



UNIVERSITY OF SASKATCHEWAN  
STUDENTS' UNION

BYLAW

CONFIRMED the 10th day of March 2012, by the members in accordance with the Act.

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Chairperson, University Students' Council



# USSU Bylaw

## 1. Preamble

### Part 1 - General

#### Name

1. The organization responsible for governing undergraduate student affairs at the University of Saskatchewan shall be known as the University of Saskatchewan Students' Union.

#### Purpose

2. The purpose of the Union is to represent, serve and support the academic and non-academic needs of undergraduate students of the University of Saskatchewan through accountable leadership and to protect and maintain the integrity of quality, accessible public education.

#### Values

3. The following principles shall guide the Union in all of its endeavours: innovation, integrity, mutual respect, professionalism, service, teamwork, and trust, as well as social, economic and environmental responsibility.

#### Interpretation

4. In this bylaw, “**Act**” means *The Non-Profit Corporations Act* or any successor legislation;

“**Articles**” means the Articles of Continuance of the Students' Union from time to time in force and effect;

“**Board of Directors**” is as defined in paragraph 14 and under the terms of the Non-Profit Corporation Act of Saskatchewan;

“**College**” means a college, school, institution or group;

“**Communication Manager**” means the Communication Manager of the Union;

“**Constituency**” means a body of students from whom councilors are elected including but not limited to the college's, school's, institution's or group's pre-eminent representative organization, as defined by the largest number of members. In the case of Indigenous Students the representative organization shall be the Indigenous Students' Council. In the case of International Students the representative organization shall be the International Undergraduate Student Association;

**“Council”** means the University Students’ Council;

**“councilor”** means a person elected to represent a college;

**“Executive”** means the undergraduate students elected to be president and vice-presidents;

**“Executive Committee”** means the undergraduate students elected to be president and vice-presidents and the General Manager;

**“General Manager”** means the General Manager of the Union;

**“Indigenous Student”** means any self-identified aboriginal student, as determined by the University Census;

**“International Student”** means any international student, as determined by the University Census;

**“meeting of members”** means the Annual General Meeting or a Special General Meeting as set out in Paragraph 11;

**“member”** means a member of the Union;

**“member of Council”** means a member of the Executive or a councilor, as set out in section 35;

**“ordinary resolution”** has the same meaning as in the Act;

**“special resolution”** has the same meaning as in the Act;

**“sustainability”** means the demonstration of socially, economically, and environmentally responsible behaviour that strives to meet the needs of the present without compromising the ability of future generations to meet their own needs;

**“Union”** means the University of Saskatchewan Students’ Union; and

**“University”** means the University of Saskatchewan.

### **Affairs of the Union**

5. The affairs of the Union shall be governed by the Executive Committee and the Council.

### **Corporate seal**

6. The Executive Committee may by resolution adopt a corporate seal for the Union from time to time.

### **Amendments to bylaw**

7. (1) Members wishing to propose amendments to the bylaw must submit written notice of the amendments to the General Manager or designate ten days before the meeting of members at which the amendments will be considered.
- (2) The General Manager or designate shall publish proposed amendments to the bylaw at least eight days before the meeting of members at which the amendments will be considered. Prior to publishing proposed amendments to the bylaw, the General Manager or designate shall consult with the USSU's lawyer to ensure that the proposed amendments adhere to the spirit and intent of the Bylaw. Those which do not will not be published.

### **Notice**

8. Any notice or document required by the Act, the Articles, this bylaw, or otherwise to a member, member of the Executive, councilor, or member of a committee may be delivered in the manner required by the Act.

### **Members**

9. All registered undergraduate students who are currently assessed students' union fees, voluntarily or otherwise, are members.

### **Powers, rights and privileges**

10. A member is entitled to:
  - (a) attend, submit motions for, speak and vote at any meeting of members;
  - (b) vote in:
    - (i) an election for the Executive;
    - (ii) an election for councilor within his or her College; and
    - (iii) a referendum
  - (c) become a candidate:
    - (i) subject to section 15 of this bylaw, for any position on the Executive; or
    - (ii) subject to section 25, in any election within his or her student society for a position as councilor;
  - (d) subject to Council's procedures, attend and speak at any Council meeting; and
  - (e) exercise any other power, right and privilege inherent in this bylaw.

### **Meetings of members**

11. (1) The Annual General Meeting shall be held in November. Audited financial statements and the USSU's Annual Report will be presented to members at this time.
- (2) A Special General Meeting shall be held if, at a Council meeting, a resolution to hold a Special General Meeting is passed.
- (3) Members shall receive at least fifteen days notice of a Special General Meeting and at least thirty days notice of a meeting.

- (4) A quorum for a meeting of members is 50 members, of which at least 15 must be members of Council.

**Auditor**

- 12. (1) The members may resolve not to appoint the auditor recommended by the General Manager.
- (2) A resolution passed pursuant to subsection (1) is not valid unless made in accordance with section 150 of the Act and passed unanimously by those members present at the meeting.

Referenda

**Referenda**

- 13. (1) A referendum shall be held:
  - (a) where the referendum is proposed by the Executive, if at least two-thirds of the councilors present at the Council meeting where the referendum is proposed approve of the referendum; or
  - (b) where the referendum is proposed by a member, if a petition containing the signatures of at least five percent of members is presented to the Council.
- (2) A referendum shall be held if Council seeks to
  - (a) establish or eliminate a dedicated student fee; or
  - (b) increase a dedicated student fee, other than the Health and Dental Plan fee, by more than ten dollars above the Saskatchewan consumer price index.
- (3) A referendum question under subsection (2) shall state the amount of the proposed fee.
- (4) A referendum question under clause (2)(b) shall state the previous fee amount and the amount of the proposed increase.
- (5) Referendum ballots shall contain a neutrally worded question as approved by the Union lawyer.
- (6) A quorum is ten percent of members.
- (7) A referendum question shall be decided by majority vote.
- (8) The results of a referendum are binding on the Executive and Council.

