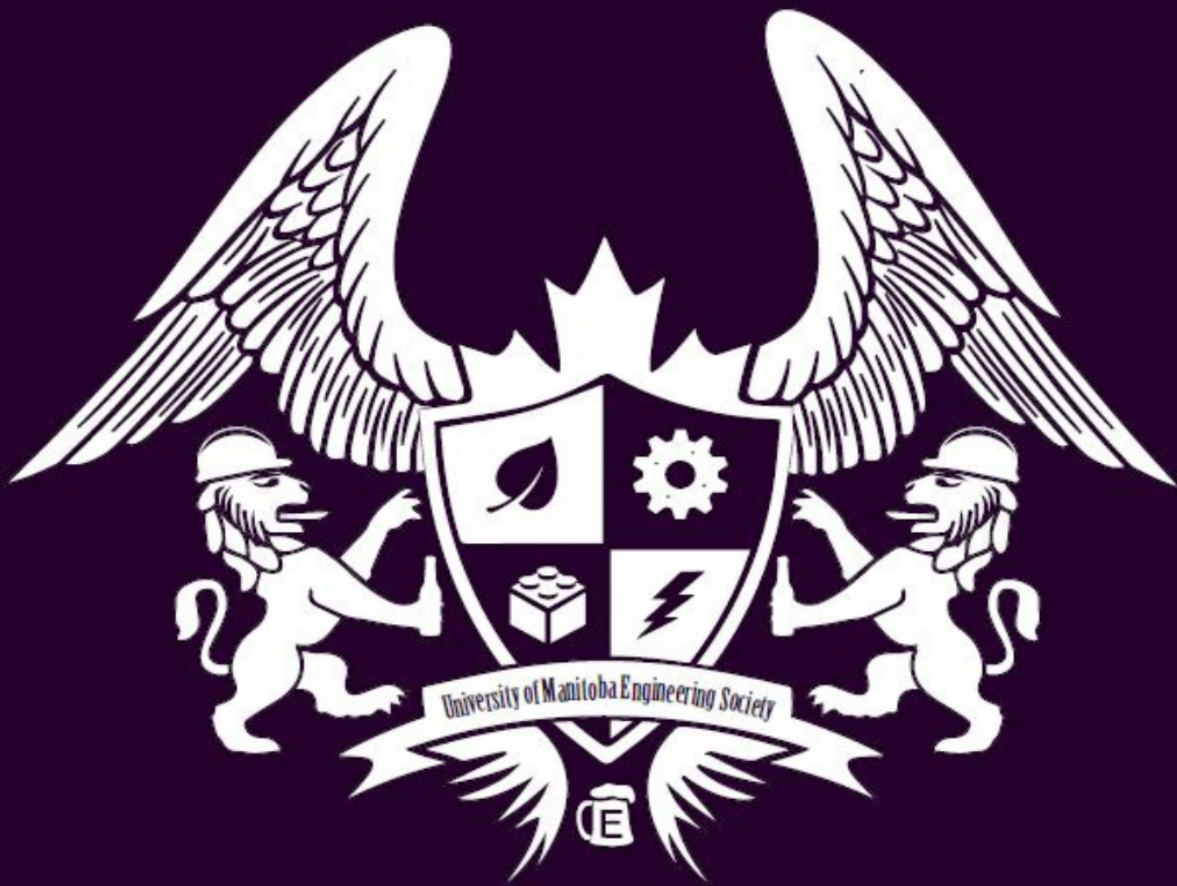

University of Manitoba Engineering Society

Election & Referendum Manual



Run by Student for Students
MMXXII



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Article 1 - Definitions

The following definitions hold true for the Elections and Referendums Manual of the University of Manitoba Engineering Society;

1. "All Candidates Meeting" refers to the first meeting between the CRO and all candidates who have successfully applied to run in an election or by-election;
2. "Appealer" means anyone in the process of appealing the ruling of the CRO;
3. "Ballot" means an electronic or paper form where a singular position is voted for;
4. "Campaign" or "campaigning" is any act that has the intention of soliciting support for a particular Candidate;
5. "Campaign Expense" means any and all expenditures by or on a Candidate's behalf for the production or distribution of Campaign Materials, costs directly associated with campaigning, fees or charges incurred as part of campaigning, or other expenditures associated with the campaign as defined by the CRO;
6. "Campaign Materials" includes any created objects (physical or digital) that solicit support or opposition for a particular Candidate;
7. "Candidate" means any society member whose nomination is accepted under procedures established in the Section 3.2;
8. "Complainant" means anyone in the process of, or has successfully filed a complaint form;
9. "Electronic Campaigning" means any use of social media, messaging services, websites, and/or other digital platforms for the purpose of Campaigning;
10. "Pre-Campaign" or "Pre-Campaigning" is the use of resources outside of the campaign period established by the governing documents and/or the CRO with the goal of convincing members to vote for a candidate;
11. "Slate" or "Slates" means two or more Candidates acting cooperatively, in any actual or apparent manner, to run as one single Campaign or team, wherein each candidate runs for a different position. A Slate may include, but is not limited to, the use of a unifying name, symbol, slogan, and/or visual identity; explicit verbal or written endorsements between candidates; and/or substantially aligned platforms between Candidates; and
12. "Smear campaign" means a deliberate attack on somebody, by spreading an untrue and unpleasant rumor about them, or by making an accusation intended to damage their reputation.

