

\$530,000 lawsuit filed against WFU

By JOHN HINTON
Chronicle Staff Writer

A local black man has filed a \$530,000 lawsuit against Wake Forest University, alleging that its medical school violated his civil and constitutional rights.

Eugene O. Bailey, a former student at the Bowman Gray School of Medicine, filed the lawsuit in U.S. District Court in Greensboro Oct. 1. Bailey contends that school officials refused to award him a medical degree after he successfully completed the necessary courses.

Bailey, 29, is seeking \$500,000 in punitive damages and \$30,000 in compensatory damages. He is the son of Beaufort O. Bailey, the lone black school board member and a former candidate for alderman in the North Ward.

Among the defendants listed in the lawsuit is Dr. Richard Janeway, dean of the medical school. Janeway declined to comment on the suit.

Leon H. Corbett, an attorney for the university, also declined to comment.

"I would be reluctant to comment until I have seen the lawsuit," Corbett said. "I am familiar with Mr. Bailey, however."

Bailey would not discuss the suit either, saying the document speaks for itself. His attorney, Melvyn H. Brown Jr., could not be reached for comment.

Bailey says in the lawsuit that he entered the medical school in the fall of 1978. He says he withdrew from school in September 1980 because he was suffering from schizophreniform disorder.

The disorder's symptoms include indifference, withdrawal, hallucinations and delusions of persecution and omnipotence, though the sufferer's intelligence often is unimpaired.

Bailey was permitted to re-enroll in the school after he underwent nine months of psychotherapy with his private psychiatrist, the lawsuit says. As a result of his treatment, the suit says, Bailey's graduation date was delayed from May 1982 until May 1983.

Janeway told Bailey a week before graduation that his diploma would be held until Bailey underwent a psychiatric evaluation, the lawsuit contends.

Bailey underwent the evaluation and was informed that he would have to perform five more clinical rotations because he was failing his final elective in family

medicine, the suit says. The suit says Bailey had satisfactory grades during his senior year, even with the failing grade in family medicine, and had completed the necessary courses for his degree. Bailey was ranked second from the bottom in his class.

At least one white student with a lower class ranking than Bailey's graduated from what would have been the plaintiff's class in 1983, the suit adds.

Bailey also contends in the lawsuit that the white person who supervised him in the family medicine rotation later entered the Charter Mandala Center, a psychiatric hospital.

In July 1983, Bailey says he was treated at the same hospital for 21 days for his mental disorder. He says he requested sick leave from the medical school, which was neither granted nor denied.

After he was released from the hospital, Bailey was denied re-entrance to the medical school, he says.

Bailey appealed the school's decision, but received no relief, the lawsuit says. He alleges that he was later denied entrance into the Physician Assistant Program



Eugene O. Bailey wants his medical degree from Bowman Gray School of Medicine at Wake Forest University (photo by James Parker).

at the medical school.

Because of the medical school's actions, Bailey has incurred about \$30,000 in debts for education expenses and is unable to pursue research, administration or academics in the medical field, the lawsuit says.

Bailey contends in his suit that the medical school's actions

against him were motivated solely because of his race and violated the Fifth, 13th and 14th amendments and Title VII of the Civil Rights Act of 1964.

Because of the school's discrimination against Bailey, he has "suffered damages consisting of loss of salary and other compensation, and injuries from em-

barrassment, humiliation and anxiety," the lawsuit says.

The suit alleges that school officials' conduct was "willful, malicious, oppressive (and) wanton." The school's failure to grant Bailey his medical degree constituted a breach of contract between Bailey and the medical school, the suit says.

Aldermen hear complaints from city's unionized bus drivers

By JOHN HINTON
Chronicle Staff Writer

The city's unionized bus drivers are prohibited from joining the city's credit union and harassed by the management of the Winston-Salem Transit Authority, the president of the Transport Workers' Union said Monday night.

"Why can't union members join the credit union?" said William C. Brooks, president of the predominantly black Local 248, which is part of the AFL-CIO. "Why can't the city deal with the union?"

Brooks made his comments at the regular meeting of the Board of Aldermen, while 15 fellow bus drivers listened.

State law allows public employees to belong to unions, but it prohibits collective bargaining between city officials and union representatives, said Roddey M. Ligon Jr., an attorney with the city.

Northeast Ward Alderman Vivian H. Burke asked for a report from City Manager Bill A. Stuart on why the unionized bus drivers are not allowed to join the credit union and whether they are being harassed by the Transit Authority.

Stuart said the report will be ready within a week.

"If union members can't join the credit union, then that is discrimination," said North Ward Alderman Patrick T.

Hairston. "The city can't be about that."

James M. Ritchey, general manager of the Transit Authority, said Wednesday that the city employees' credit union decided not to allow union members to join.



Alderman Vivian H. Burke

"It is unfortunate that happened, but we are working with the union to find them a credit union," Ritchey said.

Hairston and Southeast Ward Alderman Larry W. Womble said many bus drivers have complained to them about their working conditions.

"Out of frustration they are coming to this board," Womble said. "They are afraid to talk because they may lose their jobs."

William A. Pitts, a bus driver for two years, said city buses are driven at excessive speeds in order to maintain rigid schedules.

"Safety is our first priority," Pitts said to the board. "But these schedules are unrealistic. These are sweat-shop conditions."

Ritchey said that schedules are difficult at the beginning of each month because there are more riders. "They require the bus drivers to work at their jobs," he said. "The schedules are reasonable."

