

Official UPEISU Elections Documents **Part IV**



As prepared for the ***2020 Winter General Election***

- Part I:** UPEISU's Roles, Council, & Eligibility
- Part II:** The Nomination Process
- Part III:** Campaigning
- Part IV:** Complaints, Violations, & Sanctions
- Part V:** Voting & Results
- Part VI:** Elections By-laws & Policies

31 January, 2020

to be read in full by February 13th at 4pm

Can be located at: www.upeisu.ca/2020election

Part IV: Complaints, Violations, & Sanctions

Complaints

As per the SU Elections & Referendum By-Law, Election staff will accept complaints from any member of the university community regarding violations that may impact the validity and fairness of a Union Election. Complaints may be made using the Election Complaint Form, found in your package or at the SU office. A hard copy of the form will be accepted at the main SU office and will be dated and signed by SU staff to ensure complaints are addressed on a first-come, first-served basis. Complaints will not be accepted through email or over the phone.

All complaints must include:

1. Full Name of the Complainant
2. Full Name of the Candidate in question
3. A description of the perceived violation (including a reference to the section of the SU Election Rules that has been violated)
4. Any additional evidence (such as emails, photos, screenshots, etc. may be dropped off in person or emailed to the CROs)

Upon receipt of a complaint, the CRO shall provide an initial response to the Complainant within 24 hours. The staff will investigate further if necessary and provide a written notice to both parties involved indicating the final decision, which may include a warning or sanction.

Harassment of candidates will not be tolerated. Any perceived violations of the University Code of Conduct should be reported to the CRO and will be forwarded to UPEI Student Affairs office for their review.

TIP! *Making frivolous or vexatious complaints about other Candidates can also lead to sanctions for you! Stay focused on your campaign and stick to competing fairly.*

For other Election-related questions or concerns, please contact the CRO by email:

cro@upeisu.ca.

Sanctions

The main job of the CRO is to uphold the principles of the SU Elections, as per the Elections & Referendum By-Law. We want to ensure that all SU Elections are:

- a) Fair and equitable for all participants;
- b) Administered in a manner that is independent and impartial;
- c) Transparent and accountable;
- d) Democratic;
- e) Environmentally and financially sustainable; and
- f) Grounded in professionalism and respect for all parties.

When Candidates make choices that go against the By-Laws, or ignore procedures laid out in this Elections Manual, these principles are violated. If this happens, the CRO will investigate to determine if the Candidate's behavior was a minor or major violation. Depending on the circumstances the CRO will then provide a warning or sanction to the Candidate. All decisions are provided in writing, usually through email.

TIP! In addition to the infractions as per the by-laws all students are subject to UPEI Code of Conduct Policy for their conduct in Union Elections. Make sure you and your Campaign team read and understand the SU Election Policy and Manual carefully.

Overview of violations

Type of Violation:	May include, but not limited to:	Possible Sanctions may include one or all of the following:
Minor	<ul style="list-style-type: none"> a. Failing to adhere to the policies and procedures related to Nominations, Campaigning, campaign funding or conduct b. Making frivolous or vexatious Complaints c. Failing to comply with rules and procedures established by the CROs 	<ul style="list-style-type: none"> a. Issuing of a warning b. A fine of up to \$100.00 c. Restriction placed on campaign material/activities (such as removal of campaign posters, posts on social media, etc.)
Major	<ul style="list-style-type: none"> a. Failing or ceasing to meet Candidate eligibility requirements b. Failing to comply with a CRO decision c. Interfering with voters, ballots, voting procedures, or ballot counting d. Repeated and willful violation of Election rules and procedures 	<ul style="list-style-type: none"> a. Fines up to \$100. b. Disqualify a Candidate c. Disqualify a Candidate who has incurred total fines of over \$250

Note! Sanctions for minor violations may not necessarily be considered cumulative; however, substantial disregard for rules outlined in the SU Election & Referendum By-Laws (i.e., multiple minor violations) that compromise the integrity of the democratic process or integrity of the election may result in a major sanction. Under normal circumstances each violation will be investigated individually and sanctions issued separately.