Article 2 - Elections Officers

Section 2.1 Chief Returning Officer

1. The position of Chief Returning Officer (CRO) falls to the Outgoing Senior Stick, or a Society Member of their choosing:
 - a. In the event the Senior Stick will be returning to school for the following academic year they must find a non-biased society member to serve as CRO in their stead.
 - i. In the case of choosing a Society Member, the Council must approve of a motion to have that person as the CRO.
2. Prior to the start of voting the CRO must cast the tie-breaking vote in a sealed envelope. Only in the result of a tie may the envelope with the tie-breaking vote be opened:
 - a. The CRO may not cast a vote in the election other than their tiebreaking vote.
 - b. The vote shall be stored either in the Office of the Dean, or the Faculty Advisor's office until such time as it is needed.
3. The responsibilities of the CRO are:
 - a. Decide on the approved method(s) of voting;
 - b. Regulate printed campaign material;
 - c. Prepare necessary material for electronic voting;
 - d. If required, produce the election ballots; and
 - e. Assume responsibility for the integrity of the polls and, if applicable, the counting of ballots.
4. During Elections and By-elections the CRO has the following additional responsibilities:
 - a. Be familiar with, and abide by, Election procedures for Student Senators and

- UMSU Representatives as specified by the University of Manitoba Senate and UMSU;
- b. Assemble all candidates and explain Election procedures;
- c. Arrange the time and place of campaign speeches;
- d. Assemble the Red Lion Elections Edition; and
- e. Obtain the name of any scrutineer representing Election candidates during the Election and inform them of their duties.

Section 2.2 Deputy Returning Officer

1. The position of Deputy Returning Officer (DRO) is delegated to a Society Member of the CRO's choosing;
2. For Elections and By-elections, the DRO must become familiar with, and abide by, Election procedures for Student Senators and UMSU Representatives as specified by the University of Manitoba Senate and UMSU; and
3. The DRO must support the CRO in their responsibilities.

Section 2.3 Constitution Committee

1. During Elections, By-Elections and Referendums the Constitution Committee considers appeals to the CRO's decisions and also oversees the CRO and DRO to ensure they are fulfilling their duties;
2. Any candidates or scrutineers are not eligible members of the Constitution Committee and if they are members, they will have to take a leave of absence for the duration of the Election, By-Election or Referendum;
3. If the CRO or DRO are members of the Constitution Committee they will also have to take a leave of absence for the duration of the Election, By-Election or Referendum;
4. If there are vacancies in the Constitution Committee then they will be filled as follows:
 - a. The CRO must inform all eligible Head Directors and Executives that their names will be chosen at random to fill the remaining positions of the Constitution Committee. The CRO must inform these members of the time and location that the drawing of names will take place:
 - i. Eligible members may ask the CRO not to be considered for membership on the Constitution Committee.
 - b. The names of all of the Head Directors and Executives that are interested and eligible to be on the committee will be drawn from random by the CRO with the presence of at least five eligible members.
5. Once the committee rules on an appeal that ruling will be made final, and no further appeals will be considered.

Article 3 - General Procedures

Section 3.1 Campaigns

1. All campaign material must be approved by the CRO or DRO prior to use;
 - a. The CRO and DRO must sign and keep at least one copy for each version of printed campaign material used by the candidates;
2. Any act of pre-campaigning is prohibited.
3. A slate of any form is prohibited. Candidates must run as individuals and cannot have common branding; they must campaign solely for themselves and by themselves;
4. All campaigning must be done in a respectful manner. Smear campaigns are not permitted to be run by a candidate or an individual on their behalf;
5. Campaign materials may not include:
 - a. Food or beverages;
 - b. Non-informational commodities.

