



UWSA

THE UNIVERSITY OF WINNIPEG
STUDENTS' ASSOCIATION

Open Session Package

February 10, 2021 Meeting of the
UWSA Board of Directors

This package contains minutes and
motions duly submitted to the Chair
of the UWSA Board of Directors

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University of Winnipeg Students' Association Board of Directors
OPEN Session Meeting Minutes, January 27, 2021 – 5:30 p.m.
Virtual Meeting due to the COVID – 19 Pandemic

Board in Attendance:

Chair of the Board: Anjola Aderinto

Accessibility Director: Sarah Anderson

Business and Economics Director: Harsimrat S. Malhotra

Community Liaison: Celina Clements

Education Director: Breanna Gans

Graduate Students' Co-Director: Alexandra K. Nychuk

Indigenous Students' Co-Director: Gracie Grift

International Students' Co-Director: Elsa Owusu

International Students' Co-Director: Onyinye Francisca Idigbe

Menno Simons College Director: Alizeh Faran

PACE Director: Valerie Bermudez

President: Shawna Peloquin

Recreation and Athletics Director: Jacob Wiseman

Science Director: Olivia Ferreira

Urban Inner-City Campus Director: Dagen Perrot

Vice -President External Affairs: Jonathan Henderson

Women and Non-Binary Students Director: Ershiya Bagheri

Board Absent:

2SLGBTQ* Director: Jacob K. Antman

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Indigenous Students' Co-Director: Zackery Anderson

Graduate Students' Co-Director: Nadia M. Chaharsoughi

Secretary of the Board: Hasini Abeysekera

Racialized Students' Director: Shubham Aman Kumar

Staff in Attendance:

General Manager, Jennifer Black: Organization Support

Administrative Assistant, Thomas Hanan: Secretary

Guests in Attendance:

Joan Riggs, Catalyst Consulting

Open Session

1. Call to Order

The regular monthly meeting of the University of Winnipeg Students' Association Board of Directors was held on Wednesday January 27, 2021 at 5:30pm via a virtual meeting due to the COVID-19 pandemic. The Chair called the meeting to order at 5:34 p.m. Following the confirmation of quorum, the house continued to the agenda.

2. Approval of the Order of Business

Breanna G. moves to approve order of business

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Motion carries.

3. Special Business

4. Consent Agenda

a. Reports

i. Executive Reports

a) Shawna P.

- Many B&P meetings about reforming elections and working on releasing information on Friday to students.
- Working with National movement for Plant Based Food on Campus focusing on sustainability targets.

b) Jonathan H.

- Positive Space Policy consultations this week.
- CERC meeting on Friday looking at Grading Consistence motion from Jacob W. and Dagen P.
- Working with CFS strategizing against Bill 33, meeting with NDP.
- Setting up meeting with the new provincial Minister of Advanced Education

ii. Director Reports

a) Sarah A.

- Hosted the United Speaker Series

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- Continuing work on More Than a Door Campaign.
- Worked K. Vargscarr on new CEC accessibility training.

b) Harsimrat M.

- Attended departmental Student Steering Committee and met the new Student Engagement Assistant.
- Building relationships between the Faculty Dean and students.

c) Breanna G.

- Working towards a virtual meet-up with education students for encouragement and networking.

d) Alexandra N.

- Will be attending Canadian Association for Graduate Students conference next week.

e) Dagen P.

- B&P meetings, and working on UIC Students Association structure.

f) Elsa O. and Francisca I.

- Continuing outreach and support work with IIRSS.

g) Jacob W.

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- Works with a non-for-profit and looking into presenting it the board but connecting with Exec about the potential conflict of interest.

h) Valerie B.

- Followed up with program coordinator on the student handbook and had an updated appendix that outlined instructor expectations.
- Was just appointed to the senate library committee and hopes she can work on provisions of texts for PACE.

i) Olivia F.

- Hosting a scientific writing workshop on Feb 5.
- Connecting with Sciences student groups and helping to promote their events.

j) Alizeh F.

- B&P meetings weekly, working on election process.
- Working on MSCSA elections and how they look for 2021.

k) Gracie G.

- Got ISA Council running and started an Instagram, @isa_uwinnipeg – started promotions with intros of Executive members and events.

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- Partnering with UWinnipeg Indigeneity on the Norway Series – bringing Elders and Knowledge Keepers in to share their knowledge with anyone from the UWinnipeg community who wants to attend.
- Working on updates to the ISA Constitution to help them through COVID and account for practice changes.

b. Minutes

- BOD 210113 OPEN
- B&P 210112 OPEN
- DMC 201210 OPEN
- EXEC 210118 OPEN

Dagen P. moves to approve consent agenda omnibus

Motion carries

5. Communications

a. Executive Director Resignation

Shawna P. reads out the resignation of Vice President of Student Affairs; Melanie Williams:

Members of the Board, Students, and Staff,

After many months of being on coerced administrative leave, I have made the difficult decision to resign from my position as Vice President Student Affairs.

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I would like to start by thanking each and every person who voted for and supported me, along with my team, in my position within the University of Winnipeg Students' Association. I have participated fully in all measures to be held accountable, and this experience was one of great difficulty and personal growth.

Since being elected in March with the highest voter turnout in 17 years, my team and I advocated for the UPass to be included in the municipal budget and worked with administration to implement a variety of student initiatives including a flex parking pass, waiving graduate student transcript fees and improving safety through student card access and re-examining the role of police and contract security on campus. We launched a large-scale renovation of the Hive, initiated a partnership with Legal Aid, and proposed an investment campaign to senior administration called 'Heart and Soul'. We made plans to remodel the UWSA website and create better resources for first year students and succeeded in restructuring the selection procedure for awards and scholarships to be fair and follow a due process. We were working with administration to provide input on a UWinnipeg library remodel and met with local organizations to provide better support for the Foodbank and Bike Lab. We created a plan to restructure student club funding in a way that was equal and organized, as there is no existing structure for most of the UWSA's branches. These are just a few highlights of what we were able to accomplish during our

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one month in office. We had begun to remodel the association from its very core structure into one that was inclusive, robust, and far more efficient than the current model is. It was a great honour to be voted into office in such a historic way, with the voice of students behind us, and with passionate and bold new ideas to transform the UWSA into a students' union that had integrity, respect and took the best ideas from every corner of campus.

We worked tirelessly to create policy changes to build a community with an open environment where free expression was encouraged, individuality was welcomed, and all opinions were respected, as well as considered. However, this organization was clearly not ready for such a change.

The UWSA aims to be an institution which stands alongside all students, though this cannot be further from the truth. My experience as an executive has been nothing short of traumatic. This workplace perpetuates an environment that actively causes harm to those within it. I challenge the UWSA to rectify its wrongs, and ensure all students at the UWSA are treated equally, regardless of how they identify with their political affiliations. Students at UWinnipeg deserve much better than the institution that serves them now. As a student leader, I have given all that I can. I have come to realize that no matter how hard I try, or how much of myself I give, this organization is not ready to change as ideological pressure is rooted so deeply within the UWSA that it blatantly disregards and fails those who it claims to protect. I hope that one day, under different

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leadership, the union can truly reflect the needs of all students and be true to its mission, as we aspired to do.

I wish everyone I have encountered the best in their personal endeavours. I still believe in the platform that we were elected on and I will continue to learn, engage in respectful dialogue and advocate for what I believe is right. I will work tirelessly for the change I want to see in our communities and for students at large, but I will do so in an environment that is respectful and safe.

Sincerely,

Melanie William

Harsimrat M. moves to approve resignation.

Motion carries.

Abstentions: Shawna P., Gracie G. and Celina C.

6. New Business

- a. Motion: Committee Appointment

Fransica I. moves: BE IT RESOLVED THAT Breanna Gans is appointed to the Finance & Operations Committee.

Motion Carries.

- b. Motion: Uniter Board Seat Appointment

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Shawna P. calls for a volunteer from the board to sit on the Uniter Board. Jacob Wiseman volunteers.

Shawna P. moves to appoint Jacob Wiseman to Uniter Board.

Motion carries.

Shawna P. moves to enter closed session and invite attending staff.

Motion Carries.

Shawna requests that directors who would like staff to leave closed session can alert her at any time via private message and she will dismiss staff while maintaining anonymity.

Closed Session

7. Consent Agenda

- a. Minutes
 - i. BOD 210113 CLOSED
 - ii. EXEC 210118 CLOSED

8. New Business

- a. Catalyst Consulting Final Report
- b. Executive Director Resignation
- c. Director of Student Living Seat Appointment

Shawna P. moves to enter open session

Motion Carries

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Shawna P. moves to approve Kiratveer Hayer as Student Living Director

Motion Carries.

Abstentions: Francisca I., Gracie G., Alexandra N., Celina C., Olivia F. and Breanna G.

9. Other Business

- a. Next meeting of the board – Feb 10, 2021 at 5:30 p.m.

10. Adjournment

Alexandra N. moves to adjourn 7:50 p.m.

Motion carries.

