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Physical Plant Accused of Homophobia

BY NATALIE MACLELLAN

A lawsuit is pending against Dalhousie University regarding alleged incidents of discrimination against a homosexual employee of the Physical Plant.

Craig Hingsley has worked as a custodian for the Dalhousie Physical Plant for the past six years. Hingsley says that he has been the victim of discrimination on the basis of his sexual orientation since day one.

Alleged incidents range from verbal attacks, to finding pornographic pictures of men left on his cleaning route, or flowers on his cleaning cart.

"He has complained occasionally about being put on shifts with people who are homophobic," said Bill Lord, director of Physical Plant and Planning.

Lord said that Hingsley has not been the only one complaining.

"I don't want to put the people he works with in a difficult position, but there certainly have been complaints by some of his colleagues as to the appropriateness of his behavior while on shift," said Lord.

In 1995, the Human Rights Commission sent a letter to Dal

asking it to ensure its employees' right to a workplace free of homophobia. The commission asked for a response to ensure this was being carried out.

Instead of doing so, Hingsley says that he received a disciplinary letter from the university stating that his complaints were bad for morale.

However, Lord says that no disciplinary action of any kind was used against Hingsley.

In time, Hingsley said that he realized there is no system in place to protect the individual from such discrimination.

"There are policies in place," he says, "but when you try to use them you realize you are subject to retaliation from the department. The retaliation is often worse than the actual abuse."

As a result of this alleged sexual harassment and discrimination at the workplace, Hingsley has developed a stress disorder. He was required to take time off work to undergo therapy in a hospital.

Hingsley said that he was refused pay during this time (despite the fact that he provided three doctor's certificates) because management said there was not significant proof he was ill.

"There are some physicians, I think, who people know to go to and they will get a medical certificate," said Lord. "We are fairly strict that we get sufficient information, without intruding on the patient's medical condition, to say 'Yes, this is a reasonable case.' Hingsley could not provide us with this."

Lord also could remember no problem regarding Hingsley's pay. "He's always been paid."

Hingsley has been on sick leave since June, and is now working weekends. He is considering returning to full time work, but fears he may not have a job.

Of twelve positions posted in October, Hingsley applied for nine and did not get any.

"Temps were posted ahead of me. I guess they're not posting homosexuals this year."

Lord insists that the management at the Physical Plant has been doing all it can to treat employees equitably.

"We don't ask anyone's sexual orientation. We could only know about it if somebody made it an issue."

"We have tried, but I don't know if we will ever make Mr. Hingsley happy."



Fight night — Dal's Rick Findlay faces off against a SMU player in last week's game, marred by an incident in which a Huskie player assaulted a Dalhousie fan. See story p. 18.

Profs get final say on sick notes

BY ADEL ISKANDAR

Course instructors still have the final say when it comes to accepting sick notes.

Four weeks ago, Dalhousie's Senate overruled an attempt to overhaul regulation 18.8 in the Dalhousie calendar. Regulation 18.8 affirms that course instructors reserve the right to accept or reject medical certificates presented to them by students.

The attempted overhaul called for a guarantee to students for alternative plans for examinations, tests and assignments in the case of illness.

During the last school year, many students complained to the ombudsperson about the current regulation.

The ombudsperson presented the students' complaints to the Senate's committee on academic administration in their annual report.

"Several students have complained about being turned away with their sick notes," said Chris Lydon, Dalhousie Student Union's vice-president academic/external, and chair of the Senate caucus.

During an hour and a half discussion, the academic administration committee addressed the issues of instructor authority, student appeal, and strategies to increase general awareness of the appeal process.

Despite the fact that the regulation was not amended, and in-

structors will still be the ones who assess the validity of medical certificates at their own discretion, the committee decided that students must be made aware of their right to appeal their instructors' decisions. This awareness included becoming familiar with the appeal process.

Consequently, a bolded clause, indicating the student's right to appeal his/her instructor's decision and the procedure involved with such appeals, is scheduled to appear in next year's calendar and on all sick notes issued at Dalhousie's Health Services office.

Although many Dal students question the instructor's right to assess a student's medical condition and their eligibility for special arrangements, several faculty members believe that they are the ones responsible for making the alternative arrangements and therefore deserve the right to accept or reject medical certificates. Other professors claim that by losing this right, instructors would be denied their authority as faculty members. Most instructors, however, agree that the issue of reliability of medical certificates deserves further investigation.

Overall, disputes over medical notes are quite rare. Most instructors are willing to provide students with make-ups or deadline extensions in the case of illness.

"These incidents don't happen a lot, but do happen every once in a while," explained Lydon.

Perfume coupon stinks up Dal

BY NEAL GRAHAM

The Dalhousie Bookstore is encouraging students to violate Dalhousie's fledgling scent-free program by giving redeemable coupons for free cologne at Eaton's.

Saint Mary's University (SMU), which does not presently have a campus-wide scent restriction program, was caught in a similar controversy in late September. The Saint Mary's University Students Association (SMUSA) invited representatives of Calvin Klein to set up a booth to hand out free samples of *CK one*, a Calvin Klein perfume, in the SMU Students Centre.

"Outrageous!" Jane Collins, RN, a nurse at SMU Health Services exclaimed. "We're trying to get the University scent-free [and] SMUSA goes and invites them [Calvin Klein representatives] to set up a booth!"

Dalhousie's alleged violation is less direct. Students were given a postcard-style coupon and asked to redeem it at any Eaton's location for a sample vial of *CK be*, another Calvin Klein perfume. Many of these consumers, as students at Dalhousie, will likely be

tempted to wear their new perfume on campus. Doing so would violate Dalhousie's We Share the Air program.

The *CK be* coupon is part of the campus pack boxes given out each year by the University Bookstore.

"I asked what the samples were," Michelle Lasseline, manager of the bookstore said.

"Anything that goes against any kind of programs that we are to comply with wouldn't have been brought in."

Lasseline conceded that she wasn't aware of what was in the packs.

Dr. William Louch, director of Environmental Health and Safety at Dalhousie, started the We Share the Air program one year ago. The scent-free program requests that students use consideration and restraint when using perfumed products. Perfumes, which have no apparent effect on many people, can cause mi-



Dal's actions don't make scents — Despite Dalhousie's scent-free policy, coupons for free trials of perfume were handed out in campus trial gift packs last week at the University Bookstore.

graines, asthma attacks, and seizures for sufferers of asthma, allergy and environmental illness.

"We want to encourage people to behave in a different fashion," Louch said.

"It is not like smoking; there is nothing on the books. Instead we try to use persuasion and education."

The problem with the packs may not even be an issue next year said Lasseline.

"We won't do it again. I'm considering this to be the last year with these [campus packs] anyway."