 children and leave the family residence. I arrived back from Egypt on early Jan.2002 to find out that my ex-wife and my 4 children had disappeared without a warning or notice.

Indeed I felt mentally paralyzed, confused, insecure and fearful for my life and the lives of my children. I don't have much recollection of how I spent that terrible night except for the fact that I received a phone call from lawyer Joseph Markin requesting me to sign the settlement without counseling or explanation. When I tried to explain to him the serious problem I found upon my arrival, he blocked me, refused to listen and threatened that he will withdraw from the case. This was how they managed to put me under duress that lead me to sign -in the same night- the illegal and immoral settlement without the benefit of competent legal counsel.

On hindsight I believe this was a setup to coerce me to sign the settlement. I believe that AECL security staff was directly involved in persuading my ex-wife to leave home. They even scheduled her departure only 2 days prior my arrival from my trip to maximize my shock, my fears and my confusion upon arrival not to mention the fears created in the minds of the 4 innocent children. Again I believe that AECL security was directly involved in spewing anti-Muslim hate to frighten my ex-wife and my 4 children during my absence. I wouldn't discount the possibility that she might have been subjected to intensive interviewing by the RCMP and/or CSIS.

Under any possible scenario, there is no doubt in my mind that my ex-wife was put in a state of extreme fear, intimidation and direct or indirect threats. Considering that she was diagnosed later with Schizophrenia and mental disturbance and on the balance of probabilities I believe she was intimidated and was used by this same fringe group and by AECL in order to:

- (a) Force me to appear in the family court only 5 weeks after my name was being portrayed on an ongoing basis all over the national and international media as a security suspect for the previous 3 months. It was an understatement that I'll never ever have a fair hearing in the family court. Any lawyer or even law clerk will confirm this without hesitation.
- (b) Drag me into a bitter, hostile and costly fight in the family court to bankrupt me emotionally and financially and to further distract me from clearing my name and to further sabotage my professional relationship with AECL.
- (c) Break up my relationship with my 4 children and proselytizing them by controlling their schizophrenic mother.
- (d) Embarrass me publicly to strain my personal and professional relationships and make my life difficult if not totally impossible within the small community of Deep River. At the end of the day, I was forced to leave my job and to move out of Deep River on 2006 as you might be aware.
- (e) Promote AECL vested interest in breaking up my family and interference in the family court proceedings as an act of retaliation against me for exercising my legal rights and filing law case # 2002-01 in the Federal Court in response to AECL false allegations against me in the aftermath of the 9/11 events. It is worth mentioning that AECL interference in my family court proceedings is well documented on all my family court files in Pembroke and in Toronto.

5. **My Professional Reputation:** It is also most important to grant me such public name clearing in order to clear my reputation and to facilitate my professional relationships and interactions with other professionals within and external to AECL. It is no secret that since my reinstatement,

AECL was regularly listening and taping my phone communications. This is not only an illegal conduct but more important it spread the message that "I am not trusted" to all staff levels in AECL. This further communicated to them that I have to prove to them every day that I am not an "Enemy of the Nation" and that I am not a "Security Risk". What was the value of the security clearance then when AECL management turns around to nullify or ignore it to turn it into a meaningless and worthless piece of junk paper?

6. **My current and Future relationship with my children:** Most important it is essential that my name should be cleared so that my 4 children can feel secure and comfortable among their peers and among all people in that small community. Those innocent children were being routinely told that "the best Muslim is the least Muslim" and that their father is an extremist in order to frighten them and to steal their identities. It is essential that they can be sure 100% that their father was doing his best to protect them and that he is **not** and was **never** a security or a terrorist suspect.
7. **Risk of More Damages:** Ignoring the above facts and rushing me to go back to work using the classic or routine (RTW) procedures i.e. without properly and publicly clearing my name will indeed subject me to more damages that are beyond the scope of this letter. This is basically the same callous approach that AECL did on 2002.

This is the professional, realistic and common sense approach to integrate me in the community which was ignored by AECL and by all parties when I returned to work on 2002. By not clearing my name publicly, AECL managed to damage me and my children and to turn us into "social outcasts" within the small community of Deep River.