DRAFT

By-Law and Policy Committee – Open Session Minutes January 26, 2021 Virtual Meeting due to Covid-19 Pandemic



In attendance:

Chair – Anjola Aderinto, Chair of the Board of Directors
Member – Alizeh Faran, Menno Simons College Director
Member – Dagen Perrot, Urban and Inner-City Campus Director
Member – Jacob Antman, 2SLGBTQ* Director
Member – Valerie Bermudez, PACE Director
Guest – Shawna P, President
Guest – Taylor Daigneault, former Chief Election Commissioner

Staff in attendance:

Advisor – Jennifer Black, General Manager
Scribe- Thomas Hanan, Administrative Assistant

1) Call to Order

Meeting called to order at 4:35 p.m.

2) General Election Discussion

Degan P. steers the conversation towards referendums, and that they need to be fit into the new election. Shawna P. believes that they should be information based and not competitive. The Election Campaign Facilitator (ECF) could manage the mediation of information from both sides. J. Black shared that a “no” side to a referendum has never registered, to her knowledge, in her time with UWSA.

Taylor D. joined this meeting and Shawna P. gave them an overview of her ideas for the electoral reform: Removal of slates, change to collaboration based rather than competition, focus on training leaders/helping them understand their roles, and introducing the ECF to help candidates work on campaign during a training week. For contested positions having a panel format rather than back to back speeches. Dagen P. added that election admin work will be moving to Chief Election Commissioner (CEC) and ECF will be working on interpersonal collaborations and conflicts. When candidates apply they should be asked for their availability for training week, their styles, and values to help the ECF plan their week. Having candidates centralized under the UWSA election and giving student groups the chance to request their department director speak in their meetings or in a class.

Taylor D. asked if 2-year terms are still being considered, and suggested that if that happens some positions would not benefit (such as PACE, Graduate Students, Mature

By-Law and Policy Committee – Open Session Minutes January 26, 2021 Virtual Meeting due to Covid-19 Pandemic



Part-time, and Education Directors). Outside of committee consultation would be important, and Taylor D. shared examples such as Youth Parliament and how they conduct their terms. Jacob A. worried that having a large portion of the board having longer terms might make new directors feel less than, but Shawna P. and J. Black think it will give the opportunity for peer mentorship but agree that mentorship will have to be explicitly built into the process. The terms will alternate so that there are even representations of new and established board members.

Taylor D. shared their experience as CEC. The biggest issues were time restraints of running an election while being in school. They ran into by-laws that prevented them from doing their job, such as the CEC being the only person who could open all polling stations at a certain time, meaning they would have to be in multiple places at once, and polling officers could not leave the station, but they were not always able to get to the polling station to let them go. There was talk about hiring a deputy CEC but often the hiring had some nepotism issues, and the CEC sometimes was doing less work than the deputy. J. Black flagged that it may not be reasonable to expect a CEC to do hiring properly. Taylor D. felt there was a lack of training for election volunteers and talked about application process for candidates to be particular making it easy for disqualification over something small. They added that pencils should not be in voting booths because so many ballots were disqualified from erasing.

Discussion turns to complaint procedures. Taylor D. did not have to deal with many complaints because they worked a By-Election but had to deal with questions from students and gave an example of the types of questions and how they made their rulings. For complaints the CEC brings it to REBLITE, but candidates must be trained that they can appeal/fight the CEC's ruling, and have ways to bypass the CEC to run complaints if needed.

Taylor D. suggests that:

- the CEC should be able to defer something directly to REBLITE, rather than the onus being on the candidate to appeal the decision.
- UWSA needs to properly establish mediation process with the goal of resolving complaints within 48 hours. Allow e-votes and electronic meetings as an option for REBLITE so that complaints can be resolved efficiently.
- All members of the board not running in the election should be member of REBLITE and the rules should stipulate a minimum number of directors to be present.

- 3) Adjournment
adjourn at 6:00 p.m.
Motion carries.

Campaign and External Relations Committee – Open Session Minutes

January 29th, 2021 @ 2:00 PM

VIRTUAL MEETING DUE TO COVID-19 PANDEMIC VIA ZOOM



In attendance:

Member – Celena Clements,

Member – Alizeh Farans, Menno Simons Director

Member – Gracie Grift, Student at Large

Chair – Jonathan Henderson, Vice President of External Affairs

Scribe – Thomas Hanan, Administrative Assistant

Guest – Jacob Wiseman, Recreation and Athletics Director

1) Call to Order

Jonathan H. calls meeting to order 2:06 p.m. following the confirmation of quorum.

2) Opening Prayer and Introductions

Jonathan H. begins meeting by smudging and saying a quick prayer followed by the committee introducing themselves and sharing their headspace today.

3) Approval of Order of Business

Alizeh F. moves to approve order of business.

Motion carries.

4) New Business

a. Student Group Applications

Chair goes through each student group and shares their purposes and goals:

Celina C. moves to approve the following new student groups omnibus:

<i>Returning Student Group Applications - 2020/2021</i>	
University of Winnipeg International Students' Union	Recognized
University of Winnipeg Bangladeshi Students' Association	Recognized
Philosophy Students' Association	Recognized

Motion Carries.

Celina C. moves to approve the following new student group omnibus:

<i>New Student Group Applications - 2020/2021</i>	
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Campaign and External Relations Committee – Open Session Minutes

January 29th, 2021 @ 2:00 PM

VIRTUAL MEETING DUE TO COVID-19 PANDEMIC VIA ZOOM



University of Winnipeg Competitive Programming Club	Recognized
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Motion Carries

b. Consistency of Grading Motion

Jacob W. and Dagen P. brought this motion to the last board meeting, which got tabled to CERC. Jacob W. shared that they have revised the motion to focus on kineology department specifically. In general, the motion was about standardizing grading system, across all classes. Gracie G. calls for specificity rather than generalizing in the motion. Jonathan H. wonders making sure classes show how they grade when students are registering could help. Celina C. advises looking at UofM to try and keep it consistent with them. Jonathan H. says he will meet with Jacob W. and Dagen P., and invite CERC to work on the motion.

Alizeh F. motion to table for another adhoc CERC sub-committee meeting.

Motion carries.

c. Online Students Learning Experience Consultation/Survey

Jonathan H. shares the timeline of this project and hopes that it will be ready for February/March, hopefully sooner than later. There should be a mixture of yes and no questions, with opportunities for students to share their experience in short answers. Alizeh F. recommends a working group to nail down some details.

Celina C. moves to establish working group that will finalize questions and final steps for Online Students Learning Experience Survey

Motion Carries

5) Adjournment

Celina C. moves to adjourn at 2:51

Motion carries



UWSA

THE UNIVERSITY OF WINNIPEG
STUDENTS' ASSOCIATION

UWSA Election Reform

**Presented for information and
discussion Feb 10, 2021**

**Pending approval at the Feb 24,
2021 meeting of the UWSA Board of
Directors**

By-law and Policy Committee

BY-LAW AMENDMENT MOTION PROPOSAL

BE IT RESOLVED THAT by-law 4.2.i is amended to read:

~~The term of office of all directors shall be from May 1st through to April 30th with the exception of the Indigenous Students' Directors. Retiring Directors shall be eligible for re-election as per these By-Laws.~~

UWSA Directors shall hold staggered two-year terms beginning May 1st of the year they are elected through to April 30th of the second following year, with the following exemptions:

- b. The Term of Office for the Menno Simons College Director shall be determined by the constitution of the Menno Simons College Student Association and in accordance with the Corporations Act.
- c. The Term of Office for the Urban and Inner-City Campus Director shall be determined by the constitution of the Urban and Inner-City Students Association and in accordance with the Corporations Act.
- d. The Term of Office for Graduate Students' Director, Education Director, and the PACE Director shall be one year.

BE IT FURTHER RESOLVED THAT by-law 4.3.vi is amended to read:

If, after the UWSA General Election, there are vacancies within the required number of student representatives outlined by the University of Winnipeg Act for the University of Winnipeg Board of Regents and/or the University of Winnipeg Senate, the UWSA Board of Directors shall be permitted to appoint students to fill those vacancies. The duration of such an appointment shall be the balance of the unexpired term of the vacancy.

BE IT FURTHER RESOLVED THAT by-law 4.6.v is added:

An Executive Director who is not enrolled in at least one half (1/2) course, three (3) credit hours in the final semester of their term does not qualify for re-election.

BE IT FURTHER RESOLVED THAT By-law 5 – Elections and Referenda in the latest by-law package is eliminated.

BE IT FURTHER RESOLVED THAT the following by-laws are adopted as the new By-law 5 Elections and Referenda:

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5.1 CHIEF ELECTIONS COMMISSIONER (CEC)

- i. The Chief Elections Commissioner (CEC) acts on behalf of the UWSA Membership to carry out the electoral logistics of all UWSA elections and referenda.
- ii. The CEC works alongside the Election Campaign Facilitators (ECFs) and is accountable to the Election Accountability Board (EAB). Questions, concerns, and complaints arising from any CEC interpretation of the By-Laws may be directed to the Chair of the EAB.
- iii. The CEC liaises with UWSA staff to prepare and implement election logistics, however, the CEC reports directly to the EAB and the Board of Directors and does not take instruction or direction from staff.
- iv. The CEC shall receive training and orientation from the Chief Operating Officer, the General Manager, and the Events and Communications Department, before the beginning of the election cycle for which they have been hired.



