

s.19(1)

PROTECTED  
(SAFEGUARD AS CONFIDENTIAL)

MEMORANDUM

5000-2 (EME)

08 Jul 88

EME WKSP PROD O/BTSO

REDRESS OF GRIEVANCE -  
RELEASE - REGULAR FORCE

- Ref(s):
- A. DND 507 (9-85) Notification - Termination of Service dated [REDACTED]
  - B. My Memorandum dated 16 Mar 88 - Reply to Request for Release - [REDACTED]
  - C. DPCAOR 5/5036 011510Z Feb 88
  - D. National Defence Act, QR&O Vol II, Appendix XI, Part II, Section 25
  - E. DPCAOR 5-5207 261800Z May 88
  - F. CFAO 6-2 Re-engagement Non-commissioned Members Regular Force
  - G. CFAO 19-20 Homosexuality - Sexual Abnormality Investigation - Medical Examination and Disposal
  - H. CFAO 15-2 Release - Regular Force

1. I am redressing the reason stated as per Ref A for my termination of service.

2. In order to expand on my reasons for redress, a certain chronology of events must be stated:

- a. On 16 Mar 88, I submitted Ref B to Wksp Sp O, Lt Rabadi.
- b. Shortly after this (one week later) I inquired to Sgt Caron, CC EME Wksp, as to the status of my pending re-engagement.
- c. Ref C was clear in defining that no release action was to result due to my decision of refusing compulsory release under 5d of QR&O 95.01 (Ref B).

PROTECTED  
(SAFEGUARD AS CONFIDENTIAL)

. . . /2

003547

PROTECTED  
(SAFEGUARD AS CONFIDENTIAL)

- 2 -

- d. Sgt Caron verbally confirmed that re-engagement procedures were to be started through the BTSO, LCol Lloyd.
  - e. I then inquired again (end of Apr), thru Sgt Caron, as my re-engagement date was closely approaching (14 Jul 88). She verbally informed me that due to pending policy decision on homosexuality, she was informed thru telecon (source of info was not revealed to me) that I was to be retained without contract as per Ref D.
  - f. An interview with Lt Rabadi (end of Apr) was scheduled by Sgt Caron to further inform me on this decision.
  - g. During this interview Lt Rabadi explained how I could be retained "without contract" and gave me a copy of Ref D.
  - h. That same day, Sgt Caron discussed with me how she would inquire to request written confirmation of this decision from either NDHQ or CFTSHQ Trenton.
2. It was through these efforts that Ref E was received, changing my status from being retained without contract to being released under Item 5c of QR&O 15.01.
3. Having met all criteria for re-engagement as per Ref F, I can only conclude that I was not recommended for re-engagement due to my admission of homosexuality.
4. This specific reason of release comes under Ref G and the authority of release is NDHQ/DDPCOR.
5. Changing the release item from 5d to 5c does me the following injustices:
- a. reduces the level of release authority in these circumstances;
  - b. "masks" the true reason of release;
  - c. homosexuality is still under review and awaiting a ministerial decision and, as such, is not defined as a reason for release under 5c;
  - d. goes contrary to Ref H, Annex A, Para 4 which states, "Release items should not be applied to achieve a desired result, such as, a form of punishment"; and
  - e. permits the CF an administrative reason, "Termination of a Fixed Period of Service", which enables the CF to release me, even though the homosexuality question is still under review.

PROTECTED  
(SAFEGUARD AS CONFIDENTIAL)

. . . /3

003548<sup>D</sup>

s.19(1)

PROTECTED  
(SAFEGUARD AS CONFIDENTIAL)

- 3 -

6. For these reasons, I am contesting release under 5c and request that I be re-engaged in the CF until final policy decision on the subject of homosexuality is made.



PROTECTED  
(SAFEGUARD AS CONFIDENTIAL)

003549