**Part 2 – Governance**

Executive

**Executive**

- 14. For the purposes of this Bylaw the Executive is understood to be the Board of Directors as specified in the Article of Incorporation under the Non-Profit Corporation Act or any successor legislation. The Board of Directors has the right, as needed, to amend position profiles for officer positions. These profiles will reside in the USSU’s Shared Files. Members shall elect, for a one-year term, an Executive composed of:
  - (a) a President;
  - (b) a Vice-President (Operations and Finance);

- (c) a Vice-President (Academic Affairs);
- (d) a Vice-President (Student Affairs)

### **Elections**

- 15. (1) The Union shall hold an election for the Executive annually in March.
- (2) A member seeking to become a candidate for a position on the Executive must:
  - (a) be in good academic standing according to the requirements of the member's college; and
  - (b) qualify as a director pursuant to section 92 of the Act.

### **Term of office**

- 16. The term of the Executive shall begin on May 1 and end on the following April 30, in accordance with the Articles.

### **Failure to remain eligible for office**

- 17. A member of the Executive who fails to remain:
  - (a) eligible for office under the terms of section 15; or
  - (b) registered in six to twelve credit units during the regular session of his or her term in office; shall cease to hold office.

### **Removal**

- 18. Any member of the Executive may be removed from office following the steps outlined in the Executive Protocol Policy or if a quorum of two thirds of members of Council is present at a Council meeting, and a special resolution of non-confidence is passed.

### **Vacancy**

- 19. (1) If any Executive position becomes vacant on or before December 1, a by-election shall be held to fill the vacant position.
- (2) If any Executive position becomes vacant after December 1, Council shall call for applications from the members, and Council shall select a person to fill the vacancy by majority vote.

### **Executive Committee**

- 20. (1) The Executive Committee is composed of:
  - (a) the Executive; and
  - (b) the General Manager as a non-voting member.
- (2) The Executive Committee shall:
  - (a) administer the affairs of, manage the activities of, and formulate policies for the Union, and be accountable to the Council with respect to these matters;
  - (b) in cooperation with the Council, promote the general welfare of members;
  - (c) administer all monies received by the Union and be accountable to the Council with respect to finances;

- (d) maintain proper books of account;
- (e) have the books of account audited when required; and
- (f) ensure that the Union is transparent and fully accountable to its members by making accessible to members all policies, job descriptions, and minutes of meetings of members, Council, Executive and committees.

### **Borrowing Powers**

21. For the purpose of carrying out the objectives of the Articles, this bylaw, and the business and affairs of the Union, the Executive Committee may:
- (a) borrow money on the credit of the Union;
  - (b) limit or increase any amount to be borrowed; and
  - (c) secure the payment of monies borrowed in such manner as it thinks fit.

### **Execution of contracts and negotiable instruments**

22. (1) Contracts or documents requiring execution by the Students' Union may be signed by:
- (a) the General Manager or designate; or
  - (b) the President or designate.
- (2) Cheques and negotiable instruments issued by the Union shall be signed by:
- (a) the Vice President (Operations and Finance) or designate; and
  - (b) the General Manager or designate; provided that cheques and negotiable instruments shall not be signed by more than one designate.

### Councilors

#### **Councilors**

23. (1) Members in each college listed in subsection (2) shall elect:
- (a) one councilor where enrolment of the College is under 1000 students according to the last student census conducted by the University; or
  - (b) two councilors where enrolment of the College is 1000 or more according to the last student census conducted by the University.
  - (c) three councilors where enrolment in the group is over 5000.
- (2) For the purposes of subsection (1), the student societies are:
- (a) College of Agriculture and Bioresources;
  - (b) College of Arts and Science;
  - (c) College of Dentistry;
  - (d) College of Education;
  - (e) College of Engineering;
  - (f) College of Kinesiology;
  - (g) College of Law;
  - (h) College of Medicine;
  - (i) College of Nursing;

- (j) College of Pharmacy and Nutrition;
  - (k) Edwards School of Business;
  - (l) St. Thomas More College; and
  - (m) Western College of Veterinary Medicine.
- (3) Any college, school, institution, or group of the University is entitled to membership on Council upon ratification by the Union.
  - (4) In addition to members from Colleges, the USSU will also have members from the following, based on the criteria articulated in 23:1(a) and (b):
    - (a) International Students
    - (b) Indigenous Students

**Election**

- 24. (1) In conjunction with elections for Executive positions, the USSU will hold elections for University Students' Council Councilors.
- (2) On election day, a candidate for a councilor position must be
  - (a) a member of the college or group that he or she seeks to represent; and
  - (b) a registered student.
- (3) Any vacancy which occurs on Council, prior to the last day of February, shall be filled through a by-election.

**Term of office**

- 25. The term of councilors shall begin on May 1 and end on the following April 30.

**Failure to remain eligible for office**

- 26. A Councilor who:
  - (a) fails to remain registered during the regular session of their term in office; or
  - (b) fails to remain:
    - (i) registered in the college or school he or she represents; or
    - (ii) a member of the group or institution he or she represents; shall cease to hold office.

**Removal**

- 27. (a) A councilor may be removed involuntarily from office if a quorum of two-thirds of members of Council is present at a Council meeting and a motion of non-confidence passes with a two-thirds majority.
- (b) Subject to subsection 27(a) a petition is brought to council with:
  - (i) 5% of students from the college, school, institution or group which a councilor represents with over 1000 students.
  - (ii) 10% of students from the college, school, institution or group which a councilor represents with under 1000 students.

## Council

### **Council**

28. (1) The Council is composed of:
- (a) the Executive; and
  - (b) the councilors.
- (2) The Council:
- (a) shall pass the budget as present by the Budget and Finance Committee, subject to amendment by Council;
  - (b) shall ensure that committees have the necessary membership;
  - (c) may establish ad hoc committees and commissions to make recommendations to the Council;
  - (d) shall, in cooperation with the Executive, promote the general welfare of members;
  - (e) shall report on a regular basis to the members; and
  - (f) shall interpret Parts 1 and 2 of this bylaw.