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- v. The CEC may be dismissed from their position with a $\frac{2}{3}$ vote of the Board of Directors, if just cause exists. The EAB may recommend that the Board of Directors dismiss the CEC following a unanimous vote of EAB.

5.2 CHIEF ELECTIONS COMMISSIONER POWERS AND DUTIES

- i. The CEC shall run elections safely, fairly, and in accordance with UWSA by-laws and policies.
- ii. The CEC shall oversee election logistics, including:
 - a. Managing the candidate and referenda side volunteer nomination processes, including:
 - 1. Working with the ECFs and the Communications Department to create nomination forms and approving all forms before circulation;
 - 2. Ensuring that nomination forms are available by the deadlines ascribed in these by-laws;
 - 3. Ensuring that the nomination forms are clear, accessible, and collect all information required to assess candidate eligibility as stipulated in these by-laws and the Corporations Act;
 - 4. Arranging and promoting drop-off details for candidates to submit nominations;
 - 5. Being reasonably available to answer eligibility questions of potential nominees;
 - 6. Verifying the eligibility credentials of all nominees and announcing all verified election candidates and referenda side volunteers to the ECFs and the membership in accordance with these by-laws.
 - b. Arranging all poll and voting logistics, including:
 - 1. Working with the Communications Department to develop the ballot for paper and/or digital polling and approving all ballots before circulation.
 - 2. Organizing any physical polls, including:
 - i. Being present at the opening and closing of the polls each day of the voting period;
 - ii. Situating polls on campus in accordance with these by-laws;
 - iii. Ensuring polls have the equipment needed to run a fair and confidential vote;
 - iv. Ensuring polls are properly staffed in accordance with these by-laws;
 - v. Ensuring that clear voting instructions are posted at all polls; and
 - vi. Responding to student issues or concerns with the physical polls.
 - 3. Organizing any digital polls, including:
 - i. Working with the Administration and Communications Departments to administer the voting software backend,
 - ii. Ensuring that the student list is securely and accurately uploaded,
 - iii. Ensuring that clear voting instructions are included on the digital ballot,



- iv. Ensuring that online polls open and close at the correct times, in accordance with these by-laws, and
 - v. Responding to student issues or concerns with the voting software.
 4. Appointing, training, and supervising all polling officers.
 5. Ensuring the security of all ballots and ballot boxes.
 - c. Overseeing all ballot count logistics, and ensuring that a fair, accurate, and cost-effective ballot count occurs.
 - iii. The CEC shall work with the Communications Department and the Election Campaign Facilitators to arrange promotion of election information, including information on qualifications for election, nominations, referenda registration, deadlines, poll hours and locations, digital polling access, and voting instructions.
 - iv. The CEC shall work with the Election Campaign Facilitators under the guidance of the EAB to ensure that members of the UWSA Board of Directors and UWSA staff do not use their positions or UWSA resources to campaign to an unfair advantage either “for” or “against” a candidate or referendum side.
 - v. The CEC shall post and implement Supplementary Nominations and Polling Rules, subject to the approval of the EAB.
 - vi. The CEC shall work with the Communications Department to notify the membership of the official results of the election and/or referenda and ensure that notifications are made public within the timelines ascribed by these by-laws.
 - vii. The CEC shall submit to the UWSA Board of Directors, at the first board meeting or general meeting where the election results are ratified, a final report of activities and recommendations in accordance with the Final Election Report By-laws.

5.3 ELECTION CAMPAIGN FACILITATORS (ECFS)

- i. The Election Campaign Facilitators (ECFs) act on behalf of the UWSA Membership to support electoral candidates and side volunteers through the elections process, to facilitate the collaborative creation of the UWSA Election Campaign, and to mediate conflicts that arise throughout the electoral process.
- ii. The ECFs work alongside the CEC and are accountable to the Election Accountability Board (EAB). Questions, concerns, and complaints arising from any ECF interpretation of the By-Laws may be directed to the Chair of the EAB.
- iii. The ECFs liaise with UWSA staff to prepare and implement UWSA Election Campaign logistics, however, the ECFs report directly to the EAB and the Board of Directors and do not take instruction or direction from staff.
- iv. The ECFs shall receive training and orientation from the Chief Operating Officer, the General Manager, and the Events and Communications Department, before the beginning of the election cycle for which they have been hired.
- v. An ECF may be dismissed from their position with a $\frac{2}{3}$ vote of the Board of Directors, if just cause exists. The EAB may recommend that the Board of Directors dismiss an ECF following a unanimous vote of EAB.



5.4 ELECTION CAMPAIGN FACILITATORS POWERS AND DUTIES

- i. The Election Campaign Facilitators shall organize and facilitate the All Candidate's Training and Campaign Preparation Week, safely, fairly, and in accordance with these by-laws, including:
 - a. Arranging sessions including, but not limited to:
 1. Collaborative governance;
 2. UWSA mission and vision, internal structure and operations, ambassadorship policies and regulations; and election rules;
 3. Non-profit board regulations, duties and privileges;
 4. How to campaign; and
 5. Conflict mediation and resolution.
 - b. Scheduling UWSA staff and external partners to facilitate sessions relevant to their expertise.
 - c. Facilitating the creation of the UWSA Election Campaign through the collaboration of all electoral candidates and referenda side volunteers.
 - d. Working in coordination with the Communications Department, the Chief Election Commissioner, and all election candidates and referenda side volunteers to arrange promotion of the UWSA Election Campaign.
- ii. The ECFs shall organize all campaign opportunities for candidates and sides including debates, forums, classroom presentations, meetings with student groups, and any other campaign opportunity targeting ten (10) or more voting members.
- iii. The ECFs shall post and implement Supplementary Campaign Rules, subject to the approval of the EAB.
- iv. The ECFs shall keep regular office hours and give notification to candidates and sides of these hours no later than the Monday of Week 4 at 8 a.m.
- v. The ECFs shall ensure fair and equal access to all campaign resources provided by the UWSA Election Campaign.
- vi. The ECFs shall hear concerns and complaints from candidates, volunteers, and the student membership and shall work to resolve issues through mediation before escalating them to the EAB in accordance with relevant UWSA Policy.
- vii. The ECFs shall bring any complaint which cannot be resolved through mediation to the EAB for consideration and ruling in accordance with relevant UWSA Policy.
- viii. The ECFs shall work with the CEC under the guidance of the EAB to ensure that members of the UWSA Board of Directors and UWSA staff do not use their positions or UWSA resources to campaign to an unfair advantage either "for" or "against" a candidate or referendum side.
- ix. The ECFs shall submit to the UWSA Board of Directors, at the first board meeting or general meeting where the election results are ratified, a final report of activities and recommendations in accordance with the Final Election Report By-laws.

5.5 CEC AND ECF SELECTIONS AND HIRING

- i. Selection
 - a. The Chief Election Commissioner shall be hired in accordance with UWSA hiring policies and ratified by the Board of Directors.



- b. In addition to regular public postings for the ECF positions, the Chief Operating Officer shall actively recruit consulting professionals to apply.
 - c. The Chief Election Commissioner's term shall commence upon appointment of the Board of Directors and shall expire on April 30th of the same academic year. The term shall be renewed annually unless the Chief Election Commissioner is otherwise notified by the Chief Operating Officer.
 - d. The ECFs term shall commence upon appointment of the Board of Directors and shall expire upon the delivery of the Final Election Report for the given election cycle.
- ii. Applications from the following people shall not be considered for either the CEC or ECF:
- a. Current Directors and current and former Executive Directors of the UWSA;
 - b. Current Part-Time or Full-Time Employees of the UWSA;
 - c. Current UWSA Service Centre Coordinators;
 - d. Employees of any UWSA partner organization.

5.6 CEC AND ECF TRAINING, ORIENTATION, AND SUPPORT

- i. The Chief Operating Officer shall be the UWSA Election Staff Liaison and shall be responsible for coordinating with the EAB and relevant UWSA departments to provide training and orientation for the incoming CEC and ECFs.
- ii. CEC and ECF training shall include, but is not limited to:
 - a. By-law and policy review;
 - b. Access to the Election Report archive and review of past practices;
 - c. Communication strategies and practices;
 - d. Orientation with the EAB.
- iii. The CEC and ECFs shall be supported by UWSA staff in the implementation of election processes as determined by these by-laws.
- iv. The CEC and ECFs may request additional support from UWSA staff subject to the review and approval of the EAB.

5.7 ANNUAL GENERAL ELECTION AND BY-ELECTION

- i. In the Winter Term of each academic year there will be a General Election for available UWSA Executive and Director positions, University of Winnipeg Senate seats, and University of Winnipeg Board of Regents seats.
- ii. One (1) seat on the Board of Regents will be open for election annually.
- iii. The number of Senate seats open for election annually shall be determined in consultation with the University Secretary and in accordance with the University of Winnipeg Act.
 - a. One UWSA Senate seat shall be reserved for each of the following:
 - 1. The UWSA President;
 - 2. The Vice President External Affairs;
 - 3. The Vice President Student Affairs;
 - 4. The PACE Director;
 - 5. A Graduate Student.