6. All non-electronic campaigning must take place within the Engineering Buildings;
 - a. In the event that the Engineering Buildings are deemed unsuitable for campaigning, alternative campaign arrangements will be designated by the CRO.
7. Classroom announcements can only be done by candidates and are allowed if the permission of the professor, instructor, or Teaching Assistant is received;
8. All printed campaign material will comply with building poster regulations:
 - a. Posters can remain on bulletin boards and non-painted concrete pillars during voting but must be removed within 24 hours after the end of voting.
9. All campaigning using social media must abide by the following rules:
 - a. The CRO and DRO must be invited to see all social media posts, groups, pages and any other form of social media communication; and
 - b. Campaign accounts, pages, groups, events or any other form of social media advertising the campaign must be removed within 48 hours after the end of voting.
10. Candidates can still use their UMES emails to conduct council business as long as it does not involve their election campaign in any way; and
11. Candidates may only run for one position:
 - a. In the case of a By-election, a candidate may run for a different position as long as they have not already been elected to any UMES position.

Section 3.2 Voting Procedure

1. The voting period for an election or referendum will at minimum be open from 08:30 until 16:30 on the two consecutive business days following the conclusion of the campaigning period.
 - a. The voting period for a by-election may be reduced to only one business day.
2. If polling station(s) are required: the polling station(s) shall be open from 08:30 until 16:30 on the two consecutive business days for Elections and Referendums and only for one business day for a By-election:
 - a. Voting must take place during the Regular Session and cannot be held during exams.
3. Society Members may request that an advance voting session be held:
 - a. The CRO will set a minimum two-hour time slot for advance voting. The CRO must inform the entire student body of the date, time, and location of the advance voting session; and
 - b. Advance voting is only available to students that will be otherwise unable to vote during an official voting period.
4. The vote shall not be counted before the conclusion of the voting period;
5. Any ballot boxes must be stored in either the Office of the Dean or the Faculty Advisor's Office outside of voting times. The ballot boxes must be signed in and out by the CRO;
6. Members are to cast votes expressing their preference by indicating within the appropriate location on the ballot:
 - a. Any ballot contrary to this specification shall not be considered in the final tally;
 - b. For Elections and By-elections, if only one candidate has been nominated for a position, ballots for the position shall be a yes/no/decline vote; and
 - c. For Elections and By-elections, candidates' names will be placed on the ballots in rotating order.
7. Each Society Member is entitled to one vote for each position for Elections and By-elections and one vote for the Referendum;
8. For a candidate to be declared elected they must meet the following criteria:
 - a. If a candidate is running unopposed they will be declared elected if they have received more than twice the number of "yes" votes as "no" votes;
 - b. If there are several candidates then the candidate with the most amount of votes will be declared elected; and
 - c. The determination shall be made by the CRO, after the votes have been counted to their satisfaction.
9. Ballot counting shall be conducted in accordance with UMSU Bylaws; and
10. If the final count is within 10 votes or 5%, then a recount must take place;

- a. Any candidate may request one recount regardless of the final count.

Section 3.3 Online Voting

1. The program or platform chosen as the platform for online voting must come from an official retailer that has been approved by a two-thirds (2/3) majority vote of the current Executive Committee.
 - a. The presentation of votes, and online voting procedures, will be at the discretion of the chosen platform.
2. Results of the vote will not be reviewed until the closing of polls.

Article 4 - Elections

Section 4.1 Elected Positions

1. The Primary and General Elections shall be held each year, one week after the Nomination Period has been declared closed during the Spring months of the Regular Session;
2. The following positions shall be included in the Primary Election :
 - a. Senior Stick; and
 - b. Equity Officer;
3. The following positions shall be included in the General Election:
 - a. VSI;
 - b. VSE;
 - c. VSA;
 - d. VSC; and
 - e. VSS;

Section 4.2 Election Nomination

1. There shall be a Nomination Period of at least three (3) consecutive business days held immediately prior to the first day of campaigning, as regulated by the CRO.
2. There shall be an All Candidates meeting that occurs immediately at the end of the Nomination Period arranged by the CRO.
3. In order to be successfully nominated an individual must
 - a. submit a completed nomination form to the CRO before the end of the nomination period
 - b. Have a minimum CGPA of 2.50 (3.0 for Senior Stick) at time of nomination
 - c. May not be on a Work Term during the Regular Session of their term of office
 - d. Must believe they are capable of completing all duties as required by the position.
 - e. Candidates for the position of Senior Stick must be designated as a third year student, or higher, at their time of nomination and must have served a minimum of one year on council; and Candidates for all other elected positions must be designated as second year students, or higher, at their time of nomination.
4. A completed nomination form must include the name, signature and student number of forty (40) society members.

