



UWSA

THE UNIVERSITY OF WINNIPEG
STUDENTS' ASSOCIATION

By-law and Policy Report

2020-2021

By-law and Policy Committee

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UWSA POLICY

UWSA RULES OF ORDER

SUMMARY

The UWSA Rules of Order were first drafted by Chair of the Board, Taylor Daigneault, in response to a resolution approved by the Canadian Federation of Students' Circle of First Nations, Métis, and Inuit Students at their 2018 General Meeting in pursuit of more accessible and less colonial systems for meeting and planning in the community. In March of 2018, the UWSA approved a motion by General Meeting to act on this mandate from the Circle. The UWSA Rules of Order 1.0 were piloted at the 2018 UWSA Special General Meeting and have been used at most meetings of the board since then. This second version of the rules, further developed by Daigneault, creates additional structure in response to the experience of chairing meetings with version 1.0.

POLICY

Added to the UWSA Policy Manual:

Article IV. UWSA Rules of Order

Preamble

The UWSA Rules of Order were first drafted in response to a resolution approved by the Canadian Federation of Students' Circle of First Nations, Métis, and Inuit Students at their 2018 General Meeting in pursuit of more accessible and less colonial systems for meeting and planning in the community. In March of 2018, the UWSA approved a motion by General Meeting to act on this mandate from the Circle.

Policy Statement

The UWSA Rules of Order govern all meetings of the UWSA Board of Directors, committees of the board, and general meetings of the membership. For the purposes of this policy, “the chair” refers to the Chair of the Board of Directors, the chair of a committee, or any interim chair appointed to govern a meeting of the board, a committee of the board, or a general meeting of the membership. The chair is charged with upholding the UWSA Rules of Order. The chair has the authority to alter the Rules of Order only where necessary to make rulings based on an event that the current UWSA Rules of Order does not account for.

The chair has the right to remove members from the meeting, should they break the UWSA Rules of Order or violate the policies and by-laws of the UWSA. The chair will not entertain any form of harassment or aggression during any meeting of the UWSA. A member can raise a request for intervention at any time, at which point the chair can hear their concerns and deliver a ruling based on their concern.



Procedure

1. Meetings of the UWSA convene on a schedule as outlined in the by-laws of the corporation and in the laws of the Province of Manitoba.
2. In order for the UWSA to take action in a meeting, an actionable proposal must be brought forward and approved by voting members.
 - a. Proposals include any actionable phrase, which can be defined as a statement describing what the corporation will do should the proposal be ratified by the voting membership. Proposals can be presented in the form of non-debatable proposals and debatable proposals.
 - i. A non-debatable proposal is a motion of procedure. It includes proposals regarding amendments to the agenda, appointments of students to positions within the board or on subcommittees, proposals to table discussion to a specified time, approving minutes from previous meetings, approving director and executive reports, granting speaking rights, approving oral and/or written statements by members and staff, and any calls for the meeting to end. Non-debatable proposals move directly from the proposal stage to the voting stage. Any member with speaking rights has the right to signal to the Chair a request to ask clarification questions regarding the motion. In the event that a non-debatable motion fails, it cannot be raised again in the same context.
 - ii. All other motions are considered debatable and are subject to following the procedure outlined in The Proposal Stage, The Discussion Phase, and The Voting Stage.
3. Proposal Stage (“The Table”)
 - a. In this stage, members may table their proposals for all members to see. The chair will allow up to 5 minutes for the directors to propose friendly amendments.
 - i. Friendly amendments are amendments that the director moving the proposal agree to. A director can agree to an unlimited number of friendly amendments before the motion moves from the table to the following phase.
 - ii. When the 5 minutes expire or when the proposing director directs the chair to move the proposal as it is worded, the proposal is considered to be “on the floor” and the chair begins the discussion phase.
4. Discussion Phase (“The Floor”)
 - a. After the proposing member speaks to their idea, the chair will recognize all other members by moving around the circle. Each member with speaking rights will be allowed to ask questions pertinent to the proposal, propose amendments to the wording, provide their comments for the record, or pass.
 - i. The proposing member may redirect any questions to another willing member with speaking rights.
 - ii. If a member is not speaking to the wording of the proposal, any member present can say or sign “topic,” at which point the chair will remind the speaker to focus on the wording of the proposal in their questions and



comments. Should a member need 3 reminders from the chair, their comments will be considered “in bad faith” and the chair will end that member’s speaking turn.

- iii. If an amendment is proposed during the discussion phase, the defending member may choose to accept it as friendly (not voted upon) or contest it by putting it to a vote requiring 50% + 1 of voting members approve.
 - 1. If a proposal is amended through this process, the chair will restart the rotation from the person who amended the wording so that all members have a chance to speak to the revised wording.
- b. The chair will go around the circle once and then ask if there are any further questions warranting a second cycle.
 - i. Each member may only speak once during these two rotations.

5. Voting stage

- a. The member who originally put forth the proposal may speak for two minutes about the final wording of the proposal. They have this time to explain why they believe the membership should accept or decline the motion as it is written.
- b. The motion is put to a vote. The vote must achieve approval from 50% +1 voting members to be ratified.
- c. The chair does not serve as a tiebreaker under any interpretations of these rules. In the event of a tie, the proposal will be considered defeated.

6. Special Motions

- a. When the membership wants to hold a non-binding discussion that appears in the minutes, a member may propose a special discussion phase.
- b. A special discussion phase must be worded as a question for the membership with speaking rights to answer, provide commentary, seek counsel, or pass.
- c. The rules of the discussion stage as outlined above in effect upon the approval of the special discussion phase with the following exceptions
 - i. Special discussion phases cannot be amended
 - ii. The chair will only go around the circle once

The member who proposes a special discussion may append a time limit on speaking times no less than 3 minutes and no greater than 10 when they propose the special discussion phase.

ELECTION REFORMS

SUMMARY

Throughout the 2020-2021 academic year, the UWSA received significant feedback from current and former executive, directors, and the membership that the UWSA elections processes are harmful. Through these election reforms, the UWSA is recommitting to building a democratic process in which student leaders can learn collaborative governance techniques, build their independent leadership styles, and reach their full potential while centering the organizational values of accessibility, anti-oppressive leadership, authentic representation, outreach and engagement, organizational integrity, empathy, and continual reflection.