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- iv. UWSA Executive and Directors shall be elected on a two-year variable schedule to ensure that there is always a balance of new and experienced directors on the board.
 - v. The two-year variable General Election schedule shall elect Executive and Directors as follows:
 - a. Year A, the following Executive and Directors shall be elected for two-year terms:
 1. President
 2. Environmental Ethics Director
 3. Arts Director
 4. International Students' Director
 5. Recreation and Athletics Director
 6. Women, Trans, and Non-Binary Students' Director
 7. Two-Spirit, Lesbian, Gay, Bisexual, Transgender, Queer, and * Students' Director
 8. Director of Student Living
 - b. Year B, the following Executive and Directors shall be elected for two-year terms:
 1. Vice President External Affairs
 2. Vice President Student Affairs
 3. Science Director
 4. Part-Time/Mature Students' Director
 5. Community Liaison Director
 6. Accessibility Director
 7. Business and Economics Director
 8. Racialized Students' Director
 - c. In Year A and B the following directors shall be elected for one year terms:
 1. Graduate Students' Director
 2. PACE Director
 3. Education Director
 - d. In the first year of the two-year variable General Election schedule, Year A candidates shall be elected for one-year terms and Year B candidates shall be elected for two-year terms.
 - e. Where a position is vacated before the expiration of its term, it shall be open for election in the subsequent General Election or By-Election. The duration of the term of the person elected to fill such a vacancy shall be the balance of the unexpired term.
 - vi. By-Elections shall be held in the event of vacancies in the Fall Term.
 - vii. Participation in elections and referenda as committee members, candidates, volunteers, and scrutineers is limited to members of the UWSA as determined by these by-laws. Members must be 18 years of age or older to participate in UWSA elections.

5.8 ELECTION CYCLE

- i. Unless otherwise determined by the board of directors, the election cycle shall run on a five (5) week cycle, with week three (3) coinciding with Reading Week.



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- ii. The election cycle shall commence at 9:00 a.m. on Monday of Week 1 and end at 6:00 p.m. on Wednesday of Week 5.
 - a. Week 1 and Week 2 shall be Nominations and Referenda Side Registration Weeks.
 - b. Week 3 shall be the All Candidates' Training and Campaign Preparation Week.
 - c. Week 4 shall be the Campaign Week.
 - d. Week 5 shall be Campaign and Voting Week.
 - iii. No day of an election cycle shall fall between April 1 and September 1 of any given year.

5.9 REFERENDA

- i. Referenda can occur during either the General Election or By-Election. All clauses in these by-laws referring to the 5-week election cycle shall apply to the referenda.
- ii. Referenda must be triggered prior to the commencement of the election cycle. Referenda may be triggered by either a vote by the Board of Directors or a petition of the membership.
- iii. A referendum question must be a positively worded motion to which voters answer YES or NO.
- iv. Motion for referenda from the Board of Directors must:
 - a. Clearly state the exact working of the referenda question;
 - b. Be passed by a $\frac{2}{3}$ majority.
- v. Petition for referenda must:
 - a. Clearly state the exact working of the referenda question;
 - b. Include the signatory name, signature, and student number of 5% of the Association's membership;
 - c. Be submitted to the Chair of the Board of Directors by or before 11:59 p.m. the last Friday prior to the commencement of the given election cycle.

5.10 NOMINATIONS (WEEK 1 AND 2)

- i. Nomination and side volunteer forms shall be available in the UWSA Office, the CEC Office, and online at the UWSA website.
- ii. A separate nomination form shall be available for each:
 - a. Executive Director Nominations;
 - b. Director Nominations;
 - c. Side Volunteer Nominations.
- iii. Election Candidate nominations may only be submitted on the official nomination form and must include:
 - a. The nominee's name, UWinnipeg student ID number, date of birth, and contact information as requested;
 - b. The nominee's signed confirmation that they do not currently hold the status of bankruptcy;
 - c. The nominee's signed confirmation of their citizenship, residency, or immigration status;



- d. A copy of the nominee's academic transcript demonstrating that they meet the eligibility requirements of the position for which they are nominated, as per these By-Laws;
 - e. The nominee's availability for Weeks 3, 4, and 5 of the Election Cycle.
- iv. Referenda Side Volunteer nominations may only be submitted on the official nomination form and must include:
 - a. The side of the referendum question for which they are registering (YES or NO).
 - b. The nominee's name, UWinnipeg student ID number, date of birth, and contact information as requested;
 - c. A copy of the nominee's academic transcript demonstrating that they are a member of the UWSA.
 - d. The nominee's availability for Weeks 3, 4, and 5 of the Election Cycle.
- v. Nomination forms which are incorrect, incomplete, or inaccurate will be ruled invalid. Nominees shall have a 48-hour window to correct their nomination information upon notification from the CEC that their nomination has been ruled invalid.
- vi. Nomination forms must be submitted to the CEC directly, via email to the CEC's UWSA email address, or in a drop-off location designated by the CEC (notice of which must be posted on the door of the CEC office). Nomination forms shall not be accepted at the UWSA General Office or by any UWSA staff person.
- vii. All nomination forms must be received by the CEC by 6:00 p.m. on the Thursday of Week 2.

5.11 ALL CANDIDATE'S MEETING, TRAINING, AND CAMPAIGN PREPARATION WEEK (WEEK 3)

- i. At 12:30 p.m. on Friday of Week 2, there shall be an All Candidates' Meeting where the CEC will serve notification to the membership of the names of all accepted candidates, whether those candidates are running for Executive or Director positions, the names of all accepted referenda side volunteers, and the side which all those volunteers are supporting. The candidates and volunteers announced at the All Candidate's Meeting shall make up the electoral campaign participants.
- ii. At the All Candidates' Meeting, the Election Campaign Facilitators shall be introduced to all electoral campaign participants and shall announce the All Candidate's Training and Campaign Preparation Week (Week 3) schedule.
- iii. All election campaign participants shall be required to attend the Week 3 sessions scheduled by the ECFs.
- iv. Training and preparation sessions shall be planned by the ECFs in accordance with these by-laws and shall include, but are not limited to, sessions on:
 - a. Collaborative governance;
 - b. UWSA mission and vision, internal structure and operations, ambassadorship policies and regulations; and election rules;
 - c. Non-profit board regulations, duties and privileges;
 - d. How to campaign; and
 - e. Conflict mediation and resolution.



- v. During Week 3, the ECFs shall facilitate the collaboration of all electoral campaign participants in the creation of the UWSA Election Campaign.
- vi. At the commencement of UWSA Election Campaign planning, candidates shall announce the position for which they are running.
- vii. Candidates may amend the position for which they are running, subject to confirmation of their eligibility, or withdraw from candidacy, until 9:00 a.m. on the Friday of Week 3.

5.12 CAMPAIGN GUIDELINES

- i. All statements, promotions, materials and any other communication by or on behalf of the UWSA, the UWSA Election Campaign, and election campaign participants must abide by the following guidelines:
 - a. They must be factually correct;
 - b. They must be honest and made in good faith;
 - c. They may not contain libel or slander (based on consultation with legal counsel if necessary);
 - d. They must abide by the Code of Conduct, the Positive Space Policy, and all other UWSA by-laws and policies;
 - e. They must abide by all federal, provincial, and municipal laws;
 - f. They must abide by all University of Winnipeg policy and procedure, including the *Respectful Work and Learning Environment Policy*.
- ii. Election campaign participants who fail to follow the campaign guidelines are subject to consequences as determined by the Election Accountability Board and in accordance with the Election Complaints Process and Anti-Harassment Policies.

5.13 CAMPAIGNING (WEEK 4 AND 5)

- i. Campaigning is any act by, or on behalf of, an electoral campaign participant that can reasonably be interpreted as calculated to gain support for the vote including, but not limited to:
 - a. Talking to individuals or groups of students;
 - b. Presenting in front of a classroom;
 - c. Handing out campaign materials;
 - d. Making posts on social media;
 - e. Any other communication about a candidate, platform, the UWSA, or the election campaign.
- ii. Campaigning shall begin at 8:00 a.m. on Monday of Week 4.
- iii. Campaigning prior to 8:00 a.m. on Monday of Week 4 shall be considered a violation of these by-laws subject to consequences in accordance with the Complaints Process Policy.
- iv. Election campaign participants must at all times abide by the campaign guidelines.
- v. Campaigning may not occur within 10 meters of the polling station. The CEC will create a visible marker of these boundaries. The perimeter may not be appealed to the EAB.
 - a. When a poll station is in operation outside the Riddell Hall Cafeteria, no campaigning will be permitted on the Lobby level of the Riddell Atrium, except for that done within the cafeteria.