### **Council meetings**

29. (1) Council shall meet not less than once in each calendar month with the exception of May, June, July, and August.
- (2) Additional meetings may be called:
- (a) upon the request of the President; or
  - (b) upon the request of one third of the councilors and submitted in writing to the Executive.

### **Council meetings**

30. (1) Except as otherwise provided in this bylaw, Council meetings shall be conducted according to Robert's Rules of Order (Revised).
- (2) All items appearing under the heading of "new business" will be tabled automatically until the next Council meeting, except where two-thirds of the councilors present consider the item to be urgent, in which case the item will be considered immediately.
- (3) To be included on the agenda for a Council meeting, items must be received by the President not later than noon two full days before the meeting.
- (4) The Executive Committee shall ensure that items included on the agenda are made available to councilors, either in hard copy at the Union office or by e-mail, no later than noon one full day before the meeting.
- (5) A quorum of a meeting of the Council is a majority of voting members of the Council.
- (6) The chair may, with the consent of a majority of councilors present at a Council meeting, adjourn the meeting to a fixed time and place.

### **Standing Committees**

31. (1) The following standing committees are continued:
- (a) the Academic Affairs Committee;
  - (b) the Appointments Committee;
  - (c) the Code of Ethics Disciplinary Committee;
  - (d) the Elections Committee;
  - (e) the External Affairs Committee;
  - (f) the Budget and Finance Committee;
  - (g) the Student Affairs Committee; and
  - (h) the Sustainability Committee.
- (2) University Senate  
 The University Act 1995 states that in addition to other members Senate consists of “six students who are registered in colleges other than the College of Graduate Studies and Research and who are elected by students registered in those colleges;”
- If there are student vacancies on Senate, USC shall elect or appoint up to six MSCs each September to attend the Senate meetings in October and April.

### **Operations and Procedures**

32. (1) A quorum of any committee is a majority of voting members of such Committee.
- (2) Committees shall give their members at least 24 hours’ notice of all meetings.
- (3) Except for the Elections Committee and committees do not have constituted power, and any motion or action must be ratified by the Council.
- (4) All fiscal matters, except those matters that are directly related to the budget for which the committee is responsible, shall be referred to the Budget and Finance Committee.

### **Academic Affairs Committee**

33. (1) The Academic Affairs Committee is composed of:
- (a) the Vice-President (Academic Affairs) as chair;
  - (b) the Vice-President (Student Affairs) as vice-chair;
  - (c) the President, as a non-voting member;
  - (d) three councilors elected by Council;
  - (e) three students-at-large appointed by the Appointments Committee; and
  - (f) the Confidential Student Support Officer.
- (2) The Academic Affairs Committee shall:
- (a) determine all academic policies and programs of the Students’ Union, subject to ratification by the Council; and
  - (b) implement those academic policies as requested by the Council.

### **Appointments Committee**

34. (1) The Appointments Committee is composed of:
  - (a) the President as chair;
  - (b) the Vice-Presidents as non-voting members; and
  - (c) four councilors elected by Council.
- (2) The Appointments Committee shall:
  - (a) make appointments as required by this bylaw or requested by the Council; and
  - (b) ensure that all positions filled by the Committee are open for nominations or applications for a period of at least two weeks and that the openings are adequately publicized.
- (3) Except concerning appointments to the Elections Committee, the President alone shall hold the power and responsibility of the Appointments Committee from October 14 until April 30.

#### **Code of Ethics Disciplinary Committee**

35. (1) The Code of Ethics Disciplinary Committee is composed of:
  - (a) the President or designate as chair and a non-voting member;
  - (b) three councilors elected by Council, each representing a different College.
- (2) The Code of Ethics Disciplinary Committee shall:
  - (a) administer Part 4 of this bylaw and hear all complaints filed pursuant to that Part;
  - (b) either dismiss the complaint or recommend disciplinary measures to Council.
- (3) If a member of the Code of Ethics Disciplinary Committee is involved in a complaint brought forward by Council, the member shall not participate in the discussion or voting on the particular issue.
- (4) Council shall elect a replacement committee member for the discussion and vote on the issue.

#### **Elections Committee**

36. (1) The Elections Committee is composed of:
  - (a) the Chief Returning Officer, appointed by the Appointments Committee, as chair;
  - (b) the Assistant Chief Returning Officer, appointed by the Appointments Committee, as vice-chair;
  - (c) the General Manager or designate as a non-voting member;
  - (d) two councilors elected by the Council; and
  - (e) two students-at-large appointed by the Appointments Committee.
- (2) The Elections Committee shall:
  - (a) conduct elections and referenda in accordance with the Articles and this bylaw;
  - (b) conduct elections in accordance with the Election Schedule pursuant to section 59;
  - (c) conduct referenda in accordance with the Referendum Schedule pursuant to section 73;

- (d) be knowledgeable about other procedures and policies necessary for a proper election;
  - (e) interpret and enforce Part 3 of this bylaw;
  - (f) preside over the vote-counting mechanism and election data;
  - (g) remain explicitly and implicitly impartial by not supporting any candidate or registered campaign committee during an election or referendum;
  - (h) develop policies as required; and
  - (i) perform other tasks as delegated by Council.
- (3) Before attending a meeting of the Elections Committee or taking part in any business thereof, every member of the Elections Committee who is a Union member shall make a written declaration that, during his or her membership on the Elections Committee, he or she shall not:
- (a) seek a position or be a representative in an election or by-election;
  - (b) nominate any person for an election or by-election; or
  - (c) participate in a campaign committee for a referendum.
  - (d) A quorum is a majority of voting members.