The elections complaints and anti-harassment guidelines were moved out of the by-laws and into the policies to allow for a more intention driven and collaborative approach to conflict mediation and resolution. An evaluation and feedback policy was created to ensure that the election management team gathered feedback from candidates each year to help guide future election reforms.

POLICY

Added to the UWSA Policy Manual:

Section __ Election Complaint 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 either 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 Election Anti-Harassment Policy.

Violations of the Positive Space Policy by or against an election participant in the course of an election cycle shall be managed in accordance with the procedures established in this policy and the Election 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, referendum 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 Chief Elections Commissioner (“CEC”), Election Campaign Facilitator (“ECF”), or the Election Accountability Board (“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 CEC, 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 allegations 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 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 ECF. The ECF will contact the defendant to interview them on their perspective, determine whether a supported mediation session between the complainant and defendant 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 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 behavior 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.

Added to the UWSA Policy Manual:
Section __ Election 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 in the course of an election cycle shall be managed in accordance with the procedures established in this policy and the Election Complaints Policy.

For the purposes of this policy, “election participant” means any person engaged in the election as staff, elections commissioner, elections facilitator, candidate, referendum 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 an election participant’s 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.

Complaint: A complaint is triggered when discrimination and/or harassment 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 Chief Elections Commissioner (“CEC”), Election Campaign Facilitator (“ECF”), or the Election Accountability Board (“EAB”) shall also be considered a complaint for the purposes of this policy.

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 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 like 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 ECF. 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/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 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 UWSA 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.

Added to the UWSA Policy Manual:

Section __ Election Evaluation and Feedback Policy

Preamble

The UWSA is committed to building a democratic process in which students feel encouraged and supported to reach their full potential. Feedback from election participants helps to identify the strengths and weaknesses of the electoral process. The UWSA is also committed to regular evaluation of the electoral process to ensure it is in line with the values of accessibility, anti-oppressive leadership, authentic representation, outreach and engagement, organizational integrity, empathy, and continual reflection. This policy governs the evaluation and feedback framework for UWSA elections.

Definitions:

Election campaign participant (“participant”): Means all accepted candidates and referendum volunteers participating in a given election cycle.

Policy Statement

The Election Campaign Facilitators (“ECFs”) shall guide the evaluation and feedback framework for UWSA elections, with support as requested from the Election Accountability Board (“EAB”) and the Board of Directors.

Procedure

Election Campaign Participant Assessments

Introductory Assessment:

Following the All Candidate’s Meeting of a given election cycle, the ECFs shall meet with each election campaign participant to perform a needs and goals assessment. Information gathered in the introductory assessment shall help the ECFs to ensure the elections process is accessible to that candidate.

Exit Assessment:

Following the close of the election cycle, the ECFs shall meet again with each participant to perform an experiential evaluation. Participants shall revisit the needs they identified and goals they set in the introductory assessment and evaluate the strengths and weaknesses of the elections process overall.



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Both Election Campaign Participant Assessments shall be confidential to the UWSA, however, a summary report of the assessments shall be prepared as part of the Final Election Report. The Election Campaign Participant Assessments shall be retained by the UWSA in accordance with the UWSA Privacy Policy.

The ECFs shall include feedback about this policy as part of the Final Election Report.

UWSA BY-LAW

CHAIR OF THE BOARD OF DIRECTORS

SUMMARY

Following feedback from past Chair of the Board of Directors, Ryan Beardy, the board chose to re-classify the Chair of the Board of Directors from a volunteer position paid an honourarium to a part-time job paid an hourly wage. This decision was made in order to allow the UWSA to recruit skilled applicants and in order to compensate them fairly.

BY-LAWS

AMENDED: 4.6.i.

In order to be eligible ~~to run~~ for any UWSA office **except for Chair of the Board of Directors**, one must be a UWSA Member as per these By-Laws.

AMENDED: 4.6.ii.

The President, Vice President External Affairs, and the Vice President Student Affairs, ~~and the Chair of the Board of Directors~~ must also have met either of the two (2) following criteria at the time of nominations for election or appointment:

- a. They must have completed thirty (30) credit hours at the University of Winnipeg; or
- b. They must demonstrate via their transcripts that they have attended the University of Winnipeg for at least four (4) full University terms over a period of no less than two (2) full calendar years prior to commencing the term in office.

AMENDED: 4.6.xx.

No Director, Chair of the Board of Directors, or Secretary of the Board of Directors shall be an employee or paid volunteer of the UWSA or any UWSA partner organization **while fulfilling their term as a director, excepting the compensation they receive for their directorship.**

REMOVED: 6.7.vii “The Chair of the Board shall be selected by the Executive Committee and ratified at a Board of Directors meeting.”

ADDED: 6.7.i.

The Chair of the Board of Directors is a non-unionized part-time employee of the UWSA reporting directly to the Board of Directors and supported by the General Manager.

ADDED: 4.3.v.

The Chair of the Board of Directors shall be hired in accordance with UWSA hiring policies and ratified by the Board of Directors.

AMENDED: 4.2.ii

The term of the Chair of the Board of Directors shall be from the time the appointment is ratified until the following April 30th. ~~The Chair of the Board of Directors is eligible for reappointment in accordance with appropriate UWSA policy and these By-Laws.~~ The term shall be renewed annually unless otherwise determined by the Board of Directors.

ADDED: 6.30.ii

The Chair of the Board of Directors shall be compensated at an hourly rate as negotiated with the Board of Directors and in accordance with UWSA Policy.

AMENDED: 6.30.v.

The ~~Chair of the Board of Directors and the~~ Secretary of the Board of Directors shall be entitled to a two thousand-dollar (\$2000) honorarium at the end their term.

INDIGENOUS ADVISORY CIRCLE

SUMMARY

Spearheaded by past UWSA President, Meagan Malcolm, the UWSA developed an Indigenous Advisory Circle to the UWSA Board of Directors. The Circle includes students and elders and leads and legitimizes the Indigenous work of the Association as well as works alongside the Board to provide Indigenous insight and perspectives toward the work and directions of the UWSA as a whole.

