

THE TORONTO STAR

Cloudy, chance of shower. High 3C

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Metro Edition

Seniors dread cuts to social programs

Cerebral palsy boy awarded millions

Court orders doctor to pay annual allowance

By ALAN BARNES
STAFF REPORTER

A Toronto judge has approved a \$6 million minimum settlement for a 4-year-old boy born with cerebral palsy who needs 24-hour care for the rest of his life.

Mr. Justice David Lissaman of Ontario Court, general division, ordered Dr. Lincoln Hew, an obstetrician at York-Finch General Hospital, to pay yearly allowances to Damian Perez.

The settlement was reached prior to a civil trial without any admittance of liability by Hew, said Richard Sommers, whose firm represented Damian's parents.

Hew could not be reached for comment last night.

Jorge and Ivette Perez had brought action for damages against Hew, the hospital and some of the staff.

Lissaman dismissed the actions against everyone but Hew, said Sommers.

He said the settlement, which could reach \$9 million if the boy lives to 50 years, was one of the largest for such a personal injury case.

Sommers said the biggest was the \$20 million award he won last year for the Toronto parents of a son with cerebral palsy.

"I'm very happy with the settlement," said Ivette Perez. "But no money in the world will



COLIN MCCONNELL / TORONTO STAR

COURT SETTLEMENT: Ivette Perez cuddles her son Damian who has cerebral palsy. The boy was awarded \$6 million so he can receive care for the rest of his life.

bring back my baby. "But I have the peace of mind" that Damian will get the care he needs and maybe the equipment to help him walk some day, she said.

Damian cannot talk or walk, can't eat solid foods and is unable to control his bodily functions, Sommers said, adding the

boy will never improve.

Perez gave birth to Damian on Oct. 14, 1989, 19 days after the due date, but only after the insistence of her and her husband that something be done, Sommers said.

He said the baby was born "blue and not breathing." "He required resuscitation

and oxygen and was transferred to the Hospital for Sick Children for emergency attention," Sommers said.

"The brain damage the baby sustained will not improve and will be life-long. The child will be dependent on others and in need of supervised care for the balance of his life."

also expected to reiterate that message and promise to work together to modernize the social safety net when they meet Dec. 21.

While some tinkering and cuts can be expected in the 1994 budget, the Liberals hope for more fundamental reform by 1995.

The major impetus is clearly

☞ Please see Seniors, A9

'I don't buy the argument that slashing and burning of social programs is the way to create a strong economy.'

— FINANCE MINISTER
PAUL MARTIN

'It is clear that the needs of society have changed in ways that make the Canadian safety net obsolete.'

— JUDITH MAXWELL
ECONOMIST AT QUEEN'S

'Monster' WCB costs risk to jobs bosses say

Employer group wants a lid on soaring rates

By LESLIE PAPP
QUEEN'S PARK BUREAU

Workers' compensation costs have climbed so high they're threatening to kill jobs across the province, warns a coalition of 100,000 Ontario employers.

"We're afraid," said Bob May, head of Maple Lodge Farms, a Norval-based poultry processor employing 1,800 people.

May's operation has been hit with a 14 per cent rate hike for next year, swelling its workers' compensation bill by more than \$250,000.

Covering the increase would require another \$10 million in sales, which isn't likely in today's market, he said.

"Layoffs are a possibility," May said.

The Workers' Compensation Board is like a runaway train, he said. "There's nobody to put the brakes on."

May is to join a contingent of

hard-hit employers appearing at a Queen's Park news conference today to demand a rollback of the WCB's most recent "job-killing" rate hike.

"There's got to be a stop to this," he said. "This monster must be reined in before it's too late."

WCB officials say rates for average employers are rising just 3 per cent — to \$3.04 for every \$100 of their payroll.

But that average hides huge increases being levelled against thousands of businesses, said Les Liversidge, a management consultant specializing in WCB issues.

"The board is just muddying the waters here," he said. "This hits a lot of industries hard."

About 4,000 employers are being slapped with increases of 75 per cent or more, according to the board's own figures.

About 27,000 face rate increases in excess of 25 per cent, while almost 122,300 must swallow 5 per cent or more.

Outrage over those figures has prompted the Employers' Council on Workers' Compensa-

☞ Please see WCB, back page

Rescue team still month away

Macassa official 'not optimistic' about men's fate

By DALE BRAZAO
STAFF REPORTER

KIRKLAND LAKE — They've run out of miracles at the Macassa mine.

A rescue operation for two trapped miners became a search for bodies yesterday when the company announced it will be at least a month before they can get the men out.