Section 4.3 Election Campaigns

1. There shall be a week of campaigning held immediately prior to the first day of voting, as regulated by the CRO;
2. Each candidate seeking election to Council will be eligible for a \$30.00 reimbursement for campaign materials provided that:
 - a. Receipts for all expenses are provided following the Election; and
 - b. The candidate attains a minimum of 5% of the total vote or 5% approval.
3. No candidate shall spend more than \$100.00 on campaign materials:
 - a. Any candidate who exceeds this limit shall be disqualified from the Election proceedings by the CRO;
 - b. All receipts for Election expenses must be provided to the CRO prior to the opening of the polls, for verification; and

- c. In the event of readily available materials to create campaign material, the CRO may assess the fair market value of all Election materials at their discretion.
6. There shall be a candidates' forum for all Election candidates arranged by the CRO. The location of the forum shall be held;
 - a. In a centrally located and physically accessible on-campus space; or
 - b. Should an in person forum not be possible, the forum can be held virtually on a platform chosen by the CRO.

Section 4.4 By-Elections

1. In the event that an elected position is not filled during the UMES Elections a By-Election must be held;
2. If, after the By-Election, there remain unfilled positions the following procedure must be taken:
 - a. If an eligible Society Member approaches the CRO indicating their interest in running then an additional By-Election can be called;
 - b. If no students are interested in an additional By-Election then the Selection Committee may nominate a willing eligible Society Member to serve in an interim position:
 - i. The Selection Committee may choose in September to hold a By-Election to fill the position with an elected Society Member.
 - c. If the Selection Committee chooses not to nominate a Society Member then the responsibility falls to the elected Senior Stick to delegate the tasks of the unfilled elected position to the other elected Executive.
3. In the event that an elected position becomes vacant at any time in the first term of the Regular Session a By-Election must be held;
4. In the event that an elected position becomes vacant at any time in the second term of the Regular Session the position may be appointed to a Society Member at the discretion of Council;
 - a. Vacant Advocacy Representative positions require a by-election to be held
5. By-Elections must consist of the following:
 - a. A nomination period for a minimum of two business days;
 - b. A campaigning period for a minimum of three business days; and
 - c. A voting booth (electronic or ballot) open from 08:30 to 16:30 for a minimum of one business day.
6. All By-Elections must follow the rules and guidelines outlined in section 3.3.

Article 5 - Referendum

1. Any Society Member may petition for a Referendum to be held;
2. The wording of the petition shall have a clear intent; such clarity is to be determined by the Senior Stick, Chair, and CRO;
3. Petition forms shall be provided to any Society Member upon request within a 24-hour period, which contains the following items:
 - a. Description of the procedures and guidelines of the petition;
 - b. Allocated space for the petitioner's legibly printed full name, student number, and signature;
 - c. Allocated space for the wording of the question; and
 - d. Allocated space for the legibly printed full names and signatures of required amount of Society Members.
4. Petitions must be accepted, and a Referendum called, provided the following conditions are met:
 - a. The petition is received by the CRO with all required information given as listed herein; and
 - b. The petition contains legibly printed full names, student numbers, and signatures of at least 15% of all Society Members.
5. Upon acceptance of a valid petition, the CRO shall draft the appropriate wording for

- the question;
6. The CRO shall inform the petitioners of the wording of the question;
 7. The wording of the question may be appealed to Council on a motion by the petitioner who shall be deemed, for the purpose of Council Meeting where the motion is to be considered by Council, able to make a motion and to call a vote on the motion relating to the petition;
 8. Council may call a Referendum without the need for a petition; and
 9. The motion shall specify the precise wording to appear on the ballot, and the dates upon which the Referendum shall be held.

Article 6 - Standing Orders

1. In the event that a situation arises in which the applicable policy in the Election and Referendum Manual is unclear, the CRO may provide a standing order that will come into effect immediately, and remain as such until the results of the campaign are ratified, as long as the following conditions are met:
 - a. The standing order is consistent with the existing spirit of the policy in the Election and Referendum Manual;
 - b. The standing order does not unfairly discriminate against any specific candidate or Referendum side; and
 - c. The standing order is communicated to all candidates and scrutineers.

Article 7 - Complaints and Appeals

1. Any Society Member may allege a breach of the rules of Elections as outlined in this Article, or any enacted decision related to UMES Elections;
2. In the event that a complaint is cast against the CRO, the Constitution Committee will be responsible to review and rule on the complaint;
3. Time of Appeals
 - a. General Time of Appeals: An appeal may be made by any society member if the appeal is made 24 hours after the individual became aware of the cause or action that gave rise to the incident.
 - b. Ultimate Time of Appeals: No appeal may be brought forward if 72 hours have passed since the release of voting results. .