Following the work done in 2019-2020 to establish a framework for The Circle, the UWSA adopted a set of by-law amendments in the 2020-2021 year to fit The Circle into the governance structure.

BY-LAWS

ADDED: By-law 7.22 Indigenous Advisory Circle (The Circle)

The Indigenous Advisory Circle shall be composed of the two (2) Indigenous Students' Directors; one (1) Urban and Inner-City Campus Representative; one (1) Graduate Students' Representative; one (1) Women and Non-Binary Students' Representative; two (2) students-at-large; and one (1) Elder. The Chair and the Secretary of the Circle shall be non-voting students-at-large.

- i. All members of the Indigenous Advisory Circle must identify as Indigenous.
 - a. The Urban and Inner-City Campus Representative shall be appointed by the Urban and Inner-City Campus Students' Association.
 - b. The students-at-large; Graduate Students' Representative; Women and Non-Binary Students' Representative; the Elder; the secretary; and the Chair shall be appointed by The Circle Selections Committee, comprised of the two (2) Indigenous Students' Directors and the President of the UWSA (or delegate). The Circle Selections Committee shall be chaired by the Chair of the Board of Directors and its appointments shall be ratified by the Board of Directors.
- ii. The Indigenous Advisory Circle works to ensure that the governance, programs and services of the UWSA are operated in true and meaningful collaboration with Indigenous People.
- iii. The Circle shall advise and give direction on Indigenous projects and initiatives, implementation of the Truth and Reconciliation Calls to Action, and the implementation of the Missing and Murdered Indigenous Women and Girls Inquiry Calls to Justice that relate to post-secondary institutions and Indigenous students including, but not limited to, language rights and the right to education.



- iv. The Circle shall guide the UWSA in campaign and lobby work to improve access to education for Indigenous students and to address barriers and racism that Indigenous students experience.
- v. The Circle shall receive and review the open session minutes of all standing and ad-hoc committees of the board, except for those of the REBLITE Board, and shall make recommendations on this business as it pertains to the mandate of The Circle prior to its ratification by the Board of Directors.
- vi. The Circle shall meet at least monthly, no less than seven (7) days prior to each meeting of the Board of Directors.

ADDED: By-law 6.16 Duties of the Indigenous Students' Directors

- v. The Indigenous Students' Directors shall be ex-officio members of the Indigenous Advisory Circle.

ADDED: By-law 6.30 Salaries

- iii. Each member of the Indigenous Advisory Circle shall be entitled to a five-hundred dollar (\$500) honourarium at the end of their term.

AMENDED: By-law 8.5 Minutes of Standing and Ad-hoc Committee Meetings

- i. Minutes from Standing and Ad-Hoc Committee Meetings must be submitted to the subsequent meeting of the Indigenous Advisory Circle for review and recommendation before being submitted to the Board of Directors for approval. Motions passed by Standing and Ad-Hoc Committees are not ratified until the minutes of that meeting have been approved by the Board of Directors.

UWSA RULES OF ORDER

SUMMARY

The UWSA Rules of Order were first drafted by Chair of the Board, Taylor Daigneault, in response to a resolution approved by the Canadian Federation of Students' Circle of First Nations, Métis, and Inuit Students at their 2018 General Meeting in pursuit of more accessible and less colonial systems for meeting and planning in the community. In March of 2018, the UWSA approved a motion by General Meeting to act on this mandate from the Circle. The UWSA Rules of Order 1.0 were piloted at the 2018 UWSA Special General Meeting and have been used at most meetings of the board since then. This second version of the rules, further developed by Daigneault, creates additional structure in response to the experience of chairing meetings with version 1.0.

The following by-law changes accommodate the creation of the UWSA Rules of Order Policy, and stipulate explicitly that the UWSA Rules of Order guide all meetings of the UWSA.

BY-LAWS

AMENDED: 6.7.ii

The Chair of the Board of Directors shall ensure that all meetings that they preside over are conducted in an orderly fashion. The Chair of the Board of Directors is responsible for maintaining and enforcing the rules for conducting meetings, which are described ~~elsewhere in these By-Laws~~ in the UWSA Policy Manual. The rules for conducting meetings will be ~~Robert's Rules of Order~~ the UWSA Rules of Order unless others are established by the Board of Directors. The Chair of the Board of Directors will try to establish consensus wherever possible within the rules, and, if consensus cannot be reached, then proceedings and voting will follow ~~Robert's Rules of Order or whatever other rules have been established by the Board of Directors~~ the UWSA Rules of Order. ~~In the event of a conflict between Robert's Rules of Order, or whatever other rules have been established by the Board of Directors, and these By-Laws, these By-Laws will take precedence.~~

AMENDED: 6.7.iii

The Chair of the Board of Directors shall ensure that a copy of ~~Robert's Rules of Order~~ the UWSA Rules of Order and any other established rules of conduct, including these By-Laws, are on hand at all times during any meeting of the Board of Directors and at Meetings of Members of the UWSA.

AMENDED 4.1.ii.d.

The Chair of the Board of Directors shall be a permanent seat on the UWSA Board of Directors. The Board of Directors upon recommendation by the Executive Committee shall appoint the Chair of the Board of Directors. ~~The Chair of the Board of Directors shall have a single vote, and may only be used in the event of an equality of votes or on committees in which they are an ex-officio member.~~

AMENDED: 6.32.ix.

Voting - Motions arising at any meeting of Directors shall be decided by a majority of the votes unless otherwise stipulated within these By-Laws. ~~The Chair of the Board of Directors shall not be allowed to vote except in the case of an equality of votes.~~ Neither the Chair of the Board of Directors nor the Secretary of the Board of Directors shall vote on any matter. A motion put to the vote shall be decided by a show of hands, or another mutually agreed upon indication unless a confidential poll is requested by any Director before or after the results of a motion having been called to question. Unless a confidential poll has been requested, any declaration by the Chair of the Board of Directors (whether that be an indication that the motion has been carried, carried unanimously, carried by a particular majority of the votes or defeated) shall be final, and such results will be noted in the official Minutes of the UWSA for that meeting. These minutes shall be prima facie evidence of the fact, without proof of voting proportions for and against, of whether a motion was carried or defeated. This in no way prevents a Director from making a motion to overturn a previous decision.