More than 2,000 gathered

yesterday for a candlelight vigil in front of the town's Christmas tree. Many had been bused in from adjoining communities and Premier Bob Rae flew to Kirkland Lake to meet with the miners' families.

Fear for the safety of the rescue teams forced officials to try an alternate access route to "recover" the men buried 11 days ago by massive underground rock bursts.

The new access involves drilling a tunnel through hard rock and installing a robotic digging machine, a process that will take at least 30 days, said Macassa spokesperson Carl Straub.

Despite their own grim assessment of the situation, company officials were reluctant to admit that Robert Sheldon, 37, and Leonce Verrier, 42, will never come out alive.

Yesterday was the first time Macassa even admitted the identities of the two men.

"I would say that we are not overly optimistic," a sombre-faced Straub, the company's corporate lawyer, said.

Searches had been concentrating on removing the debris from the cave-in area through a chute to a lower level. But the chute became continually plugged during the past week

and blasting with an avalanche gun failed to dislodge the latest blockage of rocks and timbers.

Macassa mine manager Rudi Rucker said that despite the round-the-clock efforts, rescue teams had managed to remove only about 1,700 tonnes of debris — about a tenth of what he believes is in the stope now.

Rucker said delivering the bad news to the families was the hardest thing he's had to do.

At yesterday's vigil neither the mayor, nor ministers, nor union officials who spoke had the heart to tell the community the news the company had delivered an hour earlier.

Up Front

Down in the dumps — for Maple, a way of life

By BRIAN McANDREW
ENVIRONMENT REPORTER

Marilyn Iafrate keeps a tidy kitchen in her Maple home, not a cup out of place or stray breadcrumb loose on the counter.

Except for the photo of Premier Bob Rae.

Rae stares down from the wall and overlooks the dinner table. Two ugly red slashes form an X across his face.

This is what it comes to when you've lived within a sniff of a garbage dump for

nearly a decade. One you expected would close this year.

And then discover the province intends to build another twice the size a bit upwind from your home.

"It's a reminder of the dump," Iafrate explains. "My daughter's 2½ and she associates Bob Rae with the dump. When I see him that's all I think about: the dump."

"It reminds me of betrayal." Maple is a tiny community within the larger City of Vaughan immediately north of

Metro Toronto.

It is home to about 15,000 residents, several Italian bakeries, one Chinese restaurant, Canada's Wonderland amusement park, Vaughan's city hall and the hated Keele Valley landfill site.

Just to the north and a bit to the west is rolling farmland the province has declared will become a mega-landfill site, a final resting spot for 40 million tonnes of garbage over a 20-

☞ Please see Taking, A6

Terrorist opens fire on bus in Tel Aviv

By BOB HEPBURN
MIDDLE EAST BUREAU

JERUSALEM — A lone Palestinian terrorist was shot to death yesterday after he opened fire on an Israeli commuter bus and killed a Jewish passenger, Israeli police say.

The attack occurred at a busy intersection in Holon, a southern suburb of Tel Aviv. It came barely eight days before Israel is to begin transferring power to the Palestine Liberation Organization in the Gaza Strip and the West Bank town of Jericho.

It was the first fatal terrorist attack inside Israel since last March, when Israeli Prime Minister Yitzhak Rabin closed the occupied territories, preventing most Palestinians from entering the Jewish state.

The hardline Islamic Jihad group claimed responsibility for the attack. It is among 10 Palestinian factions that vehemently oppose the Israeli-PLO peace accord.

Rabin warned Israelis that radical Palestinian and Jewish opponents of the peace agreement are expected to step up their attacks as the Dec. 13 deadline approaches.

He condemned the attack, but said it would not stop him from trying to reach a final agree-

ment with the PLO on implementing the accord.

"We will not allow this terrible atrocity to interfere with our determination to reach a conclusion" in negotiations, he told Israeli Radio.

A total of 35 Palestinians and 12 Israelis have been killed since the Israeli-PLO accord was signed Sept. 13.

A PLO official in Amman told Reuters news agency that PLO leader Yasser Arafat has agreed to a two-week delay in implementing the accord.

Rocker Frank Zappa dead of cancer

Rock musician Frank Zappa, who rode to fame in the late 1960s as leader of the eccentric Mothers of Invention, has died from the complications of prostate cancer. He was 52. Sometimes described as a musical genius, he was also attacked for his raunchy lyrics.



ZAPPA

☞ Full story, A12

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Business
Last-minute snags hit
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