

ELECTIONS ACCOUNTABILITY REPORT AND RULING

Prepared by the Chair of the Board of Directors

following the March 5th, 2022 meeting of the Election Accountability Board.

Issued: March 5, 2022 at 7 p.m.

a. The complaint in full.

FORMAL COMPLAINT March 3rd

Amy Volvoshanovskiy and Ursella Khan are filing a formal complaint against Kirt Hayer. On March 25th at roughly 11:00AM, during the final session of the Training week, Amy and I, as ECF'S, were presenting on Anti-harassment and Campaign Opportunities. During question time, Kirt Hayer was very vocal in how he did not agree with the bylaw/policy on candidates not being allowed to create their own campaign materials. He was also very vocal on not agreeing with the Election referendum, and encouraged the other candidates, once elected to attend the Board Meetings, to raise these concerns and to vote against these by-laws because he felt that the board tends not to pass movements that create more work for them. Kirt Hayer was also talking to Amy and I in a very condescending tone. We have both felt that Kirt has questioned and not respected our authority. Amy and I have also discussed how openly Kirt has talked about his dislike of the organization he is currently President of stating that the by-laws and policies the organization has in place promote mediocrity over excellence. We would recommend to the board to get in contact with Legal about this, as well as KV.

b. Any supplemental statements submitted to the EAB;

None

c. A summary of the considerations of the EAB

Alleged violation of the By-Law and Policy of the UWSA:

Policy 14.02 Anti-Harassment

“Every UWSA election participant has a right to freedom from...

- ...Targeted behaviour, in violation of the campaign guideline by-laws, meant to undermine an election participant’s success in the vote”

And:

“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...

- Condescending, paternalistic or patronizing behaviour that undermines self-respect or dignity;
- Abuse of authority which undermines performance, threatens electoral performance, or causes intimidation;”

And:

Bylaw 5.46.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.

Considerations of the EAB:

The EAB discussed the importance of good conduct and acting in good faith as a representative of the UWSA and a candidate for re-election. The board balanced concerns about the fair treatment of election officials and giving student leaders chances to atone for mistakes.

d. The ruling of the EAB;

To issue a written warning to Kiratveer Hayer regarding Formal Complaint 2 brought forward by the Election Campaign Facilitators:

The Election Accountability Board wishes to remind election candidate Kiratveer Hayer (the candidate) of the following responsibilities of candidates for election under the UWSA by-laws and policies:

- 1. To read, understand, and abide by all by-laws and policies of the UWSA, regardless of personal opinion on their validity;**
- 2. To treat all other election participants with respect and dignity, as per the requirements of the Elections Complaints and Anti-Harassment Policies; and**
- 3. To ensure they do not use their currently held position within the UWSA to campaign to an unfair advantage.**

Further violation of the election rules by the candidate shall be considered egregious violations subject to further review and consequences by the Election Accountability Board.