#### **External Affairs Committee**

37. (1) The External Affairs Committee is composed of:
- (a) the President as chair;
  - (b) the Vice-President Student Affairs as vice-chair;
  - (c) the Communications and Services Manager as a non-voting member;
  - (d) three councilors elected by Council; and
  - (e) three students-at-large appointed by the Appointments Committee.
- (2) The External Affairs Committee shall:
- (a) improve communication between members, the Union, and national and provincial lobbying organizations to which the Union belongs;
  - (b) develop, organize, and distribute lobbying campaign information to the members;
  - (c) where the Union holds membership in a national or provincial lobbying organization, assess that membership annually;
  - (d) assisting the Executive and Council in other lobbying campaigns undertaken by the Union;
  - (e) be responsible for issues pertaining to access to education; and
  - (f) develop Union policies and lobbying documents as required.

#### **Budget and Finance Committee**

38. (1) The Budget and Finance Committee is composed of:
- (a) the Vice-President (Operations and Finance) as chair;
  - (b) the Vice-President (Student Affairs) as vice-chair;
  - (c) the President as a non-voting member;
  - (d) the General Manager or designate as a non-voting member;
  - (e) four councilors elected by Council; and
  - (f) two students-at-large appointed by the Appointments Committee.

- (2) The Budget and Finance Committee shall:
  - (a) consider all financial matters referred to it by the Council or the Executive Committee and making recommendations to the Council;
  - (b) seek to ensure that members of the Union, are, as much as possible, made aware of the financial activities of the Union;
  - (c) review Union fees to assess their value and impact on members;
  - (d) develop long-term strategies for administering student fees in keeping with the Union's mission; and
  - (e) be responsible for all issues and communications arising from or to student groups, including funding, ratification, insurance and event coordination.

### **Student Affairs Committee**

- 39. (1) The Student Affairs Committee is composed of:
  - (a) the Vice-President (Student Affairs) as chair;
  - (b) the Vice-President (Academic Affairs) as vice-chair;
  - (c) the President as a non-voting member;
  - (d) three councilors elected by Council; and
  - (e) three students-at-large appointed by the Appointments Committee.
- (2) The Student Affairs Committee shall analyze non-academic, non-governmental issues that the Council deems to be important to members and make recommendations to Council with regard to these affairs when appropriate.

### **Sustainability Committee**

- 40. (1) The Sustainability Committee is composed of:
  - (a) the Vice-President (Student Affairs) as chair;
  - (b) the Vice-President (Operations and Finance) as vice-chair;
  - (c) the President as a non-voting member;
  - (d) three councilors elected by Council; and
  - (e) three students-at-large appointed by the Appointments Committee.
  - (f) USSU Space & Events Coordinator as a non-voting member
- (2) The Sustainability Committee shall:
  - (a) ensure the sustainability of Union operations through analysis of current and potential business practices and partners;
  - (b) be responsible for implementing operational policies as requested by Council;
  - (c) develop sustainability policies as required;
  - (d) advise the Union on how to better implement sustainability policies, if necessary; and
  - (e) develop, organize, and implement the distribution of sustainability information to the members.

## **Part 3 – Elections and Referenda**

### **Interpretation**

41. In this Part, **“by-election”** means a by-election for one or more positions on the executive;

**“campaign material”** means material whose purpose is to advertise a campaign and includes electronic materials;

**“candidate”** means a nominee whose nomination has been ratified by the Elections Committee;

**“election or by-election”** means a free, fair and open election for the executive or for Councilor;

**“election official”** means voting members of the Elections Committee;

**“Election Schedule”** means the election schedule prepared by the General Manager or designate;

**“gift”** includes any product whose dominant purpose is to buy votes rather than provide information about a candidate or stimulate legitimate political debate;

**“nominee”** means a member who has submitted a nomination form;

**“Referenda”** means a direct vote by which a specific proposal is accepted or rejected by the members;

**“representative”** means a representative of a candidate in an election or a representative of a campaign committee in a referendum; and

**“voter”** means a member and includes those members who are also Elections Committee members.

### **Application**

42. This Part applies to all members, employees and appointees of the Union.

### **Third parties**

43. (1) No third party shall participate in elections or by-elections.
- (2) No third party shall participate in a referendum unless the third party submits to the Elections Committee’s jurisdiction in writing and obtains the permission of the Elections Committee.

### **Union staff**

44. Union staff shall provide information to members about elections, by-elections and referenda in an unbiased manner and shall remain neutral throughout.

### **Where substantial violation**

45. Notwithstanding any other section in this Part, in the case of substantial violation of this Part, the Elections Committee is authorized to ratify or refuse to ratify any

person's candidacy, ratify or refuse to ratify the results for any position, or declare an election invalid.

#### **Chief Returning Officer**

46. (1) The Chief Returning Officer shall be a practicing lawyer who is not a member.
- (2) The Chief Returning Officer shall be responsible for administering and enforcing this Part and shall:
  - (a) cultivate an atmosphere of commitment to the election and referendum process;
  - (b) provide guidance to the Elections Committee with respect to the election and referendum process;
  - (c) address issues raised by members of the Elections Committee in a timely manner; and
  - (d) during elections, by-elections and referenda, hold regular meetings with the Elections Committee, which may include meetings by telephone or email or other electronic means.
- (3) The Chief Returning Officer shall receive an honorarium subject to Union budget provisions.

#### **Assistant Chief Returning Officer**

47. (1) The Assistant Chief Returning Officer shall be a member.
- (2) The Assistant Chief Returning Officer shall:
  - (a) report to the Chief Returning Officer;
  - (b) serve as the Chief Returning Officer's representative on campus and be the primary liaison with nominees and candidates;
  - (c) assist in enforcing this Part;
  - (d) chair all election, by-election or referendum forums in an impartial manner;
  - (e) in the case of a tie, cast the deciding vote in an election, by-election or referendum by placing the vote in a sealed envelope and submitting the envelope to the Chief Returning Officer or General Manager or designate before the close of voting; and
  - (f) perform other duties as assigned by the Chief Returning Officer.
- (3) The Assistant Chief Returning Officer shall have the right of first refusal to sign out a Union notebook computer suitable for performing the duties listed in subsection (2) and ancillary to this position between the dates of the first and last Elections Committee meetings, inclusive.
- (4) The Assistant Chief Returning Officer shall receive an honorarium subject to Union budget provisions.

