

Partly cloudy
High in mid-70s
Thursday: Cloudy
High in mid-60s

The Daily Tar Heel

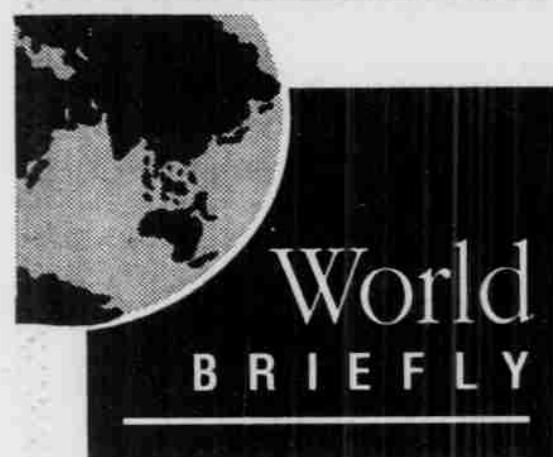
Serving the students and the University community since 1893

Volume 98, Issue 109

Wednesday, November 28, 1990

Chapel Hill, North Carolina

The New Alliance
Party Open Meeting
7:30 p.m., BCC



Conservative Major to succeed Thatcher

LONDON — John Major, who was endorsed by Prime Minister Margaret Thatcher as her successor, was elected today as leader of the Conservative Party and he will become prime minister.

Major fell two votes short of the needed majority, but his opponents conceded defeat and Conservative Party officials declared him elected.

Thatcher said she was "thrilled" by the result.

Major, 47, the Treasury chief, is the youngest person to be elected prime minister since the 19th century.

He received 185 votes, two fewer than required. Former Defense Secretary Michael Heseltine had 131 votes, and Foreign Secretary Douglas Hurd had 56 votes.

Hurd also quickly conceded. He said the party needed to unite, and "John Major is the right leader for this task."

Within minutes, Cranley Onslow, chairman of the Conservative Party committee that supervised the election, announced that a third ballot was not required and Major was elected.

U.N. resolves to give Iraq pullout deadline

UNITED NATIONS — A U.N. Security Council resolution will give Iraq until Jan. 15 to withdraw its troops from Kuwait or face U.N.-authorized military action, diplomats said Tuesday.

Secretary of State James Baker and Soviet Foreign Minister Eduard Shevardnadze fixed the deadline in the last 24 hours, said Western diplomats, speaking on condition of anonymity.

The measure, which will authorize "all necessary means" to get Iraq out of Kuwait after that deadline, will be voted on Thursday.

The date after which a military strike could begin had been the only unresolved issue in the draft measure.

Initially, the United States had pressed for a Jan. 1 deadline, but the Soviets wanted it set at Jan. 31 to allow more time for diplomatic maneuvers.

The measure would call on Iraq to release all foreign hostages, withdraw its troops and restore Kuwait's government by Jan. 15.

Telescope flaws not reported, panel says

WASHINGTON — Technicians suspected a problem in the manufacture of the Hubble Space Telescope's main mirror but never told anyone and the \$1.5 billion instrument was launched with a blurred view of the universe, investigators said Tuesday.

The manufacturer, Perkin-Elmer, did not assign its best people to the telescope construction and "there was a surprising lack of participation by optical experts with experience in the manufacture of large telescopes," the investigators' final report added.

NASA released the study by a six-member panel headed by Dr. Lew Allen, director of the space agency's Jet Propulsion Laboratory in Pasadena, Calif.

One flaw the panel found echoed a finding of the investigators of the 1986 Challenger space shuttle accident. The Hubble report said the management structure at Perkin-Elmer raised "a strong block" against communication between people doing hands-on work and higher-level experts.

— From Associated Press reports

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Spangler gains largest block of NCNB shares

By JEFFREY D. HILL

Staff Writer

C.D. Spangler Jr., UNC-system president, acquired control of \$104 million in stock in the Charlotte-based NCNB Corp. this month, making him NCNB's largest shareholder.

Before this month's acquisitions, Spangler controlled 3.5 percent of NCNB's stock. He now controls 7.8 percent, or about 8 million shares, of NCNB stock.

Spangler served on the North Carolina National Bank's board of directors until he became UNC-system president in 1987. His wife Meredith replaced

him on the board.