Maggie Sharpe, who worked 10 years as a hostess on Transportation for the Elderly buses, said she was fired because of budget constraints.

Mrs. Sharpe, who said she had seniority over many other employees, said she was not offered any other position with the Transit Authority.

"Most of the employees are frustrated," she said to the aldermen. "There is harassment on the job. The Transit Authority needs to be investigated."

Ritchey said Mrs. Sharpe was fired because the Transit Authority received a reduction in federal funds for the TOTE service.

"We eliminated the position, but we kept the service for the senior citizens," he said. "It was unfortunate that Mrs. Sharpe was laid off from her job."

Ritchey said Mrs. Sharpe did not have any bus driving experience. "We had no job to offer her," he said. "We didn't have another open position in the Transit Authority."

Mrs. Sharpe and Brooks said that the Transit Authority's management has made the union weak and ineffective. "Every contract that management has made with the union has been broken," she said. "When an employee goes to the Equal Employment Opportunity Commission or the National Labor Relations Board, he or she is fired."

Ritchey denied the allegations, saying that management treats the employees fairly and openly. "No one has been fired for going to the EEOC or NLRB," he said.

Management encourages unionized drivers to withdraw their membership, Brooks said in an interview after the meeting. "If they get out of the union, it makes the union weaker," he said.

Ritchey denied Brooks' allegation, saying that the drivers decide whether to join the union. "It would be an unfair labor practice for us to be involved with that," he said.

The Transit Authority, which is managed by American Transit Co. of St. Louis, is unresponsive to the drivers' grievances, Brooks said. "The morale is pretty low among the drivers," he said.

In a related matter, the aldermen voted 7-1 to have their General Committee and Finance Committee study the city's merit-pay plan.

"I have had many complaints about the merit-pay plan," said Hairston, who made the motion to have the plan studied.

Many black and white city employees have complained that the pay plan is discriminatory and too subjective.

In other business, the aldermen approved a petition from New Jerusalem Baptist Church to close and abandon a portion of a 10-foot alley running from 12½th Street to Claremont Avenue.

The church is located at 1212 N. Dunleith Ave.

CHILD-SIZE RELIEF
THE DORCOL PEDIATRIC FORMULAS

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NAACP files lawsuit

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for the county, and the county Board of Elections.

County Attorney P. Eugene Price could not be reached to comment on the lawsuit.

At-large elections negate black voting strength in the county, the lawsuit says. Blacks don't have an equal opportunity to participate in the political process and elect candidates of their choice as county commissioners, it says.

Conrad said Wednesday that at-large elections are fair to black candidates. "We have good representation for all the people in Forsyth County," said Conrad, a Republican who is white.

The NAACP disagrees. "It is of utmost importance that black citizens have the opportunity to elect representatives of their choice," said Carolyn O. Coleman, the state field director of the NAACP, Kelly M. Alexander Jr., president of the state NAACP, and Marshall in a joint written statement.

"The present system is designed to dilute black voting strength," the NAACP leaders

said. "It has resulted in the underrepresentation of black citizens."

Under a fair election system, blacks could elect their own representatives proportionally to the black population, Marshall said. Blacks make up 25 percent of the county's population and 22 percent of the registered voters in the county, he said.

"We hope that this suit will curtail the write-in campaign for Mazie Woodruff," Marshall said.

Mrs. Woodruff, the lone black county commissioner, finished third in the May 6 Democratic primary behind two white candidates. She could not be reached Wednesday to comment on the lawsuit.

Tracy Singletary, a local black Democrat, is organizing a write-in campaign for Mrs. Woodruff.

At-large elections frustrate and discriminate against black voters, the lawsuit says. "At-large elections enable white voters to continue to elect all members of the Board of Commissioners, while plaintiffs have neither the oppor-

tunity nor the ability to continue to elect black candidates," the lawsuit says.

The county has a history of official discrimination that has affected the rights of blacks to register, vote and participate in the democratic process, the lawsuit also says.

"Voting in the elections of Forsyth County is racially polarized," the suit says. "In the past, political campaigns have been characterized by overt and subtle racial appeals."

Blacks have been candidates in the county commissioner race, but only one black has been elected as a commissioner in the history of the county, the lawsuit says. "Black voters have not experienced sustained success in electing candidates of their choice," it says.

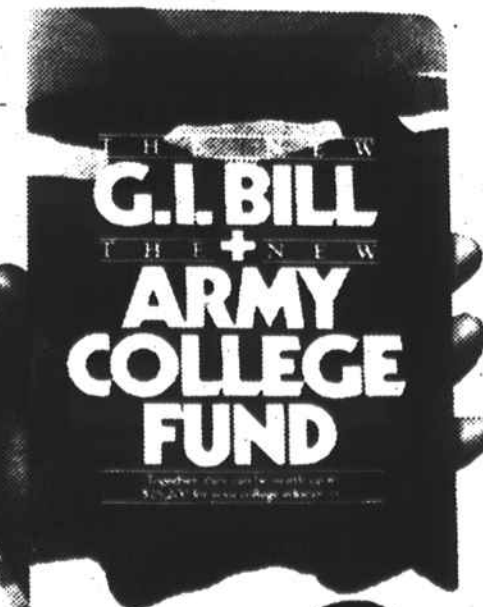
Elected county officials are not responsive to the needs of the black community, the lawsuit contends. "The effects of discrimination against blacks are present in such areas as education, employment and health," it says.

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