STATE OF EMERGENCY

SUMMARY

The COVID-19 pandemic revealed that the UWSA needs a set of emergency protocols to ensure that we can still operate legally if the general office and board are unable to physically convene due to serious and unforeseeable circumstances. Additionally, emergency measures were needed to ensure that UWSA elections and referenda processes could be respected and reasonably executed during a state of emergency.

Rather than trying to devise an entire set of emergency election rules (which may be appropriate for the current state of emergency but may end up not being appropriate for other situations) the proposed by-laws set out processes for drafting and approving sets of emergency election rules that will exist outside of the by-laws *only* for the election in question, allowing them to account for the specifics of the situation at hand.

BY-LAWS

Added: By-law 10: State of Emergency Measures

By-law X. State of Emergency Measures

Section A. Definitions

10.1 Election

The Annual General Election and By-Election of the UWSA as governed by the provisions found elsewhere in these by-laws.

10.2 Meetings of the UWSA

Any meeting authorized under the provisions of these by-laws including, but not limited to: meetings of the board, committees of the board, and general meetings of the membership.

10.3 State of Emergency

Any circumstance which prohibits access to the University of Winnipeg campus or otherwise impedes the physical convening of the UWSA General Offices, membership, or board including, but not limited to: flood, fire, pandemic, natural disaster, government ordered state of emergency, and force majeure.

Section B. Procedure

10.4. Procedure for Calling a State of Emergency

- i. A state of emergency shall be called by the Chief Operating Officer of the UWSA under direction of the UWSA Executive and subject to approval by a majority vote of the Board of Directors.
- ii. The meeting at which a State of Emergency is approved shall be considered duly convened regardless of restrictions on virtual or telecommuted meetings found elsewhere in these by-laws and the Act.

Section C. Meetings

10.5. Meetings of the UWSA Under a State of Emergency



- i. Under a State of Emergency, meetings of the UWSA may be duly convened and shall be considered valid regardless of restrictions on electronic or telecommuted meetings found elsewhere in these by-laws.
- ii. Meetings of the UWSA held by electronic or telecommunication platforms must permit all persons participating in the meeting, including those entitled to vote on its business, to communicate adequately with each other during the meeting.
- iii. Notice of meetings and methods of registration shall be duly posted on the UWSA website and shared on UWSA social media in accordance with the timelines stipulated for that type of meeting as provided for elsewhere in these by-laws.
 - a. The duty to post physical notice of meetings on campus bulletin boards, as set out in these by-laws, shall be waived during the period of a State of Emergency.

10.6 State of Emergency Meeting Procedures

- i. The General Manager in coordination with the appropriate chair shall arrange virtual meeting spaces as needed and shall reasonably ensure that meetings are accessible for directors, staff, and members.
 - a. Attendees of a meeting shall be provided an alternative method of contacting the chair to report accessibility issues, should the mechanisms provided by the virtual meeting space fail.
- ii. For the purposes of quorum, all attendees of a meeting held on a virtual platform shall be considered present if their phone or electronic device registers them as present. It is the duty of attendees to report communication issues to the chair.
 - a. Meeting quorum shall be monitored by the chair and the secretary. Where quorum is lost due to technical difficulties, the meeting shall not be considered adjourned until 30 minutes have elapsed in which the member who lost connection can attempt to reconnect, or until the member reports through an alternative method that they are unable to return to the meeting.
 - b. No business shall be discussed or approved in the interval in which quorum has been lost.
- iii. Where voting takes place at a meeting held on a virtual platform, the chair shall ensure that each vote is validly submitted and verified.
- iv. No proxy shall be valid at a virtual or telecommuted meeting.

Section D. Elections and Referenda

10.7 Election and Referenda Held During a State of Emergency

- i. Under a State of Emergency, the UWSA shall reasonably ensure that the bi-annual election and referenda cycle is respected.
- ii. The timing of an election cycle mandated elsewhere in these by-laws may be reasonably rescheduled and extended to accommodate the drafting of State of Emergency election rules, as determined by the Chief Elections Commissioner and approved by the REBLITE Board. Notwithstanding the foregoing, an election cycle must take place within the academic term during which it was initially scheduled.
- iii. An election cycle may only be cancelled during a State of Emergency when conditions exist that make voting impossible, as determined by the Chief Elections Commissioner and REBLITE Board, acting reasonably and exhausting all options to complete the scheduled election, subject to approval by a 2/3 majority of the Board of Directors.



10.8 State of Emergency Election Rules

- i. The Chief Elections Officer, in coordination with the General Manager and the Chair of the Board, shall draft a set of interim State of Emergency election rules to be approved by the REBLITE Board.
- ii. The State of Emergency election rules shall work in tandem with the election rules found elsewhere in these by-laws. Where there is contradiction between the State of Emergency election rules and the general election rules found elsewhere in these by-laws, the State of Emergency election rules shall be paramount and considered the applicable rules for an election cycle held during a State of Emergency.
- iii. State of Emergency election rules shall be established on the following timeline:
 - a. A set of rules guiding nominations and referenda question submission shall be prepared prior to the commencement of the nomination period of the given election cycle.
 - b. A set of rules guiding campaigning, campaign materials and expenses, election forums, voting, balloting, ballot count, campaign violations, complaints, and appeals shall be prepared prior to the All Candidate's Meeting.
- iv. Election rules enacted during a State of Emergency shall only be valid for the duration of the individual election cycle in question and shall expire once all complaints and appeals are resolved.
- v. Complaints with respect to the State of Emergency election rules may be made by any UWSA member. These complaints shall be considered appeals and shall be filed with the REBLITE Board in accordance with the election appeals rules found in the State of Emergency election rules and elsewhere in these by-laws.
- vi. During a State of Emergency election cycle, online balloting shall be arranged and all election rules contained in these by-laws mandating physical polling stations shall be inapplicable and of no force or effect.

SENATOR ELECTION/APPOINTMENT

SUMMARY

Changes to the way UWSA senators are elected/ appointed were put in place this year to ensure that the UWSA is better able to represent students to the academic governance body of the University by filling all available seats on the University of Winnipeg Senate.

