



University
of Manitoba
**STUDENTS'
UNION**

Election/Referendum Complaint Form

FOR OFFICE USE ONLY		
Date and Time Received:	Complaint #	Staff Initials
2023-02-27 @ 3am	2023-12	ER

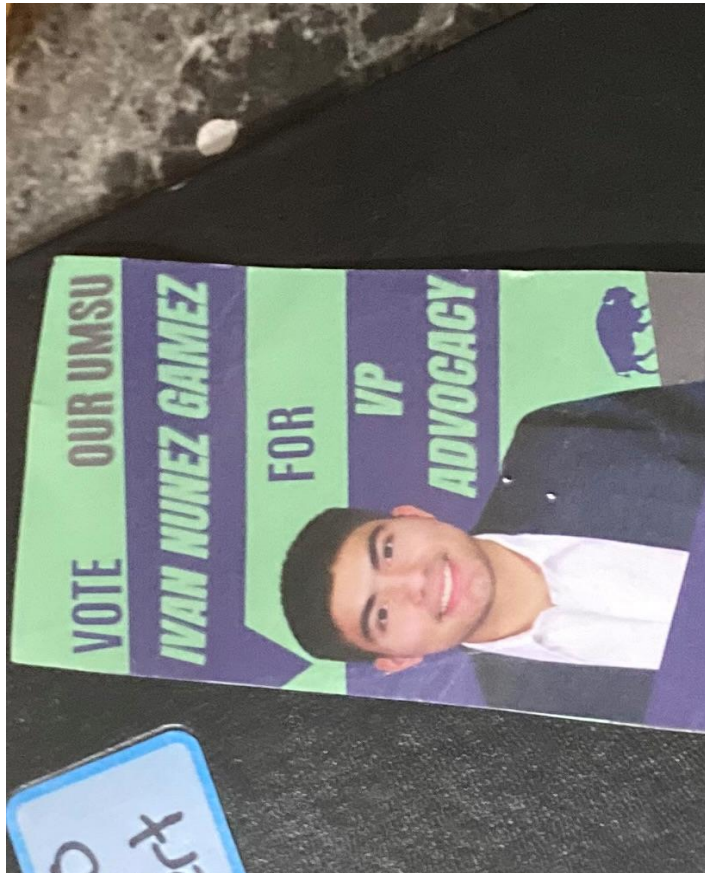
All complaints must be submitted to the CRO, using this form, within 48 hours of the alleged breach. Contact the CRO at cro@umsu.ca or 204-474-8033. Submissions preferred via email.

Complainant name	Erin Robert, CRO
Complainant student #	
Complaining email address	
Date and time of incident	2023-02-26 at approximately 7pm
Specific section(s) of the Election Rules that are alleged to have been breached	Pre-campaigning as is defined by the CRO.
Specific Candidate or Referendum Side that is alleged to be in breach	Ivan Nunez Gamez
Specific facts which, if proved, constitute a breach. (Continue on separate page as necessary.)	<p>I currently have a copy of Ivan’s approved campaign material, his bookmark, in my apartment. I obtained this due to an UMSU board member, bringing it over to where I was sitting in the board room. This individual showed me where they found the bookmark, and it was in the UMSU council chamber table, where I used to stash my phone (back in the day).</p> <p>While I understand Ivan was sitting nearby before leaving the room, and this may have been left accidentally. When Ivan was in my office prior, asking questions and really just hanging out, I noticed he had his bookmark in a clear phone case and told him to put it away and that shouldn’t be where others can see it. While I did not force him to take it out of his phone case in front of me, as I thought that would be a bit dramatic, I was clear that it was a form of Pre-campaigning and that it could get him in trouble.</p>

This individual already received many informal complaints for pre-campaigning that I could not take action on due to insufficient evidence, as well as formal complaints filed. In saying such, this is a **clear indication of pre-campaigning to the office of the CRO.**

Evidence of these facts.

(Continue on separate page as necessary.)



Ruling of the CRO 2023-03-01 @3:30am:

10 Demerits. While I once again, understand the possible circumstances of this I must look at the facts. I thought about this more, and I know this table very well. The likelihood that the bookmark were to fall out of your bag and accidentally land in that spot on the table (which is quite small) and **not like hit the edge and fall to the ground, because it is literally a bookmark,** is too low. I believe the more likely scenario is that you pulled it out to show it to a friend on the board. This is again, highly inappropriate behavior to do so in the UMSU board room right before a board meeting (with people coming in and/or everyone seated), even if it wasn't the pre-campaigning period.

I do not believe that you went to the board room to pre-campaign on purpose, I do believe that you had the intention of fulfilling your role. If I believed your intentions were otherwise, this penalty would be much worse.

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.