### **Essential Background:**

In order to appreciate the above, one needs to review some background documented facts pertaining to AECL abusive conduct against me and against my children ever since 9/11/2001. While some of these violations are recent and took place under your presidency, many others took place long before your taking charge of AECL. The list of violations includes -but is not limited to- the following:

**1. Abuse and tampering with my employment files:** I recently reported to you (my letter of April 13, 2013) that the AECL Access to Info department denied my request to access records pertaining to the settlement signed by AECL, CSIS and RCMP on 2002. As I stated on my letter AECL initially claimed that they had no copy of such document. I complained to you that this position was both unacceptable and irresponsible from a corporation where documentation and records are the cornerstone of their credibility locally and world-wide. I inquired about what were the basis for firing me then hiring me in the aftermath of the 9/11 tragic events? I also asked you to investigate that serious concern. However I got no response from you. I was then forced to file an official complaint under the Access to Information Act (Ref# 3213-01008). After a lengthy investigation, the Office of the Information Commissioner of Canada advised me recently that AECL is claiming that they destroyed the record after a 2-years retention period. I am very disturbed and alarmed by such abuse of my employment records due to the following facts:

- (a) On or around Jan. 28, 2004, the Director of my department (Mr. Keenan) and my manager interviewed me to warn me against my plans to appear on a TV show in support to the Hon. Steven Mahoney –MP in his campaign for nomination in the Mississauga-West riding which was scheduled for Jan. 29, 2004. Apparently AECL was listening and taping my phone conversation with Mr. Mahoney while he was discussing that issue with me. During the interview both managers referred to and waived a copy of the settlement while warning me not

to appear on the TV. This date was indeed beyond the 2 years retention period which indicates that AECL is not telling the truth to the Information Commissioner regarding that record.

- (b) Moreover, listening and taping my phone calls was also a message to my supervisors that I am not trustworthy and that I should be marginalized. It was a message to my supervisors that the settlement signed by AECL is not to be translated into reality.
- (c) Most significant, I find this position by AECL to be very bizarre, odd and selective application of the policies when it came to such sensitive record on my employment files. Yet AECL is still keeping other less important and even trivial records on my employment files. It goes without saying that the nuclear industry is a highly "document-sensitive" industry and hence tampering with my employment files is indeed unacceptable conduct.

## **2. Abusive Work Environment:**

Before your appointment as President & CEO of AECL there were also numerous documented violations against me. In the interest of making the full picture clear in front of you as a new comer to the scene and possibly not well and not fully-briefed on all information on my files, here are samples of AECL abusive employment practices.

(a) Shortly after my reinstatement, AECL proceeded to change my working conditions and reporting relationships to set up the stage and to facilitate future harassment, discrimination and the taking of important projects from me.

The manager who boldly supported me (by telling the truth) during the 9/11 i.e. Mr. Ed Mutterback was suddenly forced to retire. Although he was later hired by AECL on contract, almost everybody who knew Mr. Mutterback was surprised if not shocked because they knew that he was enjoying his managerial staff position over being hired on contract.

b) After a while, my new supervisor assigned me to a high profile project i.e. (the design of the U5-Loop of the NRU reactor). Despite that, the involved project manager (his first name was Brian or Brayn Smith I believe) would **not** assign me specific tasks or target schedules. He was acting as if my assignment was only meant to be a matter of paper work for the sake of formality. He defined neither my role nor my specific tasks. He left me doing very little while charging my time to his project. To him I was nothing but a social and professional outcast. He dealt with me as if we were in a school test and not working as mature members of a team to achieve one common mission. He would hold project meetings with the other project team members without informing me. This was a poisonous, de-motivating, insulting and non-business like environment not to mention the waste and abuse of AECL resources. For at least 6 months I protested although I was striving to maintain low key. Yet he didn't care and nobody else cared. At the performance appraisal time the same project manager complained to the department acting manager -and to my disappointment- she took his side, that I was charging time against the project without showing production. Taking such false allegations at their face value, would indeed implicate both Mr. Smith and his manager. Where were both of them for 6 months or more while I was charging time without production? This is a direct proof that both of them were incompetent liars. Indeed the 2 managers are either fully incompetent because neither of them knows the ABCs of team work and professional project management. In the alternative, that they might have deliberately chose to neglect and to abuse their management responsibilities in order to later blame the victim i.e. me.

c) I submitted a formal Human Rights complaint (dated Aug.16, 2004) to the corporate VP of Human Resources (Ms. Beth Medhurst). I copied Mr. Gary Kugler, a Senior Corporate VP, who was

intimately familiar with the trauma I was living with since 9/11/2001. Despite that my complaint was never investigated. Instead I was referred by Ms. Medhurst to the routine grievance process which communicated to me that sr. management doesn't care about my performance, my complaint nor about respecting the same settlement that they signed on 2002.

d) I followed up with a personal letter via corporate email to Dr. Gary Kugler - Sr. Corporate VP Commercial Operations- to report to him that I was being subjected to gross corporate abuse and discrimination. It is worth mentioning that during the 9/11 /2001 false allegations made by AECL against me, Dr. Kugler phoned me at my home# in Deep River (613)584-4556. He advised me that he was calling on behalf of AECL management to assure me that:

- If I would return to AECL, I would never be subjected to any kind of harassment again.
  - Additionally I discussed with him my immediate need to travel to Egypt to see my dying father. He promised to arrange that with my supervisor (Mr. Ed Mutterback).
- This was Dr. Kugler's commitment which proved to be nothing but another act of deceit and lying by AECL Senior management.

