

Judge Recommends UNC Help Pay Reinstated Employee's Legal Fees

BY JAY MOYE
STAFF WRITER

Administrative law Judge Samuel Chess, in an Oct. 31 ruling, recommended that the University pay attorney's fees for Roberta Jones, an Undergraduate Admissions employee who won a grievance case against the University last March.

Jones, who was improperly discharged by the University, obtained reinstatement and back pay at the agency level following her successful appeal. She then requested that UNC reimburse her for legal fees incurred when she retained the services of an attorney during her grievance.

Chess' recommendation contradicts UNC's Dispute Resolution and Staff Grievance Procedure.

In an effort to create a level playing field, the grievance procedure states that the University will not provide legal representation for any party involved in the case.

Ashley Osment, who was not an attorney when she aided Jones during the third stage of the procedure, said she felt this measure was unfair.

"The management in a grievance case will never have anything to lose," Osment said. "But the employee needs an attorney

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ASHLEY OSMENT
Roberta Jones' attorney

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The case, which could last up to three months if the University appeals, will now go before the State Personnel Commission.

The commission, which is comprised of seven governor-appointed members, will consider Chess' recommendation and either uphold, deny or amend it.

"I am confident it will be upheld," said Osment, who is now an attorney. "Judge Chess did a fine job writing a short, powerful statement of employees' rights."

In the statement, Chess cited a North Carolina General Statute which provides

that the State Personnel Commission shall establish policies and rules governing the "assessment of reasonable attorneys' fees and witnesses' fees against the State agency involved," in cases where an employee is reinstated or issued back pay.

"To argue that a supervisor and the grievant are treated equally in that 'the agency will not provide legal representation for any party in the grievance procedure' is to say that the hen and the hog are treated equally as providers for a ham and egg breakfast; the hen is momentarily inconvenienced, the hog loses everything," Chess wrote in his recommendation.

If upheld by the commission, the recommendation would force the University to consider changing its grievance policy.

"The recommendation sends a strong message to the University that at least one judge feels that an individual should have a lawyer when his or her constitutional rights are at stake," Osment said.

"It is a grievance procedure that seems fair on paper but deprives persons of their fundamental rights to counsel."

Susan Ehringhaus, senior University legal counsel, referred all questions to the State Attorney General's Office.

That office declined to comment on the case.

University Prepares for Verdict in Williamson Case

■ Campus services will be available for those affected by the case's outcome.

BY MOLLY FELMET
STAFF WRITER

Members of the University community will have several sources of support when the verdict in the Wendell Williamson trial is announced, University officials said Monday.

A Hillsborough jury is expected to announce its verdict in Williamson's double-murder trial today.

Although there are no plans for programs dealing specifically with the verdict, Clifton Metcalf, associate vice chancellor

for University Relations, said several counseling services were already available through the University.

"When the trial date was announced we convened a small group of people across campus and discussed services available for those who might be under extraordinary stress for any reason, and especially for people who might be upset by the trial," Metcalf said.

He said the University Counseling Center and Psychological Services were available through the Student Health Service. Human Resources also provided a counseling service and the Employee Assistance Program for faculty and staff.

Students having difficulty with news of the verdict should visit Student Health, a spokeswoman said. SHS has emergency walk-in hours during the week from 2 p.m.

to 5 p.m., and in the evenings a resident psychologist is on call. Students should call ahead if possible.

Counseling has been recommended to students more directly impacted by the shooting since the day of the incident.

David Lohse, the UNC associate sports information director, said Psychological Services had been available to victim Kevin Reichardt's lacrosse teammates. However, Lohse said seeking help from Psychological Services was an option, not a mandatory team activity.

"We had one meeting prior to the start of the trial with myself, a representative from Student Legal Services and a representative from Student Health Service about what would happen at the trial," Lohse said.

Although Williamson was a law stu-

dent at UNC at the time of the shootings, Ellen Smith, director of public information at the law school, said the school had no formal plans for counseling in the wake of the trial. "If anyone requests, we will refer them for counseling," she said. "We are willing to help our students with any need."

Ron Binder, director of Greek affairs, said he and Fred Schroeder, dean of students, had met with the chapter president of Phi Mu sorority, located on Henderson Street, where the shootings occurred.

"We've been touching base with them every couple of days and have offered our services," Binder said.

Schroeder said he thought all members of the University community were feeling the stress of the trial. "All of us are aware this is a very difficult time for the University."

He said he was interested in this subject partially because of the active role the Nation of Islam has taken in American politics and the lack of attention they had received.

"The history of the Nation of Islam is generally neglected, which seems to astound me," Horne said.