"He (Spangler) is a very astute investor and has had a long-term position in his shares," said Rusty Page, NCNB senior vice president and investor relations executive. "His continued investment is a nice reflection on NCNB."

Spangler, a multimillionaire, refused to comment Tuesday on his acquisition of NCNB stock. "That is a private family activity and is not something I discuss with anybody," he said.

Page said Spangler's investment would not give him any control over the corporation, but that if Spangler made any suggestions, he would be "warmly

received."

According to documents filed with the Securities and Exchange Commission, the Spangler family acquired the stock through several of its businesses.

A Delaware investment company, Delcor Inc., purchased 2.6 million shares of NCNB stock. Delcor is owned by Golden Eagle Industries Inc., a Charlotte investment firm. Spangler and his wife control 54 percent of Golden Eagle's stock.

The C.D. Spangler Foundation, which is controlled by the Spangler family,

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Consent to sexual relations in dating addressed at forum

By CATHY OBERLE

Staff Writer

University administrators and community officials discussed the misrepresentations of consent in date rape at the forum, "Legal Consent: What You Need to Know to Avoid a Date Rape Situation," sponsored by Women in Law Tuesday night.

Pat DeVine of the Chapel Hill appellate defender's office gave guidelines on how to define consent. How a woman dresses and acts is not justification for rape, she said. A woman can change her mind, and it is irrelevant whether the couple had sex in the past, she said.

Carl Fox, Orange County district attorney, said males may expect consent

because of a macho-male upbringing.

"The macho-male upbringing is this thing that says the man is supposed to be aggressive, that you're supposed to learn early that you have to defend yourself and fight," he said.

Men often are taught to think of females as sex objects, and that the role of the male is to conquer, he said. "It's an upbringing that says that somehow the role of the male is to conquer ... and get what you want. That way, when a woman says no, no means go," Fox said.

Because of this upbringing, some men feel that going out on a date is consent to have sex, he said.

"Nobody owes you anything because you bought them dinner," Fox said.

"Consent means what it says it means. It means known, it means voluntary, it means consent not under duress," he said. "Consent isn't having sexual relations out of fear."

DeVine said date rape is different from the common conception of rape.

"What we're talking about is a whole new concept of the word rape," she said. "The law says a rape happens if it is against a woman's will and if she is forced; the law requires both."

DeVine said women often come to her and say that they think they were raped but were not sure because it did not fit their perception of rape. What

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UNC policy differs in lawyer representation

State agencies, universities differ in grievance procedures

By BURKE KOONCE

Staff Writer

State employee grievance procedures at N.C. agencies and other state universities are accepted by employees and management, said N.C. Office of State Personnel representative Sam Badgett.

Badgett, manager of the Employee Services Division, said the state employee grievance procedure has operated almost entirely without controversy since its implementation in 1966.

The UNC procedure is a variant of the procedure in the N.C. State Personnel manual, he said. Such adaptations are not uncommon, but must be approved by a state personnel committee, he said. Variations from the prescribed procedure are generally approved by the committee as long as they meet the

intent and purpose of the original procedure, he said.

The new proposed grievance policy at the University differs from the standard state guidelines because lawyers cannot represent employees during the early stages of the process. UNC law Professor Daniel Pollitt said the majority of employee grievance cases are settled in the early stages.

Matt Greer, assistant director of personnel at Appalachian State University, said lawyers were permitted to represent employees at all stages of the procedure at ASU.

"You can imagine how much that would drag it out," he said. "But that's not always bad."

The grievance procedure at ASU is almost exactly like the procedure pre-

scribed by the manual, he said.

Employees filing grievances meet first with their immediate supervisors, he said. Then the case goes before the department head, who turns it over to a committee representing other staff departments if it is deemed necessary. The committee advises the chancellor, who makes the final decision, he said.

