



FOR OFFICE USE ONLY		
Date and Time Received:	Complaint #	Staff Initials
2023-02-16 @ 1PM	2023-05	ER

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 or 204-474-8033. Submissions preferred via email.

Complainant name	
Complainant student #	
Complaining email address	
Date and time of incident	Thursday February 9th, in closed session at the UMSU BOD Meeting
Specific section(s) of the Election Rules that are alleged to have been breached	Section VII, 46. "Any Appointee to a seat on a governing body, any signing authority or any employee with a direct or indirect material interest in a contract or agreement must recuse themselves from participation in anything to do with the negotiation or engagement of that contract or agreement. If such an individual is involved in any way with the negotiation or engagement of that contract or agreement, the conflict of interest must be fully disclosed in writing to the Board."
Specific Candidate or Referendum Side that is alleged to be in breach	Ivan Nunez Gomez, VP Advocacy Candidate

<p>Specific facts which, if proved, constitute a breach.</p> <p>(Continue on separate page as necessary.)</p>	<p>Ivan has declared he intends on running way back in September to me, and several other individuals. I have also told him in around October that it is a conflict of interest for him to be the Governance Chair and holding the intent to run for an executive position, given that he had openly expressed to several individuals his candidacy months prior to the campaigning period. He has been using Governance all year to reform election bylaws to his advantage. For instance, he has created the Racialized Students' Representative position, and stated that it was being created for a particular individual so that they could be on the board next year.</p> <p>At the most recent BOD meeting, he spoke on behalf of the governance committee to a motion regarding a students' eligibility to run in the UMSU election. He continuously fought against the students' desire to run, knowing the identity of the candidate and what position they were going to run for. This information was taken advantage of because he had expressed support for a different candidate in that position. Personal information about this candidate's financial situation and personal citizenship status was mentioned at this time. Once the motion brought forward by the CRO passed in which the student would not be eligible to run, multiple board members overheard Ivan say the comment "bye student name", thus outing the identity of the aforementioned student. There were several board members in that room who were not privy to this information that was expressed by Ivan, therefore breaking his Non-Disclosure agreement. Now, several board members know exactly who it was, and personal information about them that they should not have. Further, the student was already present at the meeting before going into closed session. Ivan has also demonstrated indirectly endorsing other candidates by this comment, which is also considered slate behaviour.</p>
<p>Evidence of these facts.</p> <p>(Continue on separate page as necessary.)</p>	<p>Witnesses-</p>

CRO Ruling:

2023-02-17 @ 11AM

10 demerits given. After further investigation with the witnesses and the party of the complaint's written response, I have determined that the majority of this complaint is unfounded. However, I believe that the "Bye student name" comment was highly inappropriate given the individual was not named in the motion and personal information was disclosed during discussion.

If you wish to appeal this ruling you must do so through the Judicial Board with the appeal form provided on the UMSU elections website under Candidate Resources. Please note, only the party of the complaint can place an appeal.