

"Precedent-setting move"

Osgoode lawyers protest union membership

By AGNES KRUCHIO

Osgoode is a separate institute from York University whose faculty are disqualified from being members of YUFA, representatives for the Osgoode Hall Faculty argued in front of the Ontario Labour Relations Board during the Christmas holidays. The Board had granted an interim certificate to YUFA last April pending an inquiry into the case of the approximately 40 faculty members and law librarians at Osgoode Hall Law School.

D.J.M. Brown a former law professor at U of T and Osgoode Hall Law School supplied evidence that included testimony from senior university administrators, Osgoode Hall faculty members and the Dean of Osgoode. He argued that since the Ontario Labour Relations Act (OLRA) prevents lawyers employed in a professional capacity to be part of any union, Osgoode Hall faculty should be

exempt from YUFA. He argued that in teaching law, law professors are an integral part of their profession.

"Since law teaching in Ontario is a core of legal education and since being admitted to the bar is conditional upon having attended law school, law professors could be said to be employed in a professional capacity", Brown said.

He further argued that the Law Society Act, the law governing the legal profession and legal education, specified that every law school appoint a full time teacher to the advisory council which is the body regulating the profession and ensuring professional standards.

He said a full time member of the faculty of a law school may be called to the bar without an examination after he has entered his third year of teaching. This, Brown said, more than equates three years of teaching to articling and passing

the bar admittance exam.

The Law Society of Upper Canada controls legal education Brown said. It is intergenerally involved in admission, academic requirements, curriculum, hours of lectures and many other academic matters. "This operating fact", said Brown, "thus draws the teaching faculty into the legal profession." Since third parties are not allowed into the two party collective bargaining process between employer and employee according to the OLRA it would be inappropriate for the Osgoode Hall school faculty to be a part of YUFA.

Moreover law teachers are concerned with the subject matter of the legal profession create the very tools of the profession such as case books, statutes and case reports as well as texts.

Some lawyers are also actively involved in community work such as Parkdale and Legal Aid. Outside

professional activities count towards their gaining credit for tenure and promotion, Brown stated.

He argued that there is no community of interest between faculty and Osgoode Hall Law School and the faculty of York University. Osgoode Hall Law School faculty community of interest is with itself and with the legal profession as well as other law schools. There are significant differences in terms and conditions of employment between Osgoode Hall faculty and York University faculty, Brown claimed.

He said Osgoode salaries are significantly higher than those of York faculty, and cited the 1974-75 faculty at Osgoode Hall which got \$2,500 more than other faculty members at York.

Osgoode Hall has its own rules and regulations on tenure and promotion. At the beginning of his fourth year, a teacher at Osgoode becomes an Associate Professor with tenure, and at the beginning of his seventh year he becomes a full professor Brown explained.

Brown referred to testimony by

Osgoode Hall faculty members according to which affiliation agreement made provision for Osgoode to be a separate entity even to be housed in a separate building. On the basis of Dean Arthur's testimony Brown said the separateness of the Osgoode Hall Law School is vital to the survival of it and its ability to attract and retain faculty.

While in other unionized Ontario universities such as Ottawa, Carleton and Windsor, law faculty members became part of the university faculty union. Osgoode Hall Law School was the first case in Ontario where exclusion is sought, Brown said, thus the case is precedent setting. Brown listed American universities where law faculties constitute separate bargaining units. Brown said the Osgoode Hall faculty should be either excluded from YUFA or be allowed to form its own bargaining unit.

Jeffery Sack, a lawyer for YUFA had no opportunity to reply that day and the enquiry will continue at a date not yet set by the Board.

Radio Glendon gets licence

By LIBBY ST. JEAN

Radio Glendon, the radio station at York's Lawrence and Bayview campus, was granted a carrier current licence to broadcast in that campus' residences by the Canadian Radio - Television Commission (CRTC), last Thursday.

This will enable 1700 Glendon resident students to 'plug in' to CKRG at 820 on the AM dial by means of electric wiring through their electric outlets rather than the

airwaves. Subscribers to Rogers or Metro Cable systems will be able to receive the same station 96.3 on FM with their stereotuners.

Allan Lysaght, CKRG's station manager said, "Beginning in February we will start feeding to Glendon through the cable system. We promised (in their proposal to CRTC) to provide alternative radio - not including commercials but a diverse musical collection of classical, jazz, folk, rock, blues,

bluegrass and French Canadian selections."

Lysaght said he wished to "promote unknown artists" to their audience that will include a half million Rogers or Metro cable subscribers.

Richard Gould, Radio York's station manager, is now working on a proposal for an FM station but says "the closed circuit system is technically unfeasible for York's main campus".

Radio York referendum

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issues, — OFS, NUS, and Radio York."

Miskin also said that the referendum would not represent students who do not wish to support Radio York and who are not amenable to increasing their activity fees or transferring their funds from OFS and NUS.

Dan O'Connor, general secretary of NUS, said that NUS has no position on Radio York, but is concerned that York students may decide to forfeit their relationship with other universities because they want a radio station.

"The possibility of a referendum raises in my mind some questions about CYSF, said O'Connor.

"Why has the OFS - NUS option been put in the referendum? Has there been an assessment of all the things CYSF spends money on?"

York students currently pay \$13.50 in CYSF activity fees, of which \$1.50 goes to OFS, and \$1 to NUS. The remaining money goes directly to CYSF which, in turn, allocates the money for different student services on campus.



Jack Granatstein, above, president of the controversial York University Faculty Union during its current drive for union status, announced his resignation last week for health reasons. A new president will be chosen in February.

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