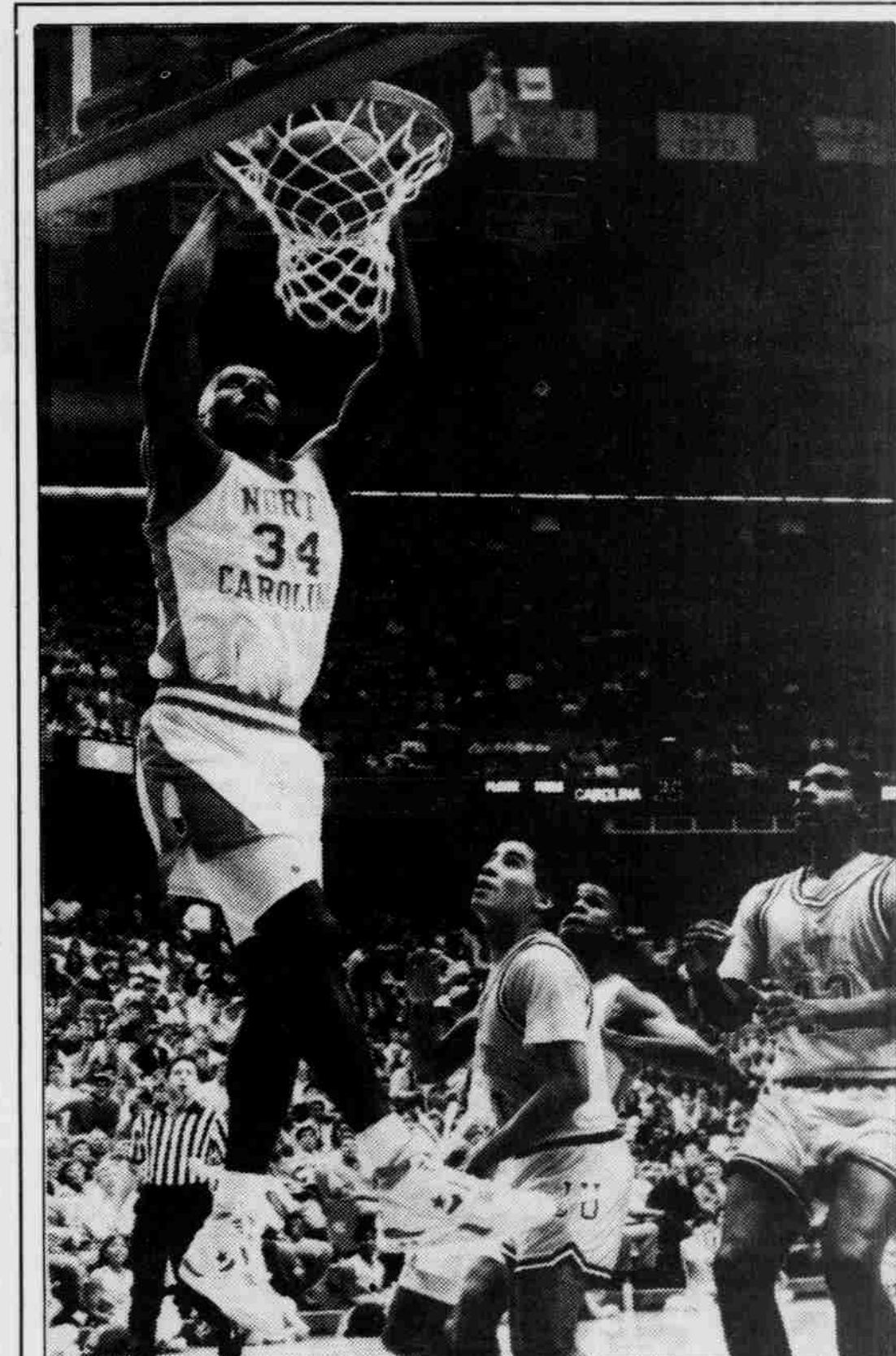
Only one grievance case at Appalachian State has gone before the committee in the last two years, he said.

Badgett said 125 cases were pending among state agencies and universities; only a small percentage of the 80,000 state employees had filed grievances.

Diane Sortini, employee relations manager at N.C. State University, said lawyers were banned from the grievance procedure at NCSU, but employees could seek advice from the Employee Relations Section. The purpose of the service is not to provide legal counsel, but to provide policy information to both sides, she said.

"Our procedure has been well-accepted by both employees and management," she said.

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DTH/G. Thacker

Fish bait

Forward George Lynch skies for two of his 19 points as North Carolina dunks the Jacksonville Dolphins Tuesday. See story, page 6.

Many more University employees file grievances than are reported

By SHANNON O'GRADY

Staff Writer

While the public may only read about a few grievances filed against the University, many more employees are considering filing or are involved in grievances.

