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| C:\Users\micha\AppData\Local\Microsoft\Windows\INetCacheContent.Word\UMSU Logo Square.png | Election/Referendum Complaint Form |

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| FOR OFFICE USE ONLY |
| Date and Time Received: | Complaint # | Staff Initials |
| 2024-Mar-06 9:21PM | 2024-006 | JS |

*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.*

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| **Complainant name** |  |
| **Complainant student #** |  |
| **Complaining email address** |  |
| **Date and time of incident** | Ongoing  |
| **Specific section(s) of the Election Rules that are alleged to have been breached** | UMSU Elections Manual Section VI: Nomination Requirements1. In order to be nominated as a candidate, a person:
2. be in good standing with the Union.

UMSU Governance and Operations ManualSection IV: Positions and DutiesExecutive Expectations2. Each Executive must be an UMSU member for the entire duration of their term in office and must be a student in any faculty or school for at least one semester of the regular session, as defined by the Universitya. Should an executive member be unable to fulfill the requirement outlined above, they must receive formal approval from the UMSU Board of Directors |
| **Specific Candidate or Referendum Side that is alleged to be in breach** |  |
| **Specific facts which, if proved, constitute a breach.****(Continue on separate page as necessary.)** | In accordance with the UMSU Elections Manual, it is stipulated that individuals not in good standing with the Union shall not be permitted candidacy within the UMSU Annual General Elections., has violated these stipulations. As outlined in the Governance and Operations Manual, “Each Executive must be an UMSU member for the entire duration of their term in office and must be a student in any faculty or school for at least one semester of the regular session, as defined by the University.” Furthermore, if one cannot fulfill these, they must seek approval from the UMSU Board of Directors.When nominations opened for the UMSU Annual General Elections 2024-2025, picked up a nomination package from the Chief Returning Officer. Upon attempting to complete nomination package, realized was not a Union member, and had not been for the entirety of term as , due to non-payment of UMSU fees resulting from solely being enrolled in Distance Education courses. Additionally, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ never sought nor received formal approval from the Board of Directors to bypass this rule. Allegedly, after consulting with the CRO, was instructed to purchase an UMSU membership to proceed with nomination process. proceeded to do so. It should be noted that purchased a membership after the fee deadline for the 2024 Winter semester. CCCUpon disclosure of this issue to certain members of the UMSU Executive, a Governance Committee meeting was convened to deliberate on the matter and decide whether individuals in this position should be permitted to run in the Election. Subsequently, the Governance Committee resolved to escalate the issue to the Board of Directors. Regrettably, despite the apparent breach of the Governance and Operations Manual, this issue was not brought before the UMSU Board of Directors, as was voted on.The CRO should have been cognizant of these regulations and refrained from allowing to pursue candidacy. It is evident that by breaching the bylaws as an UMSU Executive that \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_is not in good standing with the Union and should not have been permitted to seek candidacy in the Election. CCCAdditionally, enabling to circumvent these regulations, likely due to status as an UMSU Executive, as well as neglecting transparency by failing to bring the matter before the Board of Directors, it becomes unequivocally apparent that this is a grave issue that requires immediate attention. I implore the CRO to thoroughly investigate this matter, including but not limited to bringing it before the UMSU Judicial Board and the UMSU Board of Directors, as well as adhering to: UMSU Elections Manual Section XVIII: Complaint Procedure8. The CRO shall advertise the via the UMSU newsletter, social media, and website: a. updates on all validated complaints b. disqualification of candidatesAs of now, the CRO has not been adhering to this. Overall, this issue is a serious violation and contravention of the integrity of the UMSU Elections and should be addressed with the utmost haste.I cannot in good conscious, as a member of the Union, allow the integrity of the Union to be undermined, potentially due to an individual’s status within the Union. |
| **Evidence of these facts.****(Continue on separate page as necessary.)** | Witnesses: The CRO of the UMSU Annual General Elections 2024-2025, UMSU Governance Committee, UMSU Executives |
| **CRO Ruling** | My adjudication as CRO covers the execution of the election for 2024-2025 only. As such I will address the Governance Documents that cover this event:1. In order to be nominated as a candidate, a person:
2. be in good standing with the Union. The determination of member in good standing is at the sole discretion of the CRO. Accused was determined to be a member in good standing as of the close of Nominations on Feb 15 at 5pm

Additionally, in the Elections Manual:Section XVIII: Complaint Procedure1. The following shall be the process by which Complaints are filed, received, and ruled upon:
2. The Complainant must submit a Complaint to the CRO using the prescribed form within 48 hours of the alleged breach of the Election Rules.

Notwithstanding ruling #1 above, in any event, the complaint was not submitted within the required timeframe within 48 hours of the close of nominations.  |