#### **General Manager or designate**

48. (1) The General Manager may delegate some or all of his or her powers in relation to the Elections Committee to a designate.
- (2) The General Manager or designate shall:
  - (a) secure the voters' registry; and
  - (b) make all of the physical arrangements for elections, by-elections

and referenda.

## General Elections and By-elections

### **Election or By-Election Schedule**

49. The General Manager or designate shall prepare the Election or By-Election Schedule, subject to Elections Committee approval, and shall include:
- (a) the amount of the deposit for Executive candidates, which is \$100;
  - (b) the dates for the call for nominations, the orientation meeting, the nomination period, the procedures meeting, the academic standing check, the campaign period, the voting period, and the complaints period; and
  - (c) the place and time of the release of results of the election or by-election.

### **Call for nominations**

50. (1) The General Manager or designate shall make the call for nominations and shall publicize it by all reasonable means, including posters, plasma screens, mass e-mail, and the Union website.
- (2) The call for nominations shall be at least seven calendar days in an election or by-election.

### **Orientation Meeting**

51. (1) After the call for nominations, the General Manager shall chair an Orientation Meeting for nominees for the Executive and may in his or her discretion hold subsequent Orientation Meetings during the nomination period. A subsequent meeting will be held to orient candidates for Council.
- (2) A member must attend an Orientation Meeting to be eligible for ratification as a candidate for the Executive and for Council.

### **Nominations and nomination period**

52. (1) Nomination forms shall be released only after the end of the first Orientation Meeting.
- (2) In an election or by-election, the nomination period shall follow the release of the nomination forms, shall be at least three working days, and shall begin and end at the times specified in the Election or By-Election Schedule.
- (3) A nomination form for an Executive position must:
- (a) include the full name, birth date, signature and student number of the nominee;
  - (b) include the full name, signature and student number of 20 nominators; and
  - (c) be accompanied by a \$100 deposit.
- (4) If the candidate receives at least five percent of the total vote for the position sought, any portion of the deposit that is not subject to forfeiture as a result of a violation shall be refunded.
- (5) A nominee:
- (a) must be a member;

- (b) must not be an election official; and
  - (c) must not nominate another person for the same position that he or she is seeking.
- (6) A nominator:
- (a) must be a member;
  - (b) must not be an election official; and
  - (c) must not be a nominee for the same position for which he or she has nominated another person.
- (7) The names of nominees are confidential.
- (8) The names of nominators are confidential unless the nominee chooses to release them.
- (9) No person may seek more than one position on the Executive.
- (10) If, after the regular nomination period has ended, there are no nominees for a position on the Executive, the Elections Committee may extend the nomination period for that position.

### **Nominations and Nomination Periods for Councillors**

- (1) Nomination forms shall be released only after the end of the first Orientation Meeting.
- (2) In an election or by-election, the nomination period shall follow the release of the nomination forms, shall be at least three working days, and shall begin and end at the times specified in the Election or By- Election Schedule.
- (3) A nomination form for a Councillor position must:
  - (a) include the full name, birth date, signature, student number of the nominee, and college.
- (4) The names of nominees are confidential.
- (5) If, after the regular nomination period has ended, there are no nominees for a position in a particular college, the Elections Committee may extend the nomination period for that position.
  - (a) If no nominee is forthcoming, nominations will re-open when Council resumes in the fall.

### **Procedures Meeting**

53. (1) After the end of the nomination period, the Chief Returning Officer shall chair the Procedures Meeting and shall ensure that nominees and Elections Committee members attending the meeting have received the necessary sections of this bylaw, rules, and information.
- (2) A nominee for an Executive or Council position must attend the Procedures Meeting to be eligible for ratification as a candidate.

### **Ratification**

54. (1) The General Manager or designate shall contact each nominee's college to request that written confirmation of the nominee's academic standing be forwarded directly from the college to the General Manager or designate.
- (2) The Elections Committee shall ratify a nominee as a candidate where:

- (a) the nominee has submitted a valid nomination form;
- (b) the nominee, if running for an Executive position, has attended the Orientation Meeting, submitted the deposit, and attended the Procedures Meeting;
- (c) the nominee, if running for a Councillor position, has attended the Orientation Meeting and Procedures Meeting;
- (c) the nominee is eligible for office pursuant to section 15; and
- (d) the nominee's college has provided confirmation of good academic standing according to its rules.

### **Campaigning**

55. (1) Prior to the campaign period, no one shall:
- (a) publicly advertise the intent of any person to seek election; or
  - (b) campaign on behalf of any candidate.
- (2) The campaign period shall be no less than seven calendar days for an election or three working days for a by-election and shall not take place during the Reading Break for any College or during any period of time when a substantial portion of the student body is likely to be absent from campus.
- (3) The General Manager or designate, with advice from the Elections Committee, shall organize voluntary election forums for Executive candidates only, in accessible locations during the campaign period.
- (4) No one shall intentionally interfere with a candidate's campaign.
- (5) No candidate or representative shall deliver campaign speeches or information about a slate in regularly scheduled classes, labs, computer labs, or University Food Services locations, except during scheduled election forums.
- (6) No candidate or representative shall engage in door-to-door soliciting within University residence buildings.
- (7) No candidate or representative shall release campaign materials, including electronic materials, unless the materials have been approved by the Assistant Chief Returning Officer or the General Manager or designate.
- (8) Candidates and representatives shall adhere to the poster restrictions for each building on campus.
- (9) Any poster on which a candidate's name appears shall count towards the candidate's poster limit.
- (10) Candidates and representatives may use websites and may send mass e-mail for campaign purposes and are responsible for learning and following applicable University rules, regulations, and policies regarding electronic communication.
- (11) No candidate or representative shall offer gifts to voters.
- (12) No candidate or representative shall distribute products to voters unless the products have been approved by the Elections Committee.
- (13) Candidates must submit receipts for campaign costs to the General Manager or designate on or before the last day of voting.
- (14) Candidates shall ensure that their campaign materials are taken down by 11:59 p.m. on the last day of voting.