BY-LAWS

AMENDED: 4.1.iii

The UWSA will hold representation on the University of Winnipeg Board of Regents (UWSA President plus three [3] additional seats) and the University of Winnipeg Senate (UWSA President plus one [1] student representative for every three [3] academic staff representatives under clause 17(1)n of the University of Winnipeg Act, but not fewer than six [6]). These UWSA representatives shall be elected ~~as per By-Law 5.03~~ in accordance with these by-laws.

AMENDED: 4.3.vi

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. ~~These appointments must be made by July 1 of each year.~~

AMENDED: 4.7.v

~~There shall be no cooperatively held~~ Individual Executive Director, Senator, and Regent ~~appointments~~ seats may not be co-operatively held.

AMENDED: 5.22.x

As per the University of Winnipeg Act, the UWSA holds seats on the University of Winnipeg Board of Regents and the University of Winnipeg Senate. ~~Senate and Regent seats shall be open for election during the UWSA General Election. Senate and Regent seats shall only be open during a By-Election when vacancies remain at the commencement of the By-Election cycle.~~

- a) One (1) seat on the Board of Regents will be open for election annually. ~~through the UWSA General Election.~~ 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. ~~and three (3) seats on the Senate will be considered open for election only during a UWSA General Election.~~
 - ~~a. There will be no co-regent or co-senator candidacies.~~
- b) One UWSA Senate seat shall be reserved for each of the following:
 - a. The UWSA President;
 - b. The Vice President External Affairs;
 - c. The Vice President Student Affairs;
 - d. The PACE Director;
 - e. A graduate student.

AMENDED: 5.29.iv

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.

~~The UWSA Senate seat ballot shall list all candidates. Voters will have three votes and may not vote for a single candidate more than once. Should there be more than three candidates the three candidates with the most votes will win the election.~~

ADDED: 6.5.xix

The Vice President External Affairs shall be a student representative on the University Senate.

AMENDED: 6.6.v

The Vice President Student Affairs shall be a student representative on the University of Winnipeg ~~Senate Appeals Committee~~ Senate and shall sit on the Senate Appeals Committee and the Senate Student Services Committee.

REMOVED: 6.6.vii

~~The Vice President Student Affairs shall serve as a student representative on the Senate Student Services Committee.~~

AMENDED: 6.25.v

The PACE Director shall be a student representative on the University Senate and shall sit on the University of Winnipeg Senate Professional, Applied, and Continuing Education Committee ~~on behalf of the UWSA.~~

STUDENT SENATE CAUCUS

SUMMARY

A basic terms of reference for the Student Senate Caucus (SSC) was developed this year in an effort to better represent students to the academic governance body of the University of Winnipeg. Because the SSC is a pilot project, the board determined that only a simple set of guidelines should be established, and that the terms should be revisited upon feedback from the caucus.

BY-LAWS

ADDED: By-law 7, Section D – Student Senate Caucus 7.24 Student Senate Caucus (SSC)

- i. The Student Senate Caucus shall be comprised of the President, Vice President Student Affairs, Vice President External Affairs, all UWSA Senators elected or appointed in accordance with these by-laws, and any Student Senator otherwise appointed to the Senate. The UWSA President shall be the chair of the SSC.
- ii. The Student Senate Caucus shall meet no more than 2 business days prior to meetings of the Senate.
- iii. In order to accommodate the Senate Executive Committee's motion submission deadlines, special meetings may be called by any Student Senator wishing to draft a motion to the Senate. Requests for special meetings shall be submitted to the Chair.
- iv. The Student Senate Caucus shall be an open forum for Student Senators to discuss the affairs of the Senate and its Committees, develop questions and position statements to be delivered to the Senate, and coordinate advocacy, student representation, and leadership on students' academic and policy driven issues.
- v. The Student Senate Caucus shall nominate student representatives to the Committees of the Senate.
- vi. The Student Senate Caucus shall appoint a secretary from its membership to take minutes at meetings of the SSC. Minutes of the SSC shall be submitted for information to the UWSA Board of Directors.

ELECTION REFORM 2021

SUMMARY

Throughout the 2020-2021 academic year, the UWSA received significant feedback from current and former executive, directors, and the membership that the UWSA elections processes are harmful. Through these election reforms, the UWSA is recommitting to building a democratic process in which student leaders can learn collaborative governance techniques, build their independent leadership styles, and reach their full potential while centering the organizational values of accessibility, anti-oppressive leadership, authentic representation, outreach and engagement, organizational integrity, empathy, and continual reflection.

Highlights of the by-law changes include: staggered two-year terms for the UWSA Vice-President External Affairs (VPEA), Vice- President Student Affairs (VPSA), and four Emerging Leader Directors; creation of Four Emerging Leader Directors positions; creation of two new roles of Election Campaign Facilitators; modifications to the Chief Election Commissioner duties; the Election Accountability Board (EAB) replaces Referenda and Elections By-law Interpretation and Transparent Enforcement (REBLITE) Board; collective campaign opportunities for candidates; removal of slates and collusion between candidates; simplification of the nomination process; and creation of All Candidate's Training and Campaign Preparation Week.

BY-LAWS

ADDED: By-law 2: Definitions:

The University of Winnipeg Act

Means the statute under which the University of Winnipeg is incorporated.

University of Winnipeg Board of Regents

The governing body that determines overall policy for the University of Winnipeg, including setting of strategic direction and a broad framework of goals and objectives.

University of Winnipeg Senate

The governing body responsible for academic policy and procedure for the University of Winnipeg, including curriculum development, academic standards, student appeals, and the conferring of degrees.

General Manager

Means the General Manager employed by the UWSA.

UWSA General Office

The registered offices of the University of Winnipeg Students' Association Incorporated.

Acknowledgement of Responsibility

The waiver signed by all executive and directors of the UWSA Board of Directors and election campaign participants, confirming their fiduciary duty to the UWSA.

Quorum

The minimum number of members of a governing body needed in attendance in order for a meeting to be valid.

ADDED: By-law 4.1.w:

- i. The number of Directors and the specific directorships shall remain as such until changed in accordance with these By-Laws. The following shall be members of the Board of Directors of the UWSA:
 - w. Four (4) Emerging Leader Directors

REMOVED: By-law 4.2.i and 4.2.ii

- i. 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.
- ii. The Term of Office for the Indigenous Students' Directors shall be determined by the constitution of the Indigenous Students' Association and in accordance with the Corporations Act.