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- vi. Campaigning may occur on social media, on campus (see definitions) up to the public sidewalk and on the Selkirk Avenue Campus and Merchants Corner.
 - a. Campaigning may not occur at bus stops, in businesses (not including Diversity Foods), and between campuses on the downtown campus.
 - b. Campaigning may not occur in any classroom without the explicit consent of the instructor.
 - c. Campaigning may not occur in the UWSA General Office or the office of any UWSA staff person; index; Infobooth; the Muslim Prayer Space; the Chapel; the Bulman MPR during Foodbank operations; any UWSA Service Centre, including the Bike Lab, the BIPoC Lounge, the Rainbow Lounge, the Women-Trans Spectrum Centre, or the Access Lounge.
 - vii. No election campaign participant may campaign through a medium that could not be reasonably accessed equally by any other candidate including text messages, private phone calls, private emails, or personal/professional websites.
 - a. Participants may respond to voter questions directed to them through private communications in cases where the voter initiated the contact.
 - viii. Collusion between candidates for election will not be tolerated, including:
 - a. Promoting one or more candidates as part of an election slate;
 - b. Making statements that a reasonable person could interpret as linking two candidates as members of a joint slate for election;
 - c. Campaigning on behalf of another candidate.
 - ix. Harassing (as defined in the University of Winnipeg's *Respectful Working and Learning Environment Policy*) students or creating physical barriers in attempts to garner support will not be tolerated and will be grounds for immediate disciplinary action in accordance with the Anti-Harassment Policy.

5.14 CAMPAIGN OPPORTUNITIES

- i. Campaign opportunities shall be any promotional engagement for candidates targeted at classrooms, student groups, or any group of ten (10) or more students, table bookings or campaign displays (not including posters or banners), debates, forums, and any other publicly promoted engagements.
- ii. All campaign opportunities shall be approved or arranged by the ECFs.
- iii. Planning for campaign opportunities shall be done collaboratively during the All Candidate's Campaign Preparation Week.
- iv. All candidates contesting for the same position shall have equal access to the same campaign opportunities.
- v. Candidates found to have arranged for private campaign opportunities shall be in violation of these by-laws and subject to consequences in accordance with the Complaints Process Policy.
- vi. Classroom presentations may only be made with instructor permission and must follow any restrictions imposed by the instructor within their classroom, subject to compliance with these by-laws.
- vii. The ECFs, in coordination with the Communications Department, shall arrange for the purchase of ad space in the Uniter to feature UWSA Election Campaign promotions and/or candidate bios.



5.15 CAMPAIGN MATERIALS

- i. All campaign materials shall be developed collaboratively through the UWSA Election Campaign.
- ii. UWSA Election Campaign materials shall feature all candidates equally.
- iii. Candidates are prohibited from creating or distributing any campaign material not approved as UWSA Election Campaign materials.
- iv. The ECFs shall not approve any materials that may damage the University of Winnipeg infrastructure or create a physical obstruction.
- v. The ECFs shall not approve campaign materials that violate the campaign guidelines established in these by-laws.
- vi. UWSA Election Campaign materials must include voting information including the dates and times of the polls, poll locations, and a digital voting summary approved by the CEC.
- vii. The ECFs shall be responsible for coordinating with the Events and Communications Department for the hanging of all posters and banners.
- viii. All electoral campaign participants shall have equal access to distributable campaign materials. Distributable campaign materials shall be stored in a UWSA Election Campaign Office to which all electoral campaign participants have access for Weeks 3-5.
- ix. Posters**
 - a. UWSA Election Campaign posters must adhere to the UWSA and University of Winnipeg poster policies.
 - b. Posters may be no larger than 11x17 inches each.
- x. Banners**
 - a. UWSA Election Campaign Banners shall be general voting promotions and shall not include specific candidate information.
 - b. Banner sizes, locations, placement, and removal shall be negotiated with the University of Winnipeg Communications Offices and University of Winnipeg Physical Plant by the ECFs and the UWSA Events and Communications Department.
- xi. Distributable Campaign Materials**
 - a. The UWSA Election Campaign should be cognizant of the environmental impact of printing large quantities of handbills and must adhere to the same sustainable printing regulations outlined in the UWSA Poster Policy.
 - b. No handbill may exceed 4.25x5.5 inches.
 - c. Handbills may not be affixed to any bulletin board, wall, or other surface.
 - d. Font size may be no smaller than 12pt as recommended by the Canadian National Institute for the Blind.

5.16 SOCIAL MEDIA

- i. Election campaign participants may campaign on their personal social media by sharing the UWSA Election Campaign materials and talking about their ideas.
- ii. Election campaign participants may not create independent campaign pages or accounts on social media platforms.
- iii. Social media posts must abide by the campaign guidelines.



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- iv. Election campaign participants may not solicit votes via private messages on social media platforms but may respond to voter questions directed to them through private messages in cases where the voter initiated the contact.
 - v. Candidates and volunteers are responsible for all posts on their social media and are encouraged to change the settings on their social media so that only they can post directly to their personal pages and accounts.
 - a. Content not attributed to an election campaign participant but posted on their social media pages or accounts which violates the campaign guidelines must be removed immediately upon its discovery, immediately upon notification from the ECFs, or within 24 hours of the posting of the content—whichever comes first. It is the responsibility of the election campaign participants to thoroughly monitor their own social media pages and accounts.
 - vi. Any campaigning on official UWSA or University of Winnipeg social media shall be coordinated by the ECFs in consultation with the Communications Department.
 - vii. Any campaigning on the social media of a UWSA student group shall be coordinated by the ECFs, with the explicit consent of that group.

5.17 VOTING AND THE BALLOT (WEEK 5)

- i. Campaigning must cease at 6:00 p.m. on Wednesday of Week 5.
- ii. UWSA Members are entitled to one ballot per election or by-election.
- iii. Physical polling stations may use online or paper ballots at the discretion of the CEC.
- iv. Paper ballot polling stations shall register voters through the online polling software to ensure that each member receives only one ballot.
- v. Ballots shall display the legal or preferred name of the candidate and the position for which they are running.
- vi. Where a position is uncontested, a YES/NO ballot shall be used. Referenda shall use the same YES/NO format.
- vii. The UWSA Senate seat ballot shall be a cumulative vote in which voters may select multiple Senator candidates up-to the number of available seats as determined in accordance with these by-laws. Should there be more candidates than available seats, the candidates with the most votes shall win the election.
- viii. A referendum is approved when 50% + 1 of voters support the question.
- ix. A paper ballot's vote will count when there is a clear indication of candidate preference. This may include, but is not limited to, a marked "X," "check mark," or written statement within the ballot's boundary for a single candidate.
- x. Where a paper ballot's vote is ruled invalid for a particular candidate or candidates, that shall not necessarily rule its other votes invalid. All votes on a paper ballot where the candidate preference is clear shall be ruled valid.

5.18 TIE-BREAKER PROCEDURE

By Monday of Week 5, the CEC shall score otherwise blank paper ballots such that contested races have one affirmative ballot per candidate, and uncontested races and referenda have one affirmative and one negative ballot. These ballots shall be stored individually in envelopes



separated by position/question. In the event of a tie, one envelope per tied race shall be selected at random and the vote inside shall be considered the deciding vote.

5.19 BALLOT COUNT

- i. The paper ballot count shall commence immediately following the close of the polls on the Wednesday of Week 5.
- ii. The CEC shall arrange for polling officers to count the ballots and shall be present for the entire duration of the ballot count.
- iii. Online polling results shall be tabulated automatically and shall not be subject to recount.
- iv. Results of the paper ballot count shall be added to the online polling results to determine the pending election results.
- v. The pending election results shall be announced to the membership no later than 9:00 a.m. on Thursday of Week 5, regardless of any **active complaints proceedings**. If a complaint which may result in a change to the pending election results is **still in process**, then notice shall be given to the membership that the pending results are subject to a trial of the **Election Accountability Board**.
- vi. Election results are not official until ratified by motion at the subsequent UWSA Annual General Meeting or meeting of the UWSA Board of Directors.

5.20 BALLOT RECOUNT

- i. A recount of the paper ballots may only be called where the difference in paper ballot votes between the two top candidates for that position is equal to or less than five percent (5%) of the total ballots cast for that position.
 - a. At their discretion, the CEC may allow for a recount where the difference in votes between the top two candidates is greater than five percent (5%) of the total ballots cast for that position, to accommodate cases where voter turnout or paper ballot usage is low.
 - b. At their discretion, the CEC may allow for a second recount only in the case that the candidate who won the initial ballot count loses the recount. There shall be no more than two recounts per position per election.
 - c. In the case of a recount where the tie-breaker procedure was utilized, the tie-breaker ballot shall be set aside and shall only be added to the recount tabulation if the recount again yields an equivalence of votes.
- ii. A recount of the ballots must be called by 12 p.m. on the Thursday of Week 4. A second recount must be called immediately following the first recount.
- iii. Paper ballots will be confidentially destroyed by the CEC immediately following the closing of the recount period and the completion of any outstanding recounts.

5.21 SCRUTINEERS

- i. Candidates for election and referenda sides are permitted two scrutineers each.
- ii. Scrutineers must submit their name, the candidate or side they are representing, their contact information, and transcripts demonstrating their eligibility to the CEC by 6:00 p.m. Monday of Week 5.