Section 7.1 - General

1. All complaints should be directed in writing to the CRO excluding complaints detailed in subsection 7.1.3.
2. Any Society Member may allege a breach of the rules of Elections as outlined in this Article, or any enacted decision related to UMES Elections;
3. In the event that a complaint is cast against the CRO, the Constitution Committee will be responsible to review and rule on the complaint;

Section 7.2 - Complaints

1. No complaint shall be considered by the CRO unless the complaint meets the following requirements:
 - a. The complaint is received from a Society Member's University of Manitoba email account; and
 - b. The complaint is received ~~within the specified Time of Appeals within~~ at least 12 hours preceding the conclusion of the voting period.
2. Where a complaint is received and found to be complete, the CRO ~~shall investigate the facts, and~~ shall acknowledge the complaint in writing within 24 hours ~~thereof~~;
3. Upon receiving a complaint, the CRO shall work with the complainant prepare a complaint form which includes:
 - a. Name of the complainant, unless the CRO determines the complaint should remain anonymous;
 - b. Specific article, section and subsection that is alleged to have been breached;
 - c. Specific individual that is alleged to have breached the rules;

- d. Evidence of these facts.
- 4. The CRO must also submit a copy of the form to any individual(s) named in the complaint form;
- 5. The CRO shall investigate the Complaint using whatever means are at their disposal. This investigation shall include requesting a written response to the Complaint from any party alleged to have committed a breach of the Election Rules.
- 6. Upon receiving a complaint, the CRO shall prepare and provide an appeal form to every individual named in the complaint form which requires a potential appellant to indicate:
 - a. The name of the appellant;
 - b. The ruling being appealed;
 - c. The reason for the appeal, including specifically any errors in interpretation or application found in the ruling;
 - d. The desired outcome of the appeal.
- 9. In the event that the CRO cannot be contacted within the 24 hours time can be extended at the discretion of the CRO or Constitution Committee, but will not exceed 72 hours.
- 10. Any ruling made by the CRO will be posted for all Society Members and shall contain:
 - a. The complaint form;
 - b. A summary of the allegation;
 - c. The ruling of the CRO;
 - d. The penalty assigned, if any; and
 - e. The deadline for any appeal.
- 11. Penalties available to the CRO include, but are not limited to:
 - For the Election or a By-Election, a reduction of permitted campaign expenses;
 - a. The confiscation and/or destruction of campaign materials;
 - b. Limits, restrictions, and prohibitions on any type of campaigning, for any period of time; and
 - c. Disqualification of candidates or cancellation of the Referendum.

Section 7.3 - Appeals

- 1. If a Society Member, including a candidate, finds a standing order, or action taken, by the CRO to be in violation of the conditions laid out in this manual, then the individual in question may appeal in the following process:
 - a. The appellant should email either the CRO or DRO and provide an appeal form;
 - b. The CRO or DRO (whoever receives the email) must acknowledge in writing to the appellant that they have received their email and they must forward it to the members of the Constitution Committee within twenty-four (24) hours of receipt;
 - c. The Constitution Committee may communicate and vote electronically on the appeal submitted to expedite a decision. The Constitution Committee should come to a decision within twenty-four (24) hours of receiving an appeal. This time may be extended by an additional twenty-four (24) hours upon the request of at least two members of the Constitution Committee; and
 - d. The CRO must inform the appellant of the decision made by the Constitution Committee as soon as a consensus has been made by the committee and no later than twenty-four (24) hours after a decision has been made.
- 2. To place an appeal, the appellant shall prepare and provide an appeal form to the CRO which requires the appellant to indicate:
 - a. Their name;
 - b. The ruling being appealed;
 - c. The reason for the appeal, including specifically any errors in interpretation or application found in the ruling; and
 - d. The desired outcome of the appeal.
- 3. An appeal to an election ruling may be made by any society member if the appeal is made within 48 hours following the publication of the CRO's ruling.
- 4. While the Constitution Committee is in the process of reviewing an appeal to a standing order, the standing order will remain in effect. If the Constitution Committee decides to revoke the standing order then it immediately becomes voided;
- 5. A simple majority vote of the Constitution Committee may:
 - a. Remove the CRO's ability to create standing orders:
 - i. In this case, the responsibility to create standing orders shall fall onto the Committee.

- b. Remove the CRO from their responsibilities, appoint a new CRO, and if required appoint a new DRO.

Article 8 - Ratification

1. An Election, By-Election or a Referendum shall be considered ratified once the voting period has concluded and any appeals have been resolved. No motion needs to be presented to Council.