ADDED: By-law 4.2.i and 4.2.ii

- i. The term of office of all directors shall be a one-year term, from May 1st through to April 30th with the following exceptions:
 - a. The two Vice Presidents shall hold staggered two-year terms. The term of office for the Vice President External Affairs and Vice President Student Affairs shall commence May 1st of the year they are elected through to April 30th of the second calendar year from the commencement date. The Vice Presidents shall be elected on opposite years so that one Vice Presidential seat is open in each General Election.
 - b. The term of office for the Indigenous Students Directors shall be determined by the constitution of the Indigenous Students' Association and in accordance with the Corporations Act (Manitoba).
 - c. 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 (Manitoba).
 - d. 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 (Manitoba).
 - e. The Emerging Leader Directors shall hold staggered two-year terms. The term of office for the Emerging Leader Directors shall commence May 1st of the year they

are elected through to April 30th of the second calendar year from the commencement date.

- ii. Retiring directors shall be eligible for re-election as per these by-laws.

REMOVED: By-law 4.3.ii:

A vacancy of a Non-Executive director position occurring on or after September 30 of any year, except that which is the result of an increase in the number of Directorships, may be filled by appointment by the Board of Directors so long as the Executive Committee is in a position to make recommendations pertaining to the filling of this position. The duration for such an appointment shall be the balance of the unexpired term of the vacating Director.

AMENDED: By-law 4.3.vi

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 by way of appointment. The duration of such an appointment shall be the balance of the unexpired term of the vacancy.

ADDED: By-law 4.6.V:

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.

REMOVED: By-law 5: Elections and Referenda in the latest by-law package (January 2021) in its entirety

ADDED: By-law 5 – Elections and Referenda:

5.1 Definitions

By-Election

Means an election held in the fall-term of the University of Winnipeg's academic year. In a by-election, seats unfilled in the previous General Election are open to nominees.

Campus

Shall include the following buildings: Buhler, Education building at 480 Portage, Menno Simons College, Richardson College, Axworthy RecPlex, Duckworth, Asper Centre for Theatre and Film, Helen Betty Osborne Campus, Lockhart, Centennial, Manitoba, Bulman Student Centre, Ashdown, Wesley, Bryce, Sparling, Graham, McFeetors Hall, Balmoral Houses, Lions Manor, 527 Selkirk Avenue and Merchants Corner, and extend to include the Main Campus front lawn, the Spence Street Promenade, and the quad area.

Campaign

Means any act by, or on behalf of, an election 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.

Campaign Materials

Means posters, handbills, pamphlets, ribbons, buttons, banners, and any other physical or digital material produced to support or oppose a candidate or referendum.

Campaign Opportunities

Means 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.

Candidate

Means any member of the UWSA whose nomination for election is accepted under procedures established by these by-laws.

Chief Elections Commissioner - CEC

The CEC acts on behalf of the UWSA Membership to carry out the electoral logistics of all UWSA elections and referenda.

Election Accountability Board - EAB

The EAB acts on behalf of the UWSA membership to support the CEC and ECFs in the management of a fair and transparent election and referenda process.

Election Cycle

Means the period in which an election and/or referendum takes place, starting at the opening of nominations and closing of the polls.

Election Campaign Facilitator - ECF

The ECFs act on behalf of the UWSA Membership to support electoral candidates and 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.

Election Campaign Participant

Means all accepted candidates and referendum volunteers participating in a given election cycle.

Final Election Report

The report issued at the close of each election cycle which includes reports from the CEC, ECFs, and EAB.

General Election

Means an election held in the winter-term of the University of Winnipeg's academic year.

Nominee

Means any member of the UWSA who is submitting themselves for nomination for election or referendum volunteer under the procedures established by these by-laws.

Referendum

A question put to a balloted vote of the membership during the course of an election cycle.

Referendum Volunteer

Means any member of the UWSA whose nomination for referendum volunteer is accepted under procedures established by these by-laws.

Scrutineer

Means any member of the UWSA approved to oversee the ballot count on behalf of an election campaign participant.

Slate

Means two (2) or more candidates who are members of a single campaign, each running for a different position. Slates are prohibited under the UWSA by-laws.

Spoiled Ballot

Means a ballot where no clear intention can be discerned. Only the CEC may rule a ballot spoiled.

Supplementary Rules

Means additional rules to those in the Elections By-Laws and Polices that are created by the CEC and/or ECF and approved by the EAB to guide election campaign participants through a particular election.

UWSA Election Campaign

Means the campaign under which all election campaign participants run for election or as a referendum volunteer.

5.2 Chief Elections Commissioner (CEC)



- i. The CEC'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 CEC is otherwise notified by the Chief Operating Officer.
- 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.
- v. Upon receiving notice from the EAB that it has voted to remove a CEC for conduct which they deem warranted for such dismissal, a CEC may be dismissed from their position with a two-thirds ($\frac{2}{3}$) vote of the Board of Directors.

5.3 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, but not limited to:
 - a. Managing the candidate and referendum volunteer nomination processes, including:
 1. Working with the ECFs and the UWSA 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 (Manitoba) if applicable;
 4. Arranging and promoting drop-off details for candidates to submit nominations;
 5. Being reasonably available to answer eligibility questions of potential nominees;
 6. Ensuring the availability of nomination forms in accessible formats and assisting students with filling out nomination forms if requested;
 7. Verifying the eligibility credentials of all nominees and announcing all verified election candidates and referendum 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 UWSA 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;
 - vi. Ensuring poll officers are trained on providing accessibility accommodations to voters, and
 - vii. Responding to student issues or concerns with the physical polls.
 3. Organizing any digital polls, including:
 - i. Working with the UWSA 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 UWSA 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 ECFs 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.
 - 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 UWSA 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.

5.4 Election Campaign Facilitators (ECFs)

- i. 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. 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. Upon receiving notice from the EAB that it has voted to remove an ECF for conduct which they deem warranted for such dismissal, an ECF may be dismissed from their position with a two-thirds ($\frac{2}{3}$) vote of the Board of Directors.