- (15) The total campaign cost for an Executive candidate in an election shall be calculated according to both actual costs and the Fair Market Value Schedule of campaign materials and neither value may exceed \$500, excluding taxes.
- (16) Candidates for Council will be reimbursed to a maximum of \$50;
- (17) If a candidate's campaign material is not listed on the Fair Market Value Schedule, the material must be submitted to the Elections Committee, which shall determine the fair market value of the material.
- (18) A candidate shall be reimbursed up to a maximum of 50 percent of actual campaign costs unless forfeiture of some or all of this amount is imposed by the Elections Committee.

### **Ballots**

- 56. (1) Position titles shall be listed on the ballot in the order in which they appear in section 14 of this bylaw.
- (2) Full names of the candidates shall be listed on the ballot in random order, with the option to "abstain" listed first.
- (3) Upon the candidate's request, the candidate's name on the ballot may differ from the candidate's given name, provided that the Elections Committee approves the alternate name and the order of candidates' names does not change.
- (4) Slate names shall not appear on the ballot.

### **Withdrawal**

- 57. A candidate seeking to withdraw from an election must provide written notice of withdrawal to the Chief Returning Officer or Assistant Chief Returning Officer at least 24 hours prior to the beginning of voting.

### **Acclamations**

- 58. (1) If there is only one candidate for one position on the Executive or Council, the acclamation must be affirmed in a vote of confidence in which the candidate receives a majority of 'yes' votes.
- (2) If the candidate does not receive a majority of 'yes' votes, a runoff by-election shall be held immediately and in any event prior to March 31.
- (3) If only one candidate runs in the by-election and does not receive a majority of 'yes' votes, a fall by-election shall be held.

### **Voting**

- 59. (1) For an election or by-election, the voting period shall be two days, during which campaigning is permitted, and shall begin and end at the times specified in the Election or By-Election Schedule.
- (2) Voting shall be publicized by all reasonable means.
- (3) Voting shall be by secret and secure electronic ballot, using Personalized Access to Web Services (PAWS), or its equivalent.
- (4) A minor technological failure shall not invalidate an election and election officials shall work to minimize the impact of any disruption in voting.
- (5) At the end of the voting period, the results shall be immediately sent to the

- Assistant Chief Returning Officer or General Manager's designate by e-mail.
- (6) After the Elections Committee has reached quorum and has dealt with outstanding complaints, the Chief Returning Officer shall communicate the results to the Elections Committee for ratification.
  - (7) The Elections Committee shall ratify results where there is no significant violation of this bylaw.

### **Method of voting**

60. All positions are to be elected by single member plurality.

### **Results**

61. The Chief Returning Officer shall release results to candidates, students and media at a place and time as set out in the Election or By-Election Schedule, and shall cause the results to be posted on the Union website immediately.

### Referenda

#### **Notice**

62. The date for the vote on a referendum question must be at least 28 days after the question is initiated.

#### **Referendum Schedule**

63. The General Manager or designate shall prepare the Referendum Schedule, subject to Elections Committee approval, and shall include:
  - (a) the amount of the campaign registration fee;
  - (b) the dates for campaign registration, the procedures meeting, the campaign period, the voting period, and the complaints period; and
  - (c) the place and time of the release of results of the referendum.

#### **Referendum question**

64.
  - (1) After the referendum is initiated, the General Manager shall promptly forward the proposed referendum question or questions to the Union lawyer.
  - (2) The Union lawyer shall examine the wording of each referendum question and may alter the wording of a question to ensure clarity but shall not alter the spirit and intent of the question.
  - (3) The Union lawyer shall return the approved referendum question or questions to the General Manager at least 14 days prior to voting.

#### **Call for campaigns**

65.
  - (1) The General Manager or designate shall make the call for campaigns and shall publicize it by all reasonable means, including posters, plasma screens, mass e-mail, and the Union website.
  - (2) The call for campaigns shall be at least seven calendar days.

#### **Application period and campaigns**

66. (1) Any member wishing to run a campaign on either side of the issue may apply to register a campaign committee.
- (2) Application forms shall be released at the end of the call for campaigns.
- (3) The application period shall be at least five working days.
- (4) An application form must:
  - (a) include an outline of the campaign platform, an itemized advertising budget, and contact information for each of its leaders; and
  - (b) be accompanied by a \$100 deposit.

### **Procedures Meeting**

67. (1) After the application period ends, the Chief Returning Officer shall chair the Procedures Meeting for all campaign committees and shall ensure that campaign committee members have the necessary bylaws and information.
- (2) All members of a campaign committee must attend the Procedures Meeting in order for the campaign to be eligible for registration.

### **Registration**

68. The Elections Committee shall register a campaign where:
  - (a) a valid application form has been submitted with the deposit; and
  - (b) all the campaign committee members have attended the Procedures Meeting.