Horne has already been recommended for tenure with the African and Afro-American studies curriculum and the Department of Communication Studies. If he is approved for these professorships he also will be appointed as the new director of the Sonja H. Stone Black Cultural Center.

GPSF Approves Changes To Group's Constitution

BY ERIKA MEYERS
STAFF WRITER

After extensive discussion and deliberation Monday, the Graduate and Professional Student Federation Senate approved proposed changes to its constitution and treasury laws.

The alterations to the constitution provide for changes in the positions of various officers. The position of vice president, formerly belonging to two people, was combined into a single office. The group now requires a three-fourths vote instead of a four-fifths vote to change the group's constitution.

During debate on the constitutional alterations, GPSF Sen. Ken Joseph noted that officer stipends were not accounted for anywhere in the document. Joseph said he thought because the constitution defined the officers' positions, it should provide a section which discussed their compensation.

"Budget concerns typically are not included in the constitution since they are allocated in the annual budget," said Steve Oljeski, vice president of the GPSF. "The constitution basically defines the powers

and positions of the officers and the procedures used in the operation of the senate's business."

The senate voted to include clauses in the constitution which stated that officers would receive stipends and a clause stating that the stipends would be determined annually, based on the amount of work required by the officer's job.

At the next meeting, the senate will add an amendment to the constitution which determines under what conditions the stipend can be removed.

With these clauses in place, the constitution received unanimous approval. "Hopefully in years to come this will be our constitution," GPSF President Kim Miller said. "All changes will be in the form of new amendments."

The GPSF also altered its treasury laws. The federation is responsible for the allocation of 25 percent of the student fees paid by graduate students, Miller said. Modifications to the treasury laws include a policy prohibiting the use of GPSF money to purchase alcohol, a definition of funds and new regulations on requisitions for GPSF funds, including a new format for the GPSF funding request forms.

PROJECTS

FROM PAGE 1
civil war in Zimbabwe. "How could the U.S. try to win hearts and minds in a world comprised of Third World countries (struggling for freedom), while African Americans are being treated as third-class citizens at home?" Horne asked.

Horne, who has written almost a dozen books, currently is researching the 1945-46 labor strike in Hollywood for an upcoming project.

Horne's latest project, a book for young adults detailing the life of former Nation of Islam leader Malcolm X, is currently under way.

Campus Calendar

TUESDAY
12:30 p.m. LUNCHTIME FORUM in Union 224, part of Rape Awareness Week.
3:15 p.m. UNIVERSITY COUNSELING CENTER will have a Career Clinic in Nash Hall, call 962-2175.
4 p.m. UNIVERSITY CAREER SERVICES will sponsor Keeping Your Career Options Open in 306 Hanes Hall.
6:30 p.m. HAVERIM is having a meeting in Union 213.
7 p.m. STUDENT GOVT — WOMEN'S ISSUES will have Judith Scott, University Sexual Harassment Officer lead a forum on sexual harassment in 07 Gardner Hall.
NC FELLOWS AND LEADERSHIP DEVELOPMENT will have a workshop "Ethics and Student Leadership" in Union 212.
CHISPA is meeting in Union 226.
7:15 p.m. GREEN GAMES will meet in the Union basement.
ITEMS OF INTEREST
ALPHA KAPPA ALPHA sponsors a toiletry drive for the Battered Women's Shelter, 6 p.m.

Hinton James, 7 p.m. - Morrison, 8 p.m. - Carmichael, 9 p.m. - Spencer Triad.
BSM will have its Fall Concert on Sunday at 3 p.m. in the Great Hall. Donations are \$2 in advance, and \$3 at the door.
CHIMERA presents "Mystery Science Theater 3000" in 08 Gardner Hall.
YOUTHANGST SOCIETY will have an evening of students reading their own work on Wednesday at 5 p.m. in Bull's Head Bookstore.
UNION CABARET will sponsor Karaoke night on Wednesday at 8 p.m. Admission is free.
INDUSTRIAL RELATIONS ASSOCIATION will meet on Thursday at 5:30 p.m. in Union 206.
CRIMSON & BROWN ASSOCIATES will sponsor a minority career forum on Feb. 2 at the JW Marriott Hotel, Washington, D.C.
Deadline for registration is Dec. 1. Pick up applications at the University Career Services Room in 207 Hanes Hall.
CAMPUS Y will be hosting A Catalyst for Positive Social Change outreach during the month of November. The Y is looking for hosts and facilitators. For more information, call 962-2333.

Tuesday Rave with DJ Fotizo

Wednesday Domestic Beer Cans \$1.75 The Best of 70's & 80's Music

THURSDAY The ONLY Guys Night in Town!

Fri/Sat Dance 'til 5am with DJ Lenny C.