5.5 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, UWSA Ambassadorship Policies, 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 referendum volunteers.
 - d. Working in coordination with the Communications Department, the Chief Election Commissioner, and all election candidates and referendum volunteers to arrange promotion of the UWSA Election Campaign.
- ii. The ECFs shall work with election participants to ensure that the elections process is equally accessible to all participants.
- iii. The ECFs shall organize all campaign opportunities for candidates and volunteers including debates, forums, classroom presentations, meetings with student groups, and any other campaign opportunity targeting ten (10) or more voting members.
- iv. The ECFs shall post and implement Supplementary Campaign Rules, subject to the approval of the EAB.
- v. The ECFs shall keep regular office hours and give notification to candidates and volunteers of these hours no later than the Monday of Week 4 at 8 a.m.
- vi. The ECFs shall ensure fair and equal access to all campaign resources provided by the UWSA Election Campaign.



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- vii. 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.
 - viii. 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.
 - ix. 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.
 - x. 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.

5.6 Chief Election Commissioner and Election Campaign Facilitators Selections and Hiring

- i. Selection
 - a. The CEC and ECFs 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.
- ii. Applications from the following people shall not be considered for either the CEC or ECF:
 - a. Current Directors and Executive Directors of the UWSA;
 - b. Former Executive Directors of the UWSA whose term ended within the last five (5) years;
 - c. Current Part-Time or Full-Time Employees of the UWSA;
 - d. Current UWSA Service Centre Coordinators;
 - e. Employees of any UWSA partner organization.

5.7 Chief Election Commissioner and Election Campaign Facilitators 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.

5.8 Annual General Election and By-Election



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- i. In the winter term of each University of Winnipeg 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 University of Winnipeg Board of Regents will be open for election annually.
 - iii. The number of University of Winnipeg 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.
 - iv. The Vice President External Affairs and Vice President Student Affairs shall be elected on a two-year schedule such that the Vice President External Affairs is elected in Cycle A and the Vice President Student Affairs is elected in Cycle B.
 - v. The Emerging Leader Directors shall be elected on a two-year schedule where two (2) of the four (4) positions are open for election in each cycle.
 - vi. The two-year schedule shall be as follows:
 - a. Cycle A (which shall be the first year in each two-year General Election schedule) the following directors shall be elected for two-year terms:
 1. Vice President External Affairs
 2. Two (2) Emerging Leader Directors
 - b. Cycle B (which shall be the second year in each two-year General Election schedule) the following directors shall be elected for two-year terms:
 1. Vice President Student Affairs
 2. Two (2) Emerging Leader Directors
 - c. In both Cycle A and Cycle B, all other executive and directors excepting those identified in By-law 4.2.i shall be elected to one-year terms.
 - d. In the pilot year of the two-year General Election schedule, Cycle A candidates shall be elected for one-year terms and Cycle B candidates shall be elected for two-year terms.
 - e. Where a position is unfilled in a General Election or By-Election, or 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 such that the filled position's term shall terminate in the standard timeline if the position had not been vacated.
 - vii. By-Elections shall be held in the event of vacancies in the Fall Term.
 - viii. 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.



5.9 Election Cycle

- i. Unless otherwise determined by the board of directors, the election cycle shall run on a five (5) Week cycle, with Week 3 coinciding with the reading week occurring in the winter term.
- 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 Referendum Volunteer 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.

5.10 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 referendum from the UWSA Board of Directors must:
 - a. Clearly state the exact wording of the referendum question;
 - b. Be passed by a two-thirds ($\frac{2}{3}$) majority.
- v. Petition for referendum must:
 - a. Clearly state the exact wording of the referendum question;
 - b. Include the signatory name, signature, and student number of 5% of the UWSA 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.

5.11 Nominations (Week 1 and 2)

- i. Nomination and referendum 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. Referendum 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. Referendum 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 receiving 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.

5.12 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 referendum 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 election campaign participants.
- ii. At the All Candidates' Meeting, the Election Campaign Facilitators shall be introduced to all election 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, UWSA Ambassadorship Policies, 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 election 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, join in a co-directorship bid with another election campaign participant, or withdraw from candidacy, until 9:00 a.m. on the Friday of Week 3.

5.13 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 UWSA 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 Policy and Election Anti-Harassment Policy.

5.14 Campaigning (Week 4 and 5)

- i. Campaigning is any act by, or on behalf of, an election 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 Election Complaints Policy.
- iv. Election campaign participants must at all times abide by the campaign guidelines.



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- v. Campaigning (including the posting of signs and other materials) may not occur within 10 meters of a 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.
 - 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, emails to individual members, 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 Election Anti-Harassment Policy.

5.15 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 Election Complaints 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 UWSA Communications Department, shall arrange for the purchase of ad space in the Uiter to feature UWSA Election Campaign promotions and/or candidate bios.

5.16 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 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 UWSA Events and Communications Department for the hanging of all posters and banners.
- viii. All election 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 election campaign participants have access for Weeks 3-5 of the given election cycle.
- 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.



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- d. Font size may be no smaller than 12pt as recommended by the Canadian National Institute for the Blind.

5.17 Social Media

- i. Election campaign participants may campaign on their personal social media by sharing the UWSA Election Campaign materials and promoting their candidacy.
- ii. Social media posts must abide by the campaign guidelines.
- iii. 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.
- iv. 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 election campaign participants to thoroughly monitor their own social media pages and accounts.
- v. Any campaigning on official UWSA or University of Winnipeg social media shall be coordinated by the ECFs in consultation with the UWSA Communications Department.
- vi. Any campaigning on the social media of a UWSA student group shall be coordinated by the ECFs, with the explicit consent of that group.
- vii. Additional social media guidelines may be collaboratively designed by all election participants during Week 3 and set as supplemental rules in accordance with these by-laws.

5.18 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.
- iii. Physical polling stations may use online and/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. The Emerging Leader Director ballot shall be a cumulative vote in which voters may select multiple 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.

- ix. A referendum is approved when 50% + 1 of voters support the question.
- x. 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.
- xi. 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.
- xii. Only the CEC may rule a ballot spoiled.

5.19 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.

5.20 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 General Meeting or meeting of the UWSA Board of Directors.

5.21 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.

