# 

# UNIVERSITY OF MANITOBA STUDENTS' UNION

# THE BYLAW MANUAL OF THE UNIVERSITY OF MANITOBA STUDENTS' UNION

**Enacted by Council** 

April 9, 2009

### Amended by Council

December 6, 2012 January 10, 2013 April 11, 2013 December 9, 2013 March 24, 2014 April 7, 2014 January 26, 2015

February 23, 2015

September 2, 2010 December 9, 2010 January 27, 2011 April 21, 2011

January 14, 2010

November 17, 2011 September 20, 2012

October 18, 2012

# **Table of Contents**

BYLAW 100 - DEFINITIONS	1		Bylaw 1030 - Campaign Materials	34	
BYLAW 200 - MEETINGS OF COUNCIL  Council  Resignation  Quorum	5	5 7 7	Approval Process Banners Prohibitions & Violations Post-Election Period		34 35 35 37
Proxies		8	BYLAW 1040 - CAMPAIGNING	37	
Term of Office Scheduling Council Meetings Special Council Meetings Rights of Participation		8 9 9 10	Daily Campaign Meetings Campaigning Standards and Prohibition Office Space	ons	37 38 39
Minutes and Records of Motions		10	BYLAW 1045 - ELECTION FORUM	39	
Council Procedures		11	BYLAW 1050 - VIOLATIONS, COMPLAINTS, AND	APPEALS	3
BYLAW 300 - CHAIR OF COUNCIL	13			40	
Bylaw 400 - Secretary	14		Complaint Procedure		41
BYLAW 500 - EXECUTIVE POSITIONS	15		Appeal Procedure Penalties		42 44
President		15	Bylaw 1060 - Campaign Expenses	45	
Vice-President Advocacy Vice-President Student Services Vice-President Internal Vice-President External		16 17 18 18	Expense Accounting Fair Market Value Expense Summaries and Overspendin	g	45 45 46
General		19	BYLAW 1070 - VOTING, VOTE COUNTING, AND		
BYLAW 550 – DIRECTOR OF BANNATYNE OPER	ATIONS 20			47	
BYLAW 600- COMMUNITY REPRESENTATIVES BYLAW 700 - CHIEF RETURNING OFFICER SELE COMMITTEE	21		Ballot Design Ballot Counting Recounts and Ties Record of Elections Referenda Results		48 48 49 50 50
BYLAW 800 - CHIEF RETURNING OFFICER AND RETURNING OFFICER(S)	THE DEP	UTY	BYLAW 1080 - CANDIDATE & SIDE REIMBURSE	MENT 50	
Chief Returning Officer - Duties & Pow Deputy Returning Officers - Duties & P Miscellaneous		22 24 24	Damages, Disqualifications, and Lost I Reimbursing Sides		51 51
BYLAW 1000 - UMSU ELECTION & REFERENDA	a 25		Bylaw 1200 - Standing Committees	51	
Election & Referenda Definitions Scheduling an Election or Referenda		25 26	Committee Procedures Committee Membership Committee Jurisdiction		52 53 54
BYLAW 1001 - CALLING OF REFERENDA	27		Committee Consultation		54
BYLAW 1010 - CAMPAIGN EXPENSE AND ADVIS COMMITTEE	SORY 28		BYLAW 1300 - AD HOC COMMITTEES	55	
BYLAW 1020 - NOMINATIONS	29		BYLAW 1400 - EXECUTIVE COMMITTEE	55	
Nomination Schedule		30	Committee Mandate and Membership Committee Procedures		55 56
Nomination Vacancies Nomination Requirements		<i>30</i> <i>31</i>	BYLAW 1500 - FINANCE COMMITTEE	56	
Slates		32	BYLAW 1600 - POLICY AND BYLAWS COMMITT	EE <b>57</b>	
All Candidates' Meeting		32	BYLAW 1700 - SUSTAINABILITY COMMITTEE	57	
BYLAW 1021 - REGISTRATION OF SIDES	33				