### **Campaigning**

69. (1) No one shall campaign prior to the campaign period.
- (2) No one shall campaign during the campaign period unless he or she is a member of a registered campaign committee.
- (3) Subject to subsection 44(2), a third party may be a member of a registered campaign committee.
- (4) The campaign period shall begin after the Procedures Meeting according to the Referendum Schedule, and shall end on the final day of voting.
- (5) The General Manager or designate, with advice from the Elections Committee, shall organize voluntary referendum forums in accessible locations during the campaign period.
- (6) No one shall intentionally interfere with a registered campaign.
- (7) No one shall affix anything to material that has been disseminated by the Union or the Elections Committee.
- (8) No registered campaign committee or member shall deliver campaign speeches or information in regularly scheduled classes, labs, computer labs, or University Food Services locations, except during scheduled Union forums.
- (9) No registered campaign committee or member shall engage in door-to-door soliciting within any University residence buildings.
- (10) No registered campaign committee or member shall release campaign materials, including electronic materials, unless the materials have been approved by the Assistant Chief Returning Officer or the General Manager

- or designate.
- (11) Registered campaign committees and members shall adhere to the poster restrictions for each building on campus.
  - (12) A registered campaign committee that submits receipts for campaign costs to the General Manager or designate on or before the end of voting is eligible for reimbursement of up to 50 percent actual campaign costs, subject to fines imposed for violations.
  - (13) Registered campaign committees shall ensure that their campaign materials are removed by 11:59 p.m. on the last day of voting.
  - (14) The total campaign cost for a registered campaign committee in a referendum shall be calculated according to both actual costs and the Fair Market Value Schedule of campaign materials and neither value may exceed \$1000, excluding taxes.
  - (15) If a registered campaign committee's campaign material is not listed on the Fair Market Value Schedule, the material must be submitted to Elections Committee, which shall determine the fair market value of the material.
  - (16) The total amount available for reimbursement for all campaigns shall be \$500 maximum per campaign.

### **Voting**

70. (1) The voting period shall be two days and shall begin and end at the times specified in the Referendum Schedule.
- (2) Voting shall be publicized by all reasonable means, including posters, plasma screens, mass email, and the Union website.
- (3) Voting shall be by secret and secure electronic ballot, using Personalized Access to Web Services (PAWS), or its equivalent.
- (4) A minor technological failure shall not invalidate a referendum and election officials shall work to minimize the impact of any disruption in voting.
- (5) At the end of the voting period, the results shall be immediately sent to the Assistant Chief Returning Officer or General Manager's designate by e-mail.
- (6) After the Elections Committee has reached quorum and has dealt with outstanding complaints, the Chief Returning Officer shall communicate the results to the Elections Committee for ratification.
- (7) The Elections Committee shall ratify results where there is no significant violation of the Articles or this bylaw.

### **Results**

71. The Chief Returning Officer shall release results to candidates, students and media at a place and time as set out in the Referendum Schedule, and shall cause the results to be posted on the Union website immediately.

### Violations and Complaints

### **Violations and Complaints**

72. (1) Candidates are liable for violations by representatives.
- (2) Registered campaign committees are liable for violations during referenda, including the actions of any individual or group working on behalf of the campaign.
- (3) Complaints arising out of any election or referendum must be submitted in writing to the Union office within five working days after the final ballot count.
- (4) The Chief Returning Officer, in consultation with the Elections Committee, shall investigate and deal with alleged violations of this bylaw and the schedules arising from the beginning of the academic year to the deadline to file complaints.
- (5) Complaints concerning the Chief Returning Officer shall be reviewed by the General Manager, who shall forward complaints to Council if appropriate.
- (6) The Chief Returning Officer shall investigate all other complaints of violations of this bylaw and its schedules and provide advise the Elections Committee to the earliest possible meeting.
- (7) The Elections Committee may take such steps as it deems necessary to fulfill its mandate.
- (8) The Elections Committee may disqualify a candidate where appropriate.

### Review

#### **Review**

73. (1) Any person affected by a decision of the Elections Committee may make an application for review by submitting a complaint to the General Manager.
- (2) The General Manager shall forward the application to the Union solicitor if appropriate.
- (3) Where the Union lawyer is of the opinion that the application is not frivolous or vexatious, he or she shall notify the Council of the complaint.
- (4) Where a hearing is required, the Council shall constitute an ad hoc review panel, consisting of the Union solicitor as chair and five other panel members appointed by the Appointments Committee, to hear the complaint.
- (5) The review panel may overturn a decision of the Elections Committee if the Elections Committee:
  - (a) acted without jurisdiction, acted beyond its jurisdiction or refused to exercise its jurisdiction;
  - (b) failed to observe a principle of natural justice or procedural fairness;
  - (c) based its decision on an erroneous finding of fact that it made in a perverse or capricious manner or without regard for the material before it; or
  - (d) acted in any other way that was contrary to law.
- (6) A decision of the review panel is final.

- (7) All applications must be made within 14 days of the Elections Committee's final decision.

#### **Part 4 – Code of Ethics**

##### **Purpose**

74. This Code of Ethics is a set of guidelines that provide a standard of good behaviour for the Executive, councilors, and members of committees. Through the commitment to these principles, Council and its committees are able to operate ethically and with integrity.

##### **Interpretation**

75. In this Part, “**confidential information**” means information that is declared to be confidential by the Executive, Council, or any committee or is presented during a meeting that is confidential or *in camera*;

“**defendant**” means a person who is the subject of a complaint;

“**officeholder**” means any person to which this Part applies.

##### **Application**

76. This Part applies to the Executive, councilors, and persons elected or appointed to a committee but does not apply to the General Manager or designate or any other staff member.

##### **Scope**

77. Officeholders shall observe the letter and spirit of this Code of Ethics.

##### **Decorum**

78. (1) Officeholders shall maintain the integrity, confidence, and dignity of their offices.
- (2) Officeholders shall treat each other with courtesy, professionalism and good faith.
- (3) Officeholders may give honest and respectful criticism but shall not disparage other officeholders or their opinions.
- (4) Officeholders shall respect individual or cultural differences of other officeholders, including race, gender, physical and/or mental disability, sexual orientation, and religion.
- (5) When speaking at meetings, officeholders shall use appropriate language, as defined by the chair.
- (6) No officeholder shall attend a meeting while intoxicated.
- (7) No officeholder shall engage in crude behaviour at a meeting.
- (8) An officeholder who is a member of Council or committee shall abide by a decision of the Council or committee when speaking about that decision in his or her role as a member of the Council or committee.