CLUB NINE
Tues-Thurs 10pm-3am
Friday-Saturday 12-5am
Tues-Thurs Cover \$2
Fri-Sat Cover \$3
No Cover Before 11pm
18+ with ID
CORNER OF FRANKLIN & HENDERSON, DOWNSTAIRS

Fall Filming



Anna Morgan takes time out to rest among the fallen leaves in front of New West after filming a scene for her Communication 134 class on Sunday. Morgan's classmates and group project members, Stefanie Bilyk and Toni Rich (in background) helped with the technical side of filming the final project.

ELECTIONS

FROM PAGE 1

Matt Steigler, campaign manager for Carboro mayoral candidate Mike Nelson, said Foy had based his campaign on the need for carefully managed, environmentally sympathetic growth, where new developers are made to pay for their effects on the town.

"I want to see Chapel Hill move towards growing in a responsible way to maintain the essence and character of the town," Foy said. "There should be emphasis on attracting all walks of life."

Foy proposes to accomplish this goal by taking control of where the community is going. "The town cannot keep reacting to outside pressures," Foy said. "We have to determine where we expect to go and then fill that void, encouraging openness and citizen input, as well as not being in a rush to approve development."

Waldorf said growth in Chapel Hill progressed at a rate of approximately 2 percent a year and that it would probably continue to increase at this rate. She said with virtually no place to continue growth and development already planned for the remaining areas, the town government's role stood at cooperation with its neighbors.

"We have a lot to work out with our neighbors," Waldorf said. "Orange County, Durham, Carboro, Cary and all areas surrounding Chapel Hill — we all face mutual growth challenges."

Mayor Ken Broun said the importance of growth warranted a mayor who was competent and experienced. "If Waldorf wins we will see a continuation of practical, solid approaches to town government," Broun said. "While part of the issue is experience, it is more the question of who best understands the town, its needs and the workings of the town government from the inside."

The issue of experience in town government is inconsequential compared to the more important issues at hand, Foy said. "Bringing up whether or not a candidate has experience in town government is a red herring," Foy said. "Ken Broun had not held an elected office when he was elected, and when Waldorf first ran for mayor she had held no elected offices. I have had different experiences than Waldorf, and I can use them to lead this town."

Foy also said his perspective as an outsider would benefit the town. "I am an outsider whereas Waldorf is an insider," he said. "New people bring in new ideas and fresh perspectives."

Waldorf said that when determining leadership, voters should emphasize a candidate's record in the community and not campaign rhetoric.

"I have been working for the community for so long," Waldorf said. "You can't just come to town, stand up and call yourself a leader. Rather, leadership is demon-

Election '95 Candidates

CHAPEL HILL MAYOR

- Kevin Foy
- Rosemary Ingle Waldorf

TOWN COUNCIL

- Julie Andresen
- Joe Capowski
- Mark Chilton
- Pat Evans
- Richard Franck
- Todd Goodson
- Jim Protzman
- Scott Radoway
- Herschel Slater

CARRBORO MAYOR

- Randy Marshall
- Mike Nelson
- Charles Riggsbee

BOARD OF ALDERMEN

- Jay Bryan
- Diana McDuffee
- Hilliard Caldwell
- Alex Zaffron
- David Collins

BOARD OF EDUCATION

- Matthew Barton
- Elizabeth Carter
- Louise Cole
- Kevin Cook
- Rebecca Coyne
- Nicholas Didow
- Bill Elstran
- Harvey Goldstein
- Bea Hughes-Werner
- Peter Morcombe
- Sandra Johnson Theard
- Ken Touw
- Sara Williams

strated in actions, through making tough decisions and having a passionate dedication to the community."

Council member Lee Pavao said constituents should focus on Waldorf's long time commitment to the town when casting their vote. "I've worked closely with Waldorf for two years now, and I know she has the qualifications and background to take us where we need to go," Pavao said.

Despite the varying stances on growth and the different backgrounds represented by the candidates, Alliance of Neighborhoods President Art Werner claimed the goals represented are the same. "There is not a different vision of what the community should be," Werner said. "The issue is who will best balance the issues and correctly place the town's priorities."

For the Record

In a photo caption on page 3 of Monday's edition, Dean of Students Fred Schroeder was misidentified. The Daily Tar Heel regrets the error.

Are you considering theological education?

HARVARD UNIVERSITY THE DIVINITY SCHOOL

is holding general information sessions

Come learn about our master's degree programs, including Master of Theological Studies and Master of Divinity Dual degree options and cross-registration opportunities with the other Harvard graduate faculties



Meet With A Representative:

Date: Thursday, November 9

Time: 1:00 p.m. - 3:00 p.m.

Place: Student Union, Room 210

All students, All majors, All years welcome