- iii. Approved scrutineers shall be allowed to be present during the tabulation of paper ballots and shall be allowed to see ballots as they are tabulated.
- iv. Scrutineers may contest the approval of votes where they feel the indication of candidate preference is unclear; however, validation of votes is at the discretion of the CEC.
- v. Scrutineers may not handle the ballots, ballot tabulation sheets, or ballot boxes.
- vi. Scrutineers may be removed from the ballot counting room at the discretion of the CEC.

5.22 POLLING OFFICERS

- i. Selection:
 - a. Polling officers shall be hired and trained by the CEC in accordance with UWSA Policy and with support from the Administration Department and Chief Operating Officer.
 - b. Polling officer terms shall commence upon appointment by the CEC and shall expire at the close of the given election cycle.
 - c. Polling officers shall be paid an honourarium that compensates hours served at a living wage, as determined by UWSA policy.
- ii. Applications from the following people shall not be considered:
 - a. Current Directors and current and former Executive Directors of the UWSA;
 - b. Current Part-time or Full-time employees of the UWSA;
 - c. Current UWSA Service Centre Coordinators;
 - d. Employees of any UWSA partner organization.

5.23 POLLING

- i. The CEC shall work in coordination with the Events Department to set up all physical polls. Physical polls shall be managed by the CEC and staffed by approved polling officers.
- ii. In all UWSA elections, a polling station shall be assigned to Riddell Hall, Merchants Corner, and Richardson College on all three days of voting.
- iii. There shall be a polling station at Buhler Centre and Wii Chiiwaakanak Station at least one voting day per election.
- iv. Physical polls shall be open between 9:00 a.m. and 6:00 p.m. on the Monday, Tuesday, and Wednesday of Week 5.
- v. The CEC shall work in coordination with the Administration Department to set up all online polls. Online polls shall be managed by the CEC.
- vi. Online polls shall be open from 9:00 a.m. Monday to 6:00 p.m. Wednesday of Week 5 inclusive.

5.24 SUPPLEMENTAL RULES

- i. A supplemental rule is an additional election rule that builds upon the by-laws and policies of the UWSA to guide electoral campaign participants through a particular election.
- ii. Supplemental rules may not contradict the by-laws and policies of the UWSA.



- iii. Supplemental rules may be created by the CEC and/or the ECFs to address issues that arise during the course of an election. All supplemental rules are subject to review and approval by the EAB.
- iv. Election campaign participants shall not be penalized for violating supplemental rules if the violation occurred before the rule was approved and circulated to participants; however, all election campaign participants are bound by supplemental rules once approved and may be required to change behaviours and campaign strategies upon the circulation of supplemental rules.
- v. Supplemental rules will last the duration of the election cycle in which they are approved and expire with the ratification of election results.

5.25 ELECTION VIOLATIONS AND COMPLAINTS

- i. Election campaign participants are required to act reasonably, respectfully, and in good faith. This includes ensuring that they:
 - a. Are aware of, understand, and comply with all Election Rules;
 - b. Abide by the Code of Conduct, Acknowledgement of Responsibility, and all UWSA By-laws and Policies;
 - c. Abide by the Campaign Guidelines outlined in these by-laws;
 - d. Comply with University of Winnipeg Policies and Procedures;
 - e. Comply with local, provincial, and federal laws.
- ii. Directors or Executives running for election or re-election shall not violate their Acknowledgement of Responsibility waivers, campaign based on Closed Session information, nor use their position with the UWSA or UWSA resources to campaign to an unfair advantage.
- iii. The CEC and ECFs are empowered to investigate and rule upon any breach of the Election Rules, whether submitted by complaint or by self-initiated investigation in accordance with the Elections Complaints Process and Anti-Harassment Policies.
- iv. Complaints of discriminatory or harassing conduct shall be managed by the ECFs and/or the EAB in accordance with the Elections Anti-Harassment Policy.

5.26 VIOLATION CONSEQUENCES AND DISQUALIFICATION

- i. Consequences may only be applied against election campaign participants by the Election Accountability Board in accordance with the Election Complaints Process and Anti-Harassment Policies.
- ii. Candidates for election may be disqualified prior to the commencement of the voting period by removal from the ballot, or after the voting period has commenced or expired by retroactive disqualification.
- iii. If a candidate who is retroactively disqualified received the most votes in a contest race, the candidate with the next highest number of votes shall be declared the winner of that race. If a candidate is retroactively disqualified in an uncontested race, the seat shall remain vacant.
- iv. Disqualified candidates shall be barred from participating in the remainder of the given election cycle, where applicable, and shall not qualify for election or appointment to the



Board of Directors or its subcommittees until one (1) additional election cycle has elapsed.

5.27 ELECTION ACCOUNTABILITY BOARD (EAB)

- i. The Election Accountability Board works alongside the Chief Election Commissioner and the Election Campaign Facilitators to ensure the validity, integrity, and fairness of UWSA Elections and Referenda.
- ii. The Election Accountability Board shall be composed of all executive and directors of the Board of Directors and all students-at-large appointed to committees of the board that are not election campaign participants during the election cycle in question. The Chair of the Board of Directors shall be the Chair of the EAB.
- iii. All those who qualify for the EAB shall be interviewed by the Chair prior to attending a hearing of the EAB to ensure they do not have a conflict of interest with a party involved in the complaint in question.
- iv. Quorum for a meeting of the Election Accountability Board shall be 50% + 1 of the membership of the EAB minus any members in a conflict of interest or three (3) voting members, whichever is more. At least three (3) UWSA Directors must be present at a meeting of the EAB in order for it to meet quorum.
- v. A secretary of the EAB shall be chosen by and from its membership at the commencement of each meeting.
- vi. At their discretion, the EAB may invite non-voting advisories to attend their sessions, including, but not limited to, the CEC, the ECFs, the Chief Operating Officer, Campus or Community Elders, and/or University of Winnipeg Human Rights Officers.
- vii. Sessions of the EAB shall be held in closed session, however, a public report of each session shall be made available in accordance with the policies of the UWSA.
- viii. Minutes of the EAB shall be submitted to the Board of Directors for information in closed session at its first meeting following the close of the given election cycle.
- ix. The proceedings of the EAB shall be held in accordance with UWSA policies, including the UWSA Rules of Order and the UWSA Election and Referenda Anti-Harassment and Complaints Process Policies.
- x. The EAB shall make every reasonable effort to hold a hearing and deliver a ruling within 48-hours of receiving a complaint.
- xi. In order to ensure the timeliness of its proceedings, the EAB may hold meetings by virtual or teleconference platform, or otherwise arrange for an electronic vote.
- xii. The EAB shall submit to the UWSA Board of Directors, at the first board meeting or general meeting where the election results are ratified, a final report of activities and recommendations in accordance with the Final Election Report By-laws.

5.28 FINAL ELECTION REPORT

- i. At the first meeting of the Board of Directors or General Meeting following the close of an election cycle, the CEC, ECFs and Chair of the EAB shall release a joint Final Election Report that includes:
 - a. The report of the CEC including: the number of valid votes, the number of spoiled ballots, and the outcome of each race and referenda; any voter demographic

information collected at the polls; all procedural complaints and rulings in accordance with the Election Complaints Process Policy; and any recommendations for procedural changes or rule amendments;

- b. The report of the ECFs including: a summary of the All Candidate's Training and Campaign Preparation Week; a summary of the UWSA Election Campaign and campaign opportunities; highlights from the process and what didn't work; all conduct complaints and rulings in accordance with the Election Complaints Process and Anti-Harassment Policies; and any recommendations for procedural changes or rule amendments;
- c. The report of the EAB including: all supplemental rules approved during the course of the election; all Formal Resolution rulings in accordance with the Election Complaints Process and Anti-Harassment Policies, a summary of all EAB members and guests present at each hearing, and recommendations for procedural changes or rule amendments.

BE IT FURTHER RESOLVED THAT the following policies are adopted as Article XI: UWSA Election and Referenda

Section 11.01 Complaint Process Policy

Preamble

The UWSA is committed to building a democratic process in which student leaders can learn collaborative governance techniques, build their independent leadership styles, and reach their full potential. The UWSA acknowledges that elections are often sites of healthy disagreement and conflict which, if navigated safely, can provide learning opportunities for all parties while resolving the conflict before harm is caused or repairing harm collaboratively. While some conflicts can be managed at the interpersonal level, others require additional resources and supports. This policy includes procedures to prevent or resolve instances of conflict during the course of the UWSA Election Cycle. This policy does not include procedures to address discrimination or harassment, which are covered by the Elections and Referenda Anti-Harassment Policy.

Violations of the Positive Space Policy by or against an election participant shall be managed in accordance with the procedures established in this policy and the Anti-Harassment Policy.

For the purposes of this policy, "election participant" means any person engaged in the election as staff, elections commissioner, elections facilitator, candidate, referenda side volunteer, or campaign volunteer, and any person who comes in contact with the beforementioned election participants during the course of the election cycle.

Policy Statement

Every election participant has the right to a fair and transparent election process in accordance with the by-laws and policies of the UWSA. When a violation of an election rule occurs, any member of the UWSA, including any election participant, may engage the complaints procedures.

It is also a violation of this policy for an election participant to knowingly make a false complaint or to provide false information about a complaint.