The following employees' complaints and grievances are among about 50 that were announced at a recent NAACP rally:

■ Curtis Rogers, an administrative assistant in the purchasing department, has filed a grievance with the University that is at Step 2. Rogers said he filed the grievance after he was promoted to administrative assistant because he was not given the powers of the position, only the title.

■ Jane Tornow, a UNC purchasing agent, has filed a federal civil suit against the University because she receives \$5,000 less in pay than two white male counterparts. No hearing date has been scheduled.

■ Sgt. Phyllis Cooper of the University police has filed a grievance with the University. Her grievance is at Step 4. She would not comment on the nature of her grievance.

■ Keith Edwards, a University police officer, has filed a racial and sexual discrimination grievance against the University. The administrative law judge at Step 4 ruled in favor of Edwards, but the University has appealed the decision. A \$200,000 lawsuit is pending.

■ Claudia Crumbley, housing supervisor, is meeting this week with Alan McCurely, a local lawyer who is handling several grievance cases, to discuss the possibility of filing a grievance. She claims she has been harassed on the job.

■ Bennie Griffin, maintenance su-

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Some universities allow attorneys at all grievance levels

By LAURA WILLIAMS

Assistant University Editor

University officials from four other large public universities agree the grievance process helps to organize the complaint procedure and usually offers relief to employees.

UNC's grievance procedure has come under fire recently because of changes proposed by University officials. At a rally Nov. 18 at the Hargraves Community Center, representatives from the community and the state National Association for the Advancement of Colored People spoke out against the University because of the number of grievances that are being filed. Sam Erving read a list of about 50 employees who have alleged the University has discriminated against them.

Chancellor Paul Hardin announced Nov. 17 that employees could have a lawyer represent them in the third and fourth steps of a grievance. Some University employees were not satisfied with the policy change and wanted to be represented by attorneys in all stages.

The University of Virginia allows representation in the third stage, like UNC, while two other schools, the University of Michigan and the University of California at Berkeley, allow it in the second step. A fourth, the University of Texas, allows representation at any point in the process.

Employees at these other universities often choose to file complaints through other offices such as the Equal Em-

ployment Office or the Affirmative Action Office.

University of Virginia

"If you don't have many grievances then something is wrong," said William Vining, director of employee relations at the University of Virginia. If employees do not trust the procedure or do not feel it will help them, then they will not use it, he said.

It is important that employees sometimes win in a grievance procedure so they will think it was a fair process, he said.

Grievance procedures are good for both employees and managers, he said. "It provides an organized approach to resolve a problem."

Few grievances alleging sexual harassment or racial discrimination go through the university's grievance procedure, Vining said. Most employees file those complaints with the Equal Employment Opportunities office at the university or state level.

UVA has a three-step grievance procedure for non-faculty employees. Employees are not allowed to be represented by an attorney until they have met with their supervisor in the first step, and an upper-level supervisor in the second step.

The third step a university vice president reviews the grievance. The employee is then allowed to have an attorney present. The last step within the university is a panel hearing. The

panel includes members chosen by the employee and university. An administrative law judge also sits on the panel.

Lawyers are kept out of the initial stages so the problem may be solved quickly, Vining said. "The policy is there to bring about a friendly resolution."

Having lawyers in the initial stages of the procedure would slow the process down because lawyers often want more time to investigate the problem, he said.

University of Michigan

Sexual harassment and racial discrimination problems at the University of Michigan are usually handled by a supervisor and are resolved before they become a formal grievance, said Gary Maki, a personnel department representative. "Very rarely do we get a grievance like that," he said.

Complaints typically are handled by the university's affirmative action office, he said.

A supervisor who uses his position to harass an employee would lose his job after an investigation, Maki said.

Many university employees are unionized, and a union official may represent them in the second stage of the grievance procedure.

Michigan's grievance procedure is a three-step process. The employee first meets with his immediate supervisor

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DTH/G. Thacker

Burnt out

Scott Asby lifts clothing out of a charred drawer for inspection by his roommate Tim Hoag (left) and neighbor Pat Johnson. A fire started in a wastebasket in their Carolina Apartment around 1:30 Tuesday afternoon.

I've known what it is to be hungry, but I've always went right to a restaurant. — Ring Lardner