##### **Honesty and integrity**

79. (1) Officeholders shall not conduct themselves in a dishonest or fraudulent manner in dealing with the public, Council, or committee.
- (2) Officeholders shall not
  - (a) convert or use to their benefit any property belonging to the Union;  
or
  - (b) commit an act amounting to fraud regarding the Union.
- (3) Any officeholder who uses Union property in contravention of this section shall remit to the Union any profits or benefits gained by the use of the property.

#### **Attendance**

80. (1) Officeholders shall attend all Council meetings and all meetings of any committee to which they belong, unless permission for the absence has been granted by the president or chair of the Council or committee.
- (2) An officeholder shall face a vote for removal from office if:
  - (a) the officeholder has been absent without permission from two consecutive meetings; or
  - (b) the officeholder has been absent from any three of five consecutive meetings, regardless of permission.
- (3) Sending regrets does not constitute obtaining permission.

#### **Confidentiality**

81. (1) Officeholders have a positive duty to hold, in strict confidence, all confidential information acquired during their term of office.
- (2) Except where expressly authorized, no officeholder shall divulge to any person, or use in any way not directly related to the activities of Council, or of any committee, any confidential information.
- (3) No officeholder shall discuss any confidential information that arises in a confidential meeting with any other officeholder while outside of that meeting.

#### **Duties of Councilors**

82. (1) Officeholders shall represent the views of their constituencies and Council without personal bias as a result of conflict of interest and shall perform any and all duties as required by this bylaw or imposed from time to time by the Council.
- (2) While in session, officeholders shall be responsible for sitting, voting, and speaking on behalf of their constituency.
- (3) Officeholders shall prepare in advance for each meeting.
- (4) Officeholders shall act as liaisons between the Council and their constituencies and between the Council and members generally.

#### **Conflict of interest generally**

83. (1) Officeholders shall not permit any personal activities or interests to conflict with their duties and responsibilities to the Union.
- (2) Officeholders shall avoid any perception that their personal interests may conflict with their duties and responsibilities.

- (3) An officeholder with a potential conflict of interest shall disclose it immediately to the chair of the Council or committee, and shall not participate in the discussion or voting regarding the particular issue.
- (4) Current Executive members or councilors who have been ratified as candidates for a current Union election shall be considered in a conflict of interest in any discussion regarding the election and shall be excused from it.
- (5) If an officeholder becomes aware of a potential conflict of interest regarding any other person subject to this Part, the officeholder has a positive duty to disclose the potential conflict to the chair.

**Conflict of interest re: chair**

84. (1) Where the chair of the Council, committee is in conflict of interest regarding an issue, the chair shall disclose the conflict to the Council or committee.
- (2) If there is no vice-chair, a majority of members of the Council or committee shall appoint an acting chair.
- (3) The vice-chair or acting chair shall chair the Council or committee regarding the issue giving rise to the conflict.
- (4) The chair shall remain present at the meeting but shall not participate in the discussion and voting regarding the issue giving rise to the conflict.

Complaints and Violations

**Complaints**

85. (1) Complaints must be in writing, signed by the complainant and delivered to the General Manager or designate.
- (2) Anonymous complaints will not be accepted.
- (3) Upon receipt of the complaint, if the formal requirements for complaints set out in subsection (1) are met, the General Manager or designate shall forward the complaint to the Chair of the Code of Ethics and Disciplinary Committee.

**Service**

86. (1) The General Manager or designate shall ensure that the defendant is served with a copy of the complaint within 72 hours of the complaint being issued.
- (2) Service may be made in person, by registered mail, or by electronic mail.

**Hearing**

87. (1) Within 72 hours of service upon the defendant, barring extenuating circumstances, a Code of Ethics and Disciplinary Committee hearing shall be called for both the complainant and the defendant to attend.
- (2) The defendant may submit a statement of defense to the Code of Ethics and Disciplinary Committee.
- (3) The Code of Ethics and Disciplinary Committee may, at its discretion, gather information by holding additional meetings and conducting

- additional interviews in the absence of the complainant and the defendant.
- (4) The Code of Ethics and Disciplinary Committee shall not use information collected in the absence of the complainant and defendant unless the person who provided the information attends the Discipline Committee hearing and presents the information, and the complainant and the defendant are given an opportunity to respond.
  - (5) Based only on the information presented at the hearing, the Code of Ethics and Disciplinary Committee shall either sustain or dismiss the complaint.
  - (6) If the complaint is sustained, the Code of Ethics and Disciplinary Committee shall recommend appropriate sanctions and/or course of action. Unless the offence is of such an egregious nature that an immediate move to impeach or take legal action is warranted the following shall apply. An offence is considered to be egregious if it is an offence under the Criminal Code of Canada. A first offence will result in a written warning, prepared by the Chair, which will not be submitted to Council. A second offence will result in a written warning, prepared by the Chair and submitted for publication to the Sheaf, upon approval by Council. A third offence will be referred to Council for an impeachment vote.
  - (7) A decision and recommendation shall not be reported at a Council meeting unless the complainant and defendant have been notified of the decision and recommendation by noon the day before the meeting.
  - (8) The Discipline Committee shall submit its written decision and recommendation to Council for approval.
  - (9) If the Code of Ethics and Disciplinary Committee fails to obtain approval for their decision in whole or in part, it must reconsider the suggested course of action based on feedback from Council.

Contact Information: 966-6969

<u>Approvals</u>	<u>Meeting</u>	<u>Date</u>
Created/Adopted	Annual General Meeting	11/12/2009
Amended	Annual General Meeting	11/18/2010
Amended	Special General Meeting	03/03/2011
Amended	Annual General Meeting	11/17/2011
Amended	Special General Meeting	02/08/2012
Amended	USC	03/10/2012