## **Table of Contents**

BYLAW 1800 - HEALTH AND DENTAL PLAN COMMITTEE			Bylaw 2900 - Board of Senior Sti	
	58		BYLAW 2950 – BANNATYNE BOARD C	
Current Plan and Review Amending and Replacing the Current	Plan	58 59	Bylaw 3000 - Student Senate Cau	
BYLAW 1900 - CAMPAIGNS AND GOVERNMENT COMMITTEE	Bylaw 3100 - General Meetings			
BYLAW 2000 - STUDENT GROUP PROMOTION COMMITTEE  BYLAW 2001 - STUDENT GROUP EXECUTIVE C	Calling & Publicizing a Genera Meeting Procedures Voting at General Meetings Motions passed at General Me			
	61		ByLaw 3200 - Special General Me	
BYLAW 2100 - ELECTIONS AND REFERENDA DINTERPRETATION AND ENFORCEMENT BOARD	BYLAW 3300 - EXECUTIVE MEMBER V			
Committee Mandate & Membership Committee Procedures General		62 62 63	President Vice-President All Executive	
Conflicts of Interest		63	BYLAW 3350 - COMMUNITY REPRESE	
BYLAW 2200 - SELECTIONS COMMITTEE	64			
Selection Process and Criteria		64	BYLAW 3400 - DISMISSAL OF EXECUT	
Bylaw 2300 - Board of Governors	65		BYLAW 3500 - REMOVAL OF COUNCIL	
Bylaw 2400 - Union Finances	65		Bylaw 3600 - Oaths of Office	
Union Budget Staff Contracts Investments, Securities, and Loans Conflict of Interest Miscellaneous		65 65 66 67 68 69	Bylaw 3700 - Governance Docum  Amending Governance Docum  Act  Bylaws  Policies  Standing Rules of Council	
BYLAW 2500 - BOARD OF TRUSTEES 69			Campaigns Guide	
BYLAW 2800 - NATIONAL LOBBY ORGANIZATI				

### **BYLAW 100 - DEFINITIONS**

- 1. Unless otherwise specified, the following definitions apply to these Bylaws,
  - a. "Act" means The University of Manitoba Students' Union Act R.S.M. 1990, c. 203, and any amendments thereto;
  - b. "Ad Hoc Committee" means a committee of Council enacted for a limited time and specific purpose pursuant to Bylaw 1300;
  - c. "Affiliated Student Organization" means a formal organization of students at the University of Manitoba who are affiliated with UMSU and who represent a sufficiently unique class of students to require representation on UMSU Council;
  - d. "Annual Report" means a report covering the activities, projects, and businesses of the Council, Committees, Union and Executive, from one General Meeting to the next;
  - e. "Auditor" means the auditor appointed by the Finance Committee pursuant to Bylaw 2400;
  - f. "Bannatyne Campus" means the Campus located on Bannatyne Street in the City of Winnipeg;
  - g. "Board of Governors" means the Board of Governors of the University of Manitoba;
  - h. "Board of Senior Sticks" means the caucus of Presidents (or equivalent) from every Student Association at the University of Manitoba, as mandated by Bylaw 2900;
  - i. "Board of Trustees" means the Board of Trustees of the UMSU Scholarship and Bursary Fund and the Board of Trustees of the UMSU Endowment Fund;
  - j. "Budget" means the budget of the Union as enacted by Council and any amendments thereto;
  - k. "By-election" means an election for a Council Member that is not held as part of the General Election, and an election in accordance with Bylaws 3300 and 3400;
  - I. 'Bylaws' or "Bylaw Manual" mean the bylaws of the Union and any amendments thereto;
  - m. 'Campaigns' mean coordinated efforts by the Union to accomplish particular political goals on campus, in the community, municipally, provincially, federally, or internationally.
  - n. 'Campaigns Guide' means the collection of official, on-going political Campaigns of the Union approved by UMSU Council,
  - o. "Campus" means any collection of buildings where a significant amount of teaching and/or research activities of the University are conducted, including (but not limited to) the Fort Garry Campus, the Bannatyne Campus and the Inner City Campus;