5.22 Scrutineers

- i. Candidates for election and referendum volunteers are permitted two scrutineers each.
- ii. Scrutineers must submit their name, the candidate or volunteer 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.

5.23 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 UWSA 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 Executive Directors of the UWSA;
 - b. Former Executive Directors of the UWSA whose term ended within the last five (5) years;
 - c. Current Part-time or Full-time employees of the UWSA;
 - d. Current UWSA Service Centre Coordinators;
 - e. Employees of any UWSA partner organization.

5.24 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.

5.25 Supplemental Rules

- i. Supplemental rules may not contradict the by-laws and policies of the UWSA.
- ii. 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.
- iii. 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.
- iv. Supplemental rules will last the duration of the election cycle in which they are approved and expire with the ratification of election results.

5.26 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 UWSA 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 Election Complaints Policy.



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- 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.

5.27 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 Policy and Election Anti-Harassment Policy.
- 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.

5.28 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 (as per the Conflict of Interest Policy) 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.



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- ix. The proceedings of the EAB shall be held in accordance with UWSA policies, including the UWSA Rules of Order and the Election Complaints Policy and Election Anti-Harassment Policy.
 - 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.

5.29 Final Election Report

- i. At the first meeting of the UWSA 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 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; a summary of participant feedback in accordance with the Election Evaluation and Feedback Policy; all conduct complaints and rulings in accordance with the Election Complaints Policy and Election Anti-Harassment Policy; 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 Policy and Election Anti-Harassment Policy, a list of all EAB members and guests present at each hearing, and recommendations for procedural changes or rule amendments.

ADDED: By-law 6. ___ Duties of the Emerging Leader Directors

- i. The Emerging Leader Directors shall hold two-year terms to help preserve the Board of Directors' institutional knowledge and to support the mentorship of incoming directors.
- ii. The Emerging Leader Directors shall assist the UWSA Executive with outreach and engagement of the general membership.
- iii. The Emerging Leader Directors shall promote membership attendance at UWSA Events, Board of Directors meetings, and General Meetings.
- iv. The Emerging Leader Directors shall provide training and mentorship to incoming Emerging Leader Directors.
- v. Following an election, the Emerging Leader Directors shall liaise with Executive in supporting the transition of the incoming Directors and Executive.

vi. The Emerging Leader Directors shall perform other duties that the Board of Directors determines from time to time by motion or By-Law.

REMOVED:

6.9.vi

~~The Education Director shall be the primary UWSA representative for constituency groups listed in UWSA Policy 13.3.~~

6.10.v

~~The Science Director shall be the primary UWSA representative for constituency groups listed in UWSA Policy 13.3.~~

6.11.v

~~The Arts Director shall be the primary UWSA representative for constituency groups listed in UWSA Policy 13.3.~~

6.12.iv

~~The Part Time/Mature Students' Director shall be the primary UWSA representative for constituency groups listed in UWSA Policy 13.3~~

6.13.vi

~~The International Students' Director Shall be the primary UWSA representative for constituency groups listed in UWSA Policy 13.3~~

6.14.vi

~~The Community Liaison Director Shall be the primary UWSA representative for constituency groups listed in UWSA Policy 13.3~~

6.15.viii

~~The Recreation and Athletics Director shall be the primary UWSA representative for constituency groups listed in UWSA Policy 13.3.~~

6.16.viii

~~The Indigenous Students' Directors shall be the primary UWSA representative for constituency groups listed in UWSA Policy 13.3.~~

6.17.vii

~~The Women, Trans, and Non-Binary Students' Director shall be the primary UWSA representative for constituency groups listed in UWSA Policy 13.3~~

6.18.viii

~~The Environmental Ethics Director shall be the primary UWSA representative for constituency groups listed in UWSA Policy 13.3.~~

6.19.vii

~~The Two-Spirit, Lesbian, Gay, Bisexual, Transgender, Queer, and * Students' Director shall be the primary UWSA representative for constituency groups listed in UWSA Policy 13.3.~~

6.20.vi

~~The Accessibility Director shall be the primary UWSA representative for constituency groups listed in UWSA Policy 13.3.~~

6.21.vii

~~The Director of Student Living shall be the primary UWSA representative for constituency groups listed in UWSA Policy 13.3.~~

6.22.v

~~The Business and Economics Director shall be the primary UWSA representative for constituency groups listed in UWSA Policy 13.3.~~

6.23.v

~~The Graduate Student Director shall be the primary UWSA representative for constituency groups listed in UWSA Policy 13.3.~~

AMENDED: By-law 10.7.ii Election and Referenda Held During a State of Emergency

The timing of an election cycle mandated elsewhere in these by-laws may be reasonably rescheduled and extended to accommodate the drafting of State of Emergency election rules, as determined by the ~~Chief Elections Commissioner~~ CEC and/or ECFs and approved by the ~~REBLITE~~ Board of Directors. Notwithstanding the foregoing, an election cycle must take place within the academic term during which it was initially scheduled.

AMENDED: By-law 10.8 State of Emergency Election Rules

- i. The ~~Chief Elections Officer~~, CEC and/or ECFs, in coordination with the General Manager and the Chair of the Board, shall draft a set of interim State of Emergency election rules to be approved ~~by the REBLITE Board~~ in accordance with these by-laws.
- ii. The State of Emergency election rules shall work in tandem with the election rules found elsewhere in these by-laws. Where there is contradiction between the State of Emergency election rules and the general election rules found elsewhere in these by-laws, the State of Emergency election rules shall be paramount and considered the applicable rules for an election cycle held during a State of Emergency.
- iii. State of Emergency election rules shall be established on the following timeline:
 - a. A set of rules guiding nominations and referenda question submission shall be prepared prior to the commencement of the nomination period of the given election cycle and ratified by the Board of Directors.



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- b. A set of rules guiding campaigning, campaign ~~materials and expenses~~, ~~election forums~~ opportunities, voting, balloting, ballot count, campaign violations, complaints, and ~~appeals~~ consequences shall be prepared prior to the All Candidate's Meeting and ratified by the EAB.

AMENDED: all references to the “Referenda and Election By-law Interpretation and Transparent Enforcement (REBLITE) Board” were removed and replaced by “Election Accountability Board (EAB)”