

## Tribunal discontinues Morrell prosecution

By ZENA MCBRIDE

A University Disciplinary Tribunal has voted to discontinue prosecution against Steve Morrell, treasurer of the McLaughlin College Council. Morrell was charged last April with attempting to bribe G. Laarakker, a photographer employed by the College at the time.

Under the Presidential Regulations governing non-academic student conduct, students charged with a minor infraction will have their case tried by a Local Hearing Officer (usually the College Master), and there is no appeal of the Officer's decision. In addition, students may or may not be given a chance to speak in their own defence. Conversely, students charged with a major infraction, will have their case heard by a University Disciplinary Tribunal, they will be allowed to defend themselves, and there is recourse for appeal of the Tribunal's decision.

According to Morrell, he was originally charged with a minor infraction. "I was found guilty by Professor Doxy (McLaughlin's Master at the time) in a local hearing, in which I didn't have a chance to speak in my own defence," he explained. He claims that he didn't know at the time that he was being charged, only that an investigation of Laarakker's allegations was under way. "I just received a letter from Professor Doxy (outlining the judgement)," he said.

As a result of the hearing, Morrell was expelled from the College. However, the College Council decided to allow him to stay on in the capacity of treasurer despite the ruling, because it felt that the Administration didn't have the right to remove him from that position.

Soon after, Morrell was informed by the office of the Master that he was being given a new trial. However, according to Morrell, it wasn't really a new trial, because he was being charged with the same offense, with a further charge of disobeying the Master's original ruling added on. The case was now being treated as a major infraction, he explained, with expulsion from the University cited as the impending punishment should he be found guilty.

However, Morrell's lawyer argued

before the Tribunal that, since, according to the Presidential Regulations, there is no appeal of the decision in a minor infraction case, the Administration could not overrule the original decision, and therefore a second trial was not legal. According to Morrell, he had nothing to gain by having a second trial. If he was found guilty of the major charge, he would be expelled from the University; if he was found innocent, the decision of the minor charge was still valid, because there is no appeal for minor infractions.

Morrell said that the Tribunal's decision not to continue with the trial was the "only decision they could have come to." He added that the case was fraught with inconsistencies from the start.

He feels that the original sanction of expulsion from the College was too harsh for a minor charge. He said that there should be clearer guidelines determining what punishments should be given for minor and major judgements.

Furthermore, Morrell contends that he was never officially expelled from the College. "I received a student card in the mail stating that I was a member of McLaughlin College," he explained. "So if they consider me a member, then I consider me member." He added that even the University computers had him registered as a member of the college.

Morrell argues that there are no safeguards and no legal rights for students under the present regulations. "It's a dumb clause that says that one (person) can make a decision that no-one can appeal," he said. "Because you risk a lot of personality conflicts."

Morrell said that there are several options open to him now that the Tribunal has made its decision. He and his lawyer will speak with York's President, Harry Arthurs, and ask him to persuade McLaughlin's present Master, Michael Lanphier, either to give Morrell a completely new trial, or to change the original sentence to one less severe.

Provost Tom Meininger has refused to comment on the matter until the Tribunal's written decision has been submitted.

## Agreement ratified by union

By JAMES FLAGAL

At a full union membership meeting held last Thursday, security and parking employees voted overwhelmingly to accept a new two-year contract after agreement was reached in negotiations last Tuesday.

The agreement gives security and parking staff a 5.5% pay increase retroactive from July 9, 1987, the date when their last contract expired, and a further 1.75% increase starting January 1st, 1988. Next year, starting July 9th, security and parking employees will also see another 5.5% increase. Security officers received a basic wage rate of \$11.28 an hour before the agreement was made.

According to Andrew Shanon, acting Chief Steward of the Plant Guards of America (UPGA), the deal was ratified by membership with a 91.7% majority. Shanon says that the strong majority indicates that the "memberships are reasonably satisfied with what went down. I feel we got a fair contract, pretty well equal to what YUSA (York University Staff Association) got percentage wise."

The UPGA, which represents about

50 University employees, entered a legal striking position last Wednesday at midnight. The agreement, reached last Thursday, was the result of over five months of negotiations which finally entered the conciliation phase in mid-October.

Other parts of the agreement, said Michael O'Neil, Director of Security and Parking, include a "granted day" for parking control officers.

This day is essentially a day off with pay and is the administration's response to the union's demand that since other University employees receive pay when the University is closed (like during the Christmas holiday), then parking staff should receive some sort of compensation as well. O'Neil pointed out that parking staff have always had the option of working or taking these periods off. He also explained that such compensation does not apply to security officers, because the security department runs 24 hours, seven days a week.

The contract also establishes increases in health benefits which include: increasing the University's

coverage of extended health care plans from 80% to 100%; raising the University's coverage of long-term disability insurance from 50% to 75%; plus the University has also upgraded their coverage of eye-care and dental plans.

In an attached letter of agreement between the Union and the administration, a labour management committee will be set up by January 31, 1988, to discuss the idea of a "merit stipend system." According to O'Neil, the committee will look into a system that may give security and parking personnel more money when extra work is completed. O'Neil said that the full mandate of the committee cannot really be determined until the committee is established next year. O'Neil added that this committee system demonstrates continued management and labour cooperation, and points to the last committee's success on establishing a new schedule for security officers which was hammered out by both union members and representatives from the administration.

# Examinations begin next week.

### ATTENTION EXCAL STAFF

Interested in a Christmas get-together? Wondering what our secret issue is going to be about next week? Well, these and many other mysteries will unfold at Excal's next meeting on Thursday, November 26 at 12 noon, or come by some time in the afternoon. Remember, the first 10 staff people to come through our door get to put mistletoe on Kevin's Christmas tree.

## York pension funds insulated from stock market crash

By STACEY BEAUCHAMP

Most Ontario University Pension Funds, including York's, will not be greatly affected by the stock market crash, says the Ontario Confederation of University Faculty Associations (OCUFA).

Most university pension funds are invested in such a way that they will not be seriously affected by fluctuations in the stock market. If, however pension funds are affected—as in the case of the University of Western Ontario—the employer is "obligated" to restore the funds through increased contributions says the OCUFA Forum.

In the unlikely event that a university goes bankrupt, the provincial government has set out what is called the Pension Guarantee Fund. The fund guarantees that pension payments are made to retirees.

According to Bob Kanduth, editor of the OCUFA Forum, the funds

have not actually been lost. When the market goes up again, potential losses may be regained. Kanduth feels that the only ones who might suffer, as a result of the crash, would be those university employees planning to retire this year.

Bill Small, secretary to the Board of Trustees, believes that York's pension funds have been among those least affected, because they have been "conservatively managed." The bulk of the pension funds are invested in bonds, which rose with the decline in stocks. Exact figures concerning the effect of the crash are not yet available, however.

The Board of Trustees will meet on December 7 to hear the findings of its sub-committee on investment, and will draw up a formal notice on December 8. The notice will be distributed to the general membership shortly thereafter.