Definitions

Complaint: A complaint is triggered when any violation of the election rules is reported to the Chief Election Commissioner, Election Campaign Facilitator, or Election Accountability Board for resolution. Any member of the UWSA may file a complaint. Independent investigations conducted by the CEC, ECF, or EAB shall also be considered a complaint for the purposes of this policy.

Procedure

Procedural complaints regarding nominations and polling may be reported to the CEC. Conduct complaints, including disputes between election campaign participants, may be reported to the ECFs. Complaints regarding the conduct of the CEC or the ECFs may be reported directly to the Chair of the EAB.

Procedural Complaints

Procedural complaints are any complaint regarding the basic electoral functions such as nominations or polling. Procedural complaints may be submitted verbally or in writing to the Chief Election Commissioner, however, the CEC is responsible for documenting:

- The date/time the complaint was delivered;
- The election rule allegedly violated; and
- The resolution of the complaint.

Most procedural complaints can be managed internally between the complainant and the CEC. If the CEC and complainant disagree on a resolution, the CEC shall report the complaint, including all documentation submitted by the complainant, to the EAB for deliberation and ruling.

Conduct Complaints

Conduct complaints are allegation that an election participant has violated election rules. Conduct complaints have a complainant (the person who submits the complaint) and a defendant (the person alleged to be in violation of the rules)

Independent Resolution:

Independent Resolution encourages creative leadership and conflict resolution and should be engaged in instances in which the complainant feels safe to approach the defendant about their conduct and in instances in which Independent Resolution is likely to resolve the conduct before it has an impact on the fairness of the election. In such situations, election participants are encouraged to request that the conduct stops directly with the person perpetuating it. The complainant should submit a record of the encounter(s), including the date(s)/time(s) of the incident, the parties involved, and the resolution, to an Election Campaign Facilitator (ECF). Complainants who are unsatisfied with the results of Independent Resolution, and/or defendants who want support, should approach the ECF for Supported Mediation.

Supported Mediation:

Supported Mediation encourages collaborative conflict resolution and should be engaged in instances in which Supported Mediation is likely to resolve the conduct and repair any harm caused to the fairness of the election. In such situations, election participants are encouraged to

report their complaint directly to an Election Campaign Facilitator. The ECF will contact the offending party to interview them on their perspective, determine whether a supported mediation session between the targeted and offending parties is possible, and/or will escalate the complaint to Formal Resolution where resolution through Supported Mediation is deemed unsafe or unsatisfactory. The ECF shall act as a mediator in all supported mediation sessions. Under Supported Mediation, the ECF shall document the complaint including:

- The date/time the complaint was submitted;
- The date/time of the incident in question;
- A statement from the complainant including the election rule(s) allegedly violated; and any supplemental documentation.
- A statement from the defendant including their perspective on the allegation and any supplemental documentation.
- Any resolution attempted through Supported Mediation.

Formal Resolution:

Formal Resolution manages instances in which Informal Resolution and Supported Mediation are unlikely to resolve the conduct or repair harm done to the fairness of the election. Formal Resolution may result in consequences including, but not limited to, campaign restrictions, removal from the ballot, and/or disqualification from election.

Under normal circumstances, conduct complaints should be reported to the ECF and then escalated to the Election Accountability Board (EAB), at the discretion of the ECF, for Formal Resolution. The ECF shall submit the complaint in writing, including:

- The date/time the complaint was submitted;
- A record of events and statements approved by the complainant;
- The outcome the complainant feels would resolve the conduct;
- A record of events and statements approved by the defendant;
- The outcome the defendant feels is fair;
- Attempted steps to resolve the complaint; and
- Any relevant supplemental documents or materials.

The EAB shall call a hearing in accordance with the by-laws. At their discretion, the EAB may choose to interview the parties involved in the complaint and/or ask the ECF to be present at the hearing. The EAB shall deliberate on all gathered information and determine an appropriate resolution that will best maintain the integrity, safety, and fairness of the UWSA Elections.

Resolutions may include, but are not limited to:

- No direct action;
- Verbal or written warnings;
- Consequences including campaign restrictions, removal from the ballot, and/or disqualification from election;
- Recommendations to the Board of Directors for amendments to the UWSA Election By-laws and Policies.

Rulings of the EAB are final and cannot be appealed.

In circumstances in which a conduct complaint involves the behaviour or ruling an ECF, or in which the ECF chooses not to escalate a complaint past Supported Mediation to the dissatisfaction of an

election participant, a complaint may be delivered directly to the Chair of the EAB for Formal Resolution. In such instances the complainant must submit a record of events and statements from their perspective including the outcome they feel will resolve the conduct and any supplemental documentation. The EAB shall contact the defendant for a record of events and statements from their perspective including the outcome they feel is fair and any supplemental documentation; and, if applicable, shall contact the ECF for information on attempted steps to resolve the complaint. The EAB will then follow the same procedures described above.

At their discretion, the EAB may choose not to hear a conduct complaint. In such situations, the complaint will be ruled invalid and the EAB must provide reasoning for refusing to hear the complaint.

The rulings of conduct complaints resolved through Formal Resolution or ruled invalid by the EAB under this policy shall be posted to the UWSA website and on the door of the CEC office. The postings shall include:

- The date/time the complaint was submitted and the date/time the complaint was resolved;
- A timeline of events including the perspectives submitted by both the complainant and the defendant;
- Attempted steps by the ECFs to resolve the complaint;
- The ruling of the EAB; and
- The reasoning for the ruling as determined by the EAB.

The Chair of the EAB shall create a report of all rulings in a given election cycle which shall be included in the Final Election Report.

Section 11.02 Anti-Harassment Policy

Preamble

The UWSA is committed to building a democratic process in which student leaders can reach their full potential by facilitating an environment free from discrimination and harassment. The UWSA acknowledges that elections are often sites of conflict that escalates beyond healthy disagreement and that the harm resulting from this escalation disproportionately targets participants with one or multiple protected characteristics under *The Manitoba Human Rights Code*. This policy includes procedures to prevent or resolve instances of discriminatory or harassing behaviour during the course of the UWSA Election Cycle. The UWSA does not condone and will not tolerate behaviour that threatens the safety of election participants, students, staff, and members of the campus community, and is committed to shifting the political culture to focus on leadership building and collaborative governance.

Violations of the Positive Space Policy by or against an election participant shall be managed in accordance with the procedures established in this policy and the Elections and Referenda Complaints Process Policy.

For the purposes of this policy, “election participant” means any person engaged in the election as staff, elections commissioner, elections facilitator, candidate, referenda side volunteer, or

campaign volunteer, and any person who comes in contact with the beforementioned election participants during the course of the election cycle.

Policy Statement

Every UWSA election participant has a right to freedom from:

- Harassment or discrimination by another election participant, student, or other member of the campus community;
- Harassment or discrimination by a person who has a personal relationship with another election participant;
- Targeted behaviour, in violation of the campaign guideline by-laws, meant to undermine their success in the vote;
- Sexual solicitations or advances made by a person in a position to grant or deny a service or benefit to the election participant, under threat of reprisal, or where the person making the solicitation or advance knows or ought reasonably to know that it is unwelcome;
- It is also a violation of this policy for an election participant to knowingly make a false complaint of harassment or to provide false information about a complaint.

Definitions

Discrimination: Discrimination is differential treatment on the basis of any of the following protected characteristics under *The Manitoba Human Rights Code*: ancestry, including colour and perceived race; nationality or national origin; ethnic background or origin; religion, creed, or religious belief; religious association or religious activity; age; sex, including sex-determined characteristics or circumstances, such as pregnancy, the possibility of pregnancy, or circumstances related to pregnancy; gender identity; sexual orientation; marital or family status; source of income; political belief; political association or political activity; physical or mental disability or related characteristics or circumstances, including reliance on a service animal, a wheelchair, or any other remedial appliance or device; social disadvantage.

Harassment: A course of vexatious comments or conduct that is known or should reasonably be known to be unwelcome. Harassment includes, but is not limited to the following:

- Unwelcome or threatening remarks, jokes, gestures, innuendos, slurs or taunts;
- Following, doxing, or stalking;
- Unwelcome sexual remarks, invitations or requests, whether indirect or explicit;
- Display of posters or literature which are discriminatory or otherwise unfairly target an election participant;
- Condescending, paternalistic or patronizing behaviour that undermines self-respect or dignity;
- Vandalism;
- Abuse of authority which undermines performance, threatens electoral performance, or causes intimidation;
- Assault.

Procedure

Independent Resolution:

Independent Resolution encourages creative leadership and conflict resolution and should be engaged in instances in which the targeted party feels safe enough to do so, and in which

Independent Resolution is likely to resolve the conduct and prevent further harm. In such situations, election participants experiencing discrimination and/or harassment are encouraged to request that the conduct stops directly with the person perpetuating it. The targeted party should submit a record of the encounter(s), including the date(s)/time(s) of the incident, the parties involved, and the resolution, to an Election Campaign Facilitator (ECF). Targeted parties who are unsatisfied with the results of Independent Resolution, and/or offending parties who want support, should approach the ECF for Supported Mediation.

