



University  
of Manitoba  
**STUDENTS'  
UNION**

# Election/Referendum Complaint Form

FOR OFFICE USE ONLY		
Date and Time Received:	Complaint #	Staff Initials
February 26, 9:00 am	2020-010	

*All complaints must be submitted to the CRO, using this form, within 48 hours of the alleged breach.  
Contact the CRO at [cro@umsu.ca](mailto:cro@umsu.ca) or 204-391-2358. Submissions preferred via email.*

<b>Complainant name</b>	Karan Saxena
<b>Complaining email address</b>	saxenak@myumanitoba.ca
<b>Date and time of incident</b>	Monday February 24, 2020, 9:00 am
<b>Specific section(s) of the Election Rules that are alleged to have been breached</b>	<p>Nominations Package 6, B: The CRO may require Candidates, Slates and authorized representative(s) of Sides and Campaign Managers to attend any meetings deemed mandatory by the CRO.</p> <p>D. Failure to attend any mandatory meeting may result in penalties up to and including disqualification.</p> <p>E. Permission may be granted by the CRO to miss any mandatory meeting up to 24 hours in advance of the scheduled meeting time. The 24-hour notice period may be waived in the event of emergency situations as deemed appropriate by the CRO.</p> <p>Nominations Package 7, A: Any communication, advice or direction given between the Office of the CRO and any member of a Slate, or Campaign Manager, or member of any Side committee shall be deemed to have been between all members of that Slate, Campaign or Side.</p> <p>D. Oral communication on behalf of the CRO is deemed to be of the same force and effect as written communication.</p>

<b>Specific Slate, Candidate or Referendum Side that is alleged to be in breach</b>	Trevor Smith, 2STLGBQIA* Representative
<b>Specific facts which, if proved, constitute a breach.</b>  <b>(Continue on separate page as necessary.)</b>	Trevor Smith, candidate for 2STLGBQIA* Representative, did not attend the daily campaign meeting which was scheduled on February 25 at 9:00 am.  During the all candidates meeting, and in subsequent meetings, the Office of the CRO stated that it was expected that all candidates attend daily campaign meetings. Trevor did not send any proxies to the meeting either to represent him.
<b>Evidence of these facts.</b>  <b>(Continue on separate page as necessary.)</b>	All other executive and community representative candidates were in attendance, and each can serve as an eyewitness.

**OFFICE OF THE CHIEF RETURNING OFFICER**  
University of Manitoba Students' Union

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**Ruling Form**

<b>Ruling #</b>	2020-010
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<b>Date and time ruling posted</b>	Friday February 28 2020 @ 9:30 am
<b>Deadline to appeal (48 hours from posting)</b>	Sunday March 1 2020 @ 9:30 am
<b>Concerning Complaint #</b>	2020-010
<b>Summary of the allegation</b>	Trevor Smith, candidate for 2STLGBQIA* Representative, did not attend the daily campaign meeting which was scheduled on February 25 at 9:00 am.
<b>Summary of the parties to the complaint</b>	Trevor Smith, candidate for 2STLGBQIA* Representative
<b>Does the CRO have jurisdiction?</b>	Yes
<b>Applicable Election Rules</b>	<p>Nominations Package 6, B: The CRO may require Candidates, Slates and authorized representative(s) of Sides and Campaign Managers to attend any meetings deemed mandatory by the CRO.</p> <p>D. Failure to attend any mandatory meeting may result in penalties up to and including disqualification.</p> <p>E. Permission may be granted by the CRO to miss any mandatory meeting up to 24 hours in advance of the scheduled meeting time. The 24-hour notice period may be waived in the event of emergency situations as deemed appropriate by the CRO.</p> <p>With the exception of the All Candidates Meeting, Candidates, Slates and Sides may send one representative or Campaign Manager to attend a mandatory meeting on their behalf.</p>

<p><b>Finding of facts</b></p>	<ol style="list-style-type: none"> <li>1) Daily meetings are mandatory for the campaign period.</li> <li>2) Representatives for UMSU For You, Our UMSU, Connect UMSU, and individual candidates were in attendance at this time, and serve as eyewitness testimonials.</li> <li>3) As the candidate missed all instruction from the CRO, the late arrival was deemed an absence.</li> <li>4) No response from the candidate</li> </ol>
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<p><b>Ruling on the alleged breach</b></p>	<p><b><u>Findings:</u></b></p> <ol style="list-style-type: none"> <li>1. As the individual was not represented during the mandatory meeting, it is deemed an absence.</li> </ol>
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<p><b>Penalty assigned</b></p>	<p><b>The Office of the CRO assigns:</b></p> <ol style="list-style-type: none"> <li>1. Trevor Smith : 10 demerits</li> </ol>
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