- p. "Chair" means a Chairperson;
- q. "Chair of Council" means the Chair of UMSU Council and includes any acting Chair of Council;
- r. "Chief Returning Officer" means the person appointed by the CRO Selections Committee, in accordance with Bylaw 700, to administer and operate the General Election of the Union;
- s. "Closed session" means a meeting, or part thereof, of Council (or a Committee) that is open only to Council Members (or Committee Members) and any Guests included under a separate and seconded motion receiving a two-thirds majority vote of Council (or a Committee).
- t. "Committee" means a Standing Committee or an Ad Hoc Committee;
- u. "Committee Meeting" means a meeting of a Standing Committee or an Ad Hoc Committee;
- v. "Committee Member" means a member of a Standing Committee or an Ad Hoc Committee;
- w. "Constituency Group" means any group of Members of the Union who collectively elect a Member of Council to represent them;
- x. "Council" means the Council of the Union as described in Section 7 of the UMSU Act;
- y. "Council Meeting" means a meeting of UMSU Council;
- z. "Council Member" means any voting member of UMSU Council elected in accordance with Section 9 of the Act;
- aa. "CRO" means the Chief Returning Officer;
- bb. "Deputy Returning Officer" means the person appointed the Deputy Returning Officer in accordance with the procedure prescribed in Bylaw 800;
- cc. "DRO" means a Deputy Returning Officer;
- dd. "ERDIE Board" means the Elections and Referenda Discipline, Interpretation and Enforcement Board of the Union;
- ee. "ERDIE Board Meeting" means a meeting of the ERDIE Board;
- ff. "Election Bylaws" means the Bylaws between 1000 and 1080, inclusive;
- gg. "Election Period" means the period of time from the opening of nominations until the close of the deadline for appeals of the election results for General Elections;
- hh. "Election Rules" means the Election Bylaws, as well as any other provision of the Act, Bylaws, Policies or Standing Rules of Council related to the Elections and Referenda of the Union;

- ii. "Endowment Fund" means The University of Manitoba Students' Union Endowment Fund, Inc.;
- jj. "Executive" means the President, Vice-President (Advocacy), Vice-President (Student Services), Vice-President (Internal) and Vice-President (External);
- kk. "Ex-officio Member" means someone who is a member of a Committee or Council by virtue of his or her office, and who has all of the rights and privileges of the other Committee Members or Council Members except those rights removed by the Bylaws;
- II. "Fort Garry Campus" means the campus of the University located in the area commonly known as Fort Garry, in the City of Winnipeg;
- mm. "General Election" means the annual election for the Executive and Community

  Representatives elected in accordance with the Election Bylaws and held in February and

  March;
- nn. "General Meeting" means a meeting of the Members of the Union called under and authorized by Bylaw 3100;
- oo. "Governance Documents" or "Governance Documents of the Union" mean the Act, Bylaws, Policies, Standing Rules of Council, and Robert's Rules of Order..
- pp. "GSA" refers to the University of Manitoba Graduate Students' Association;
- qq. "Guest" means anyone attending a meeting who is not a member of the body holding the meeting;
- rr. "In camera" means a meeting, or part thereof, of Council (or a Committee) that is only open to Council Members (or Committee Members) and any Guests included under a separate and seconded motion receiving a two-thirds majority vote.
- ss. "Inner City Campus" means the Campus located on Selkirk Avenue and commonly known as the William Norrie Inner City Campus;
- tt. "Lobby Organization" means a predominantly student-run organization at the national or international level that has as its primary goal the promotion of the interests of students in post-secondary educational institutions;
- uu. "Members of the Union" means all persons enrolled at the University as students who are paying student-union fees, with the exception of classes of students exempted from membership in the Union and from paying student-union fees;
- vv. "Minute Record" or "Minute Book" means a book kept by Council containing complete and accurate minutes of all Council Meetings;

- ww. "Motion Record" means a book kept by Council of all motions passed or defeated by Council at Council Meetings;
- xx. "Open Session" means a meeting, or part thereof, of Council (or a Committee) that is open to Council Members (or Committee Members) and any Guests;
- yy. "Policy" means a course or principle of action enacted by Council in accordance with the Bylaws and described in the Policy Manual;
- zz. "Policy Manual" means a book kept by Council of all Policies enacted by Council and in effect:
- aaa. "President" means the President of the University of Manitoba Students' Union;
- bbb. "Proxy" means a person appointed by another, and approved by the Chair or equivalent authority, to attend a meeting held under these Bylaws on their behalf;
- ccc. "Purchase Order" means an UMSU purchase order;
- ddd. "Reading Week" means the one-week period in February set by the administration of the University;
- eee. "Regular Session" means the months of September, October, November, December, January, February, March and April;
- fff. "Resolution Manual" means the book kept by Council of all Standing Rules enacted by Council;
- ggg. "Robert's Rules of Order" means the current edition of Robert's Rules of Order, Newly Revised;
- hhh. "Scholarship and Bursary Fund" means The University of Manitoba Students' Union Scholarship and Bursary Fund, Inc.;
- iii. "Secretary" means the person appointed (or their delegate) by the Executive Committee to minute the meetings and decisions of Council;
- jjj. "Senior Stick" means the Senior Stick or President of a Student Association of the University of Manitoba;
- kkk. "SGEC" means the Student Group Executive Caucus;
- III. "SGPAC" means the Student Group Promotion and