Supported Mediation:

Supported Mediation encourages collaborative conflict resolution and should be engaged in instances in which Supported Mediation is likely to resolve the conduct and prevent further harm. In such situations, election participants experiencing discrimination and/or harassment are encouraged to report the complaint directly to an Election Campaign Facilitator. The ECF, in consultation with the targeted party, will contact the offending party to interview them on their perspective, request that the conduct stops, determine whether a supported mediation session between the targeted and offending parties is possible, and/or will escalate the complaint to Formal Resolution where resolution through Supported Mediation is deemed unsafe or unsatisfactory. The ECF shall act as a mediator in all supported mediation sessions. Under Supported Mediation, the ECF shall document the complaint including the date(s)/time(s) of the incident, a record of events and statements from both the targeted and the offending party, and the resolution.

- The date/time the complaint was submitted;
- The date/time of the incident in question;
- A record of the events, statements, and supplemental documentation from the targeted party;
- A record of events, statements, and supplemental documentation from the offending party;
- Any resolution attempted through Supported Mediation.

Formal Resolution:

Formal Resolution manages instances in which Informal Resolution and Supported Mediation are unlikely to resolve the conduct and prevent further harm. Formal Resolution may result in consequences for offending parties including, but not limited to, campaign restrictions, disqualification from election, and further reporting to appropriate authorities.

Under normal circumstances, complaints should be reported to the ECF and then escalated to the Election Accountability Board (EAB), at the discretion of the ECF, for Formal Resolution. The ECF shall submit the complaint in writing, including:

- A record of events, statements, and supplemental documentation approved by the targeted party;
- The outcome the targeted party feels would resolve the conduct;
- A record of events, statements, and supplemental documentation approved by the offending party;
- The outcome the offending party feels is fair;
- Any attempted steps to resolve the complaint; and
- A review of the complaint and statement from the ECF.



The EAB shall call a hearing in accordance with the by-laws. At their discretion, the EAB may choose to interview the parties involved in the complaint and/or ask the ECF to be present at the hearing. The EAB shall deliberate on all gathered information and determine an appropriate resolution that will best maintain the integrity, safety, and fairness of the UWSA Elections. Resolutions may include, but are not limited to:

- No direct action;
- Verbal or written warnings;
- Consequences including campaign restrictions, removal from the ballot, and/or disqualification from election;
- Recommendations to the Board of Directors for amendments to the UWSA Election By-laws and Policies.

Rulings of the EAB are final and cannot be appealed.

In all cases in which the EAB reasonably believes discrimination and/or harassment has occurred, the EAB is required direct the Chief Operating Officer to report it to appropriate authorities, which may include:

- A relevant UWSA employee union, the Executive Committee and/or the Board of Directors;
- University of Winnipeg's Human Rights and Diversity Office;
- The Manitoba Human Rights Commission;
- Emergency services.

In circumstances in which a complaint involves the behaviour of an ECF, or in which the ECF chooses not to escalate the complaint past Supported Mediation to the dissatisfaction of an election participant, a complaint may be delivered directly to the Chair of the EAB for Formal Resolution. In such instances the targeted party must submit a record of events and statements from their perspective including the outcome they feel will resolve the conduct and any supplemental documentation. The EAB shall contact the offending party for a record of events and statements from their perspective including the outcome they feel is fair and supplemental documentation; and, if applicable, shall contact the ECF for information on attempted steps to resolve the complaint. The EAB will then follow the same procedures described above.

The rulings of complaints resolved through Formal Resolution or ruled invalid by the EAB under this policy shall be posted to the UWSA website and on the door of the CEC office. The postings shall include:

- The date/time the complaint was submitted and the date/time the complaint was resolved;
- A timeline of events including the perspectives submitted by both the complainant and the defendant;
- Attempted steps by the ECFs to resolve the complaint;
- The ruling of the EAB; and
- The reasoning for the ruling as determined by the EAB.

The Chair of the EAB shall create a report of all rulings in a given election cycle which shall be included in the Final Election Report.



UWSA

THE UNIVERSITY OF WINNIPEG
STUDENTS' ASSOCIATION

Positive Space Policy

Presented for information and
discussion Feb 10, 2021

Pending approval at the Feb 24,
2021 meeting of the UWSA Board
of Directors

Karolya Vargscarr – Chief Operating Officer

XX Positive Space Policy

Last updated DATE

Purpose/Preamble

The purpose of the UWSA Positive Space Policy is to foster and maintain a welcoming, safe, and inclusive environment committed in being free from barriers, harassment, abuse and all forms of oppression. This policy is intended for those who study, work, and otherwise participate in any aspect of UWSA operations and initiatives. The procedures attached to this policy supports victims first, and also support those who violate the policy through education, awareness, mediation, and shared community accountability. This policy strives to provide support and restoration for all involved through providing opportunities for growth and healing.

The scope of application of this policy is in effect for all UWSA employees, UWSA members, UWSA volunteers, community participants, and representatives of the UWSA upon commencement of their duties, and to all members of the public in UWSA service centers, spaces, programs, and events, including daily work environments and annual elections.

The Chief Operating Officer is responsible for the administration of this policy and its procedures. The Board of Directors is responsible for the continued review, enhancement, and development of its content through the Bylaws and Policy Committee on an ongoing basis. The UWSA will also review and adapt the policy through ongoing student and community consultations. This policy is intended to adapt and evolve, such as new and evolved conflicts occur.

The UWSA recognizes that the Positive Space Policy is a broad and evolving policy, and allocates the Positive Space levy to efforts that furthers organizational education, training, and outreach regarding the policy and its implications in the wider community.

The Positive Space Policy is supported by, and works in tandem with, the following:

- *Human Rights Code of Canada*
- *Accessibility for Manitobans Act*
- *University of Winnipeg Respectful Work and Learning Environment Policy*
- *UWSA Code of Conduct*
- *UWSA Abuse Prevention Policy*
- *UWSA Acknowledgment of Responsibility contracts*

Definitions

For the purposes of this policy, a “Positive Space” is a space in which:

- The dignity of all participants is respected;
- Allows for respect and support for an individual’s well being in regards to their mental, emotional, physical, and spiritual aspects;
- Expectations regarding conduct are clearly communicated;
- There is acknowledgment of intersecting oppressions and the inherently oppressive nature of the institutions within which the UWSA functions (such as corporate law, the academy, and the state);
- Intentional steps are taken to create an equity of voice, participation, and outcomes among and for participants;
- Boundaries for acceptable behaviour are followed, including accepting responsibility for the consequences of breaching those boundaries;
- The dynamic nature of expectations, which are not static, and which may shift at the UWSA to accommodate the nuanced ways in which we learn together about systemic oppression and how and when policies must be flexible in order to serve their core function.

For the purposes of this policy, “Problematic Conduct” is defined as:

- Failure to meet expectations regarding Positive Space, including objectionable or unwelcome contact, commentary, or solicitation;
- Any instance of harassment, discrimination, or other violations of the *Respectful Work and Learning Environment Policy*;
- Any violation of the *Human Rights Code of Canada*

Policy Statement

The UWSA prioritizes Positive Space, and will exercise due diligence in the safeguarding of its workplaces, study spaces, and community spaces through empathetic engagement, education, and accountability.

In order to maintain Positive Space Policy for its members, employees, and the public, the UWSA will address all instances of problematic behavior, and work with University of Winnipeg campus and community members in order to make reasonable accommodations, build relationships, and operate with integrity on behalf of its membership.

Implementation of this policy is governed by procedures outlined below.

Procedures

The protocol for addressing infringement of Positive Space Policy is:

1. The allegation or observation regarding problematic conduct will be brought to the immediate supervisor of the employee/representative/volunteer. The immediate supervisor will fill out an Incident Report and contact the Chief Operating Officer.
2. The Chief Operating Officer will conduct an internal investigation and meet with all relevant parties, including the individual responsible for the problematic conduct.
3. If the allegation or observation is criminal, or any individual's safety is threatened, emergency services will be contacted immediately.
4. If the allegation or observation relates to non-criminal conduct, the Chief Operating Officer will meet with the individual and provide a written outline regarding expectations for continued participation in UWSA initiatives, in consultation and collaboration with appropriate UWSA staff members and directors.
5. Such outline must include support for the victim(s), and also provide support for the offender(s) in order for growth and a restorative objective for all parties to heal and grow from identified conflict or policy violation.
6. If the conduct of the individual does not change to meet expectations outlined in the meeting with the Chief Operating Officer, suspension from UWSA spaces and events may result.
7. If suspension from UWSA spaces is not respected, or violated upon re-entry following a suspension, the individual may be suspended again, or suspended from all UWSA spaces and activities entirely, in perpetuity.
8. Suspended persons may schedule meetings with the Chief Operating Officer to discuss expectations or to review past conversations and written instructions, and the Chief Operating Officer may change or enforce barring decisions through Executive Director consultation, and with the approval of the Executive Committee.



9. The Chief Operating Officer will notify University of Winnipeg Security regarding all suspended persons. It is understood that persons suspended from the UWSA are not suspended from the greater University of Winnipeg Campus.

10. The Chief Operating Officer will be the internal lead on all complaints and liaise with administrators from other offices and organizations regarding outcomes, advocacy, and cases, and maintain an internal file.