e) Approximately one week after I sent my email to Dr. Kugler (Aug 2004), I received an email in the form of a Corporate announcement that Dr. Kugler decided "suddenly" to retire from AECL?! Ironically, I found out afterwards, that he was appointed to the Board of Directors of Ontario Power Generation. Thus he managed to disappear on me and I never received response from him regarding my complaint. He conveniently closed his ears and his eyes and ran away from the commitment he made to me on 2001. He conveniently ran away from his responsibility for misrepresenting AECL positions to get me to go back to work under false and misleading expectations.

f) With respect to Ms. Medhurst response to my human rights complaint, I was shocked by her indifferent and irresponsible response. It reflected arrogance, heavy-handedness and muscle-flexing approach while promoting further ugly confrontations as if what AECL has done to me since the 9/11 events was not enough in her opinion! Her response reflected failure, incompetence and reluctance to address my serious human rights complaint amicably and promptly. Instead she decided to mislead me into a grievance route that she knew or ought to have known was frustrating, slow, costly and susceptible to AECL management abuse and manipulations.

It became clear from Ms. Medhurst's attitude that AECL management was out to mess around with my job performance files in order to achieve the same objectives that they failed to reach when they exploited the 9/11 tragedy to abuse my security files and to maliciously terminate my employment. It became clear in my mind that reinstating me back to my job was nothing but a deliberate act of deceit and manipulation. It is no wonder that AECL management never had any internal investigation to find out officially who was the person(s) inside AECL responsible for the scandal of trying to portray me as a terrorist suspect in the aftermath of the 9/11 events?

g) I then had no alternative but to file a formal Human Rights grievance on Jan.13, 2005 i.e. Grievance# 0405-014CP which was never heard. In addition I also filed 2 more grievances i.e.

(1) Grievance# 0405-015CP which was heard and the Arbitrator awarded me \$ 20,000 in damages for mental abuse. Due to further abuse and manipulations by AECL I never received this award.

(2) The third and final grievance was filed on Jan.2008 due to AECL failure to live by the terms of the settlement signed in front of the Arbitrator on 2006. This third grievance was not heard as well.

Copies of the 3 grievances are available for reference and review upon request.

The fact that comes loud and clear from the 3 grievances was the ongoing abuse, harassment, abusive work environment, aggravated damages and progressive termination of my employment in open

violation of the settlement signed by AECL, CSIS and the RCMP on early 2002.

i) I pointed out on pgs# 3 and 4 above to the fact that AECL management was listening to and taping my phone communications. I had to discuss this serious concern with the Hon. Steven Mahoney – MP who confirmed to me that such conduct by AECL is illegal. I had no choice but to conclude that AECL was still viewing and treating me as a "Security suspect" despite my reinstatement and despite my updated security clearance.

j) As a direct outcome of AECL conduct in abusing my sick leave benefits (grievance# 0405-015CP) as well as the ongoing delays and blocking this simple straight forward grievance:  
- I had to live without income and I was forced to go on social welfare on 2005 with barely enough income to survive. I was unable to pay neither my rent nor my utilities which had further destroyed my reputation within the small community of Deep River. This was calculated, deliberate and intentional conduct to further promote my image of being a security suspect and social outcast.

- I had to write a complaint letter to the ex-president & CEO of AECL Mr. R. Van Adel (June 2005) requesting his involvement to ensure that AECL follows the procedures. When I got no response from him, I had to make official complaint to the Canada Industrial Relations Board (CIRB) under section 37 against the union due to unfair representation. This was indeed my last resort to get AECL to follow their own procedures namely to process my grievances and to go for arbitration hearing in a timely fashion. It is worth noting that this is the kind of ineffective and abusive grievance process that Ms. Medhurst used as an excuse for not investigating my serious human rights complaint.

- Additionally my "child and spousal support" obligations were seriously interrupted which was an open interference by AECL in my family court proceedings. Needless to mention that AECL interference in the family court proceedings has created lots of hostility against me in the family court up to this moment as the court still insists on blaming the victims for the abuse committed by AECL. As you can see for yourself, both my employment and my family crises have been indeed direct outcomes of the 9/11/2001 false allegations against me.

k) Considering also that my reinstatement was based on a legal settlement signed by AECL and other government agencies there is no explanation for such intense conflicts in my job environment but deliberate and calculated set of illegal acts of retaliation and torture against me in violation to s.269.1 of the criminal code of Canada.

I would appreciate your support to urge the government of Canada to publicly clear my name in order to allow me to return back to work safely and to integrate me properly in the community.

Respectfully,



Mohamed A. Attiah  
925-20 West Lodge Ave., Toronto M6K 2T4

cc- The Hon. P. Mackay – Minister of Justice and Attorney General of Canada