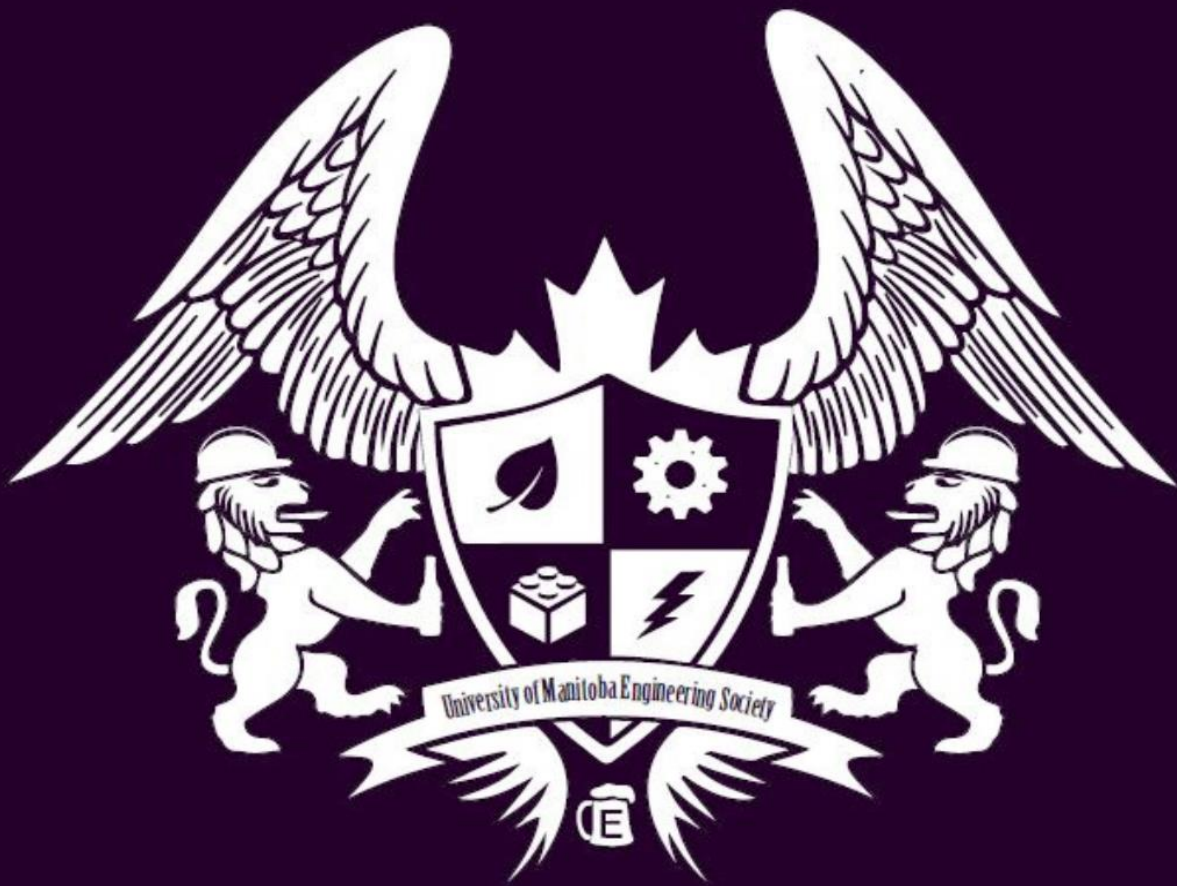


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University of Manitoba Engineering Society

# Election & Referendum Manual



Run by Student for Students  
MMXXII



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## Article 1 - Elections Officers

## Section 1.1 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. If the Senior Stick is seeking re-election then the position of CRO falls to the first executive listed under section 5.2 of the constitution that is not seeking re-election;
  - b. 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 1.2 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 1.3 Scrutineers

1. The following applies to voting by ballot:
  - a. Any Society Members may be a scrutineer. They must inform the CRO of their intentions to be a scrutineer
  - b. Scrutineers may examine the ballot boxes before they are sealed on the first day of voting;
  - c. Scrutineers may sit beside the voting booth provided they are not pressuring or heckling voters, and must leave immediately upon the CRO's request; and
  - d. Scrutineers may observe the vote counting;
2. The following applies to online voting:
  - a. Any Society Member may be a scrutineer. They must inform the CRO of their intentions to be a scrutineer;
  - b. Scrutineers will have the right to review the applicable method(s) used in receiving and tallying votes;
    - i. Subsection 1.3.2 only applies if a scrutineer has declared themselves prior to the acceptance of the method(s);
  - c. Scrutineers will have the ability to be present when the CRO first accesses the final results.

## Section 1.4 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.

## Article 2 - General Procedures

### Section 2.1 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. 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.
3. Classroom announcements can only be done by candidates and are allowed if the permission of the professor, instructor, or Teaching Assistant is received;
4. 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.
5. 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.
6. 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
7. 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 2.2 Voting by Ballot

1. 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.
2. 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.
3. The ballot boxes shall not be opened before the close of the poll;
4. The 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;
5. Members are to cast votes expressing their preference by making a mark in 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.
6. Each Society Member is entitled to one vote for each position for Elections and By-elections and one vote for the Referendum;
  7. 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.
  8. Ballot counting shall be conducted in accordance with UMSU Bylaws; and 9. If the final count is within 10 votes or 5%, then a recount must take place; a. Any candidates or scrutineer may request a recount regardless of the final count.

### Section 2.3 Online Voting

1. The CRO will establish a minimum of 1 information station during the time period outlined in subsection 2.2.1:
  - a. The information station will consist of (a) chosen representative(s) by the CRO who will be responsible for answering general election questions.
  - b. The information station will abide by student requests to complete online voting in UMES at a designated electronic voting station.
2. The electronic voting station will consist of (a) designated computer(s), and sufficient supervision at the discretion of the CRO;
3. Advanced voting will only be permitted at the electronic voting station and approved at the discretion of the CRO according to subsection 2.2.2;
4. Results of the vote will not be reviewed until the closing of polls.
5. The program or retailer 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.
6. Online voting adopts subsection 2.2.6, and 2.2.7.

## Article 3 - Elections

### Section 3.1 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;
  - b. Advocacy Representative; and
  - c. 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 3.2 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 3.3 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. Candidates must run as individuals and cannot have common branding; they must campaign solely for themselves and by themselves;
3. 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;
4. 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.
5. 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 gifts in kind or the usage of readily available materials, 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 non-biased; and
7. Each candidate is eligible to submit a maximum 150 word (250 word for Senior Stick candidates) write up and photo to be included in the Red Lion Elections Edition: a. The Red Lion Elections Edition is to be, at a minimum, a printed black and white pamphlet on copy paper and stapled together.

### Section 3.3 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 Vice Stick 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 this Article that are not otherwise specified herein.

## Article 4 - 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 5 - 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 6 - 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 6.1 - Complaints

1. Any complaints sent to the CRO must indicate:
  - a. The specific Article, Section and Subsection that was breached, if any;
  - b. The specific campaign or individual, including the CRO;
  - c. The specific facts that constitute the complaint; and
  - d. Evidence of these facts.
2. 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.
3. If a complaint involving pre-campaigning is brought to the attention of the CRO within the general time of appeals, then it shall be considered;
  4. 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 the Ultimate Time of Appeals;
  5. The original complaint form shall be provided to the CRO. The complainant must also submit a copy of the form to any individual(s) named in the complaint;
  6. Where a complaint is received and found to be complete, the CRO shall investigate the facts, and shall rule on the complaint in writing within 24 hours thereof;
  7. Any ruling of the CRO will be posted for all Society Members and shall contain:
    - a. A summary of the allegation;
    - b. The ruling of the CRO;
    - c. The penalty assigned, if any; and
    - d. The deadline for any appeal.
  8. Penalties available to the CRO include, but are not limited to:
    - a. For the Election or a By-Election, a reduction of permitted campaign expenses;
    - b. The confiscation and/or destruction of campaign materials;
    - c. Limits, restrictions, and prohibitions on any type of campaigning, for any period of time; and
    - d. Disqualification of candidates or cancellation of the Referendum.

## Section 6.2 - Appeals Against the CRO

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, hereafter referred to as the "appealer", may appeal in the following process:
  - a. The appealer should email either the CRO or DRO and provide an explanation as to why they believe the standing order, or actions taken by the CRO, are out of order;
  - b. The CRO or DRO (whoever receives the email) must acknowledge in writing to the appealer 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 appealer 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. While the Constitution Committee is in the process of reviewing an appeal, the standing order will remain in effect. If the Constitution Committee decides to revoke the standing order then it immediately becomes voided;
3. 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 7 - Ratification

1. An Election, By-Election or a Referendum shall be considered ratified once either the Ultimate Time of Appeals has elapsed or the last appeal has been resolved, whichever is greater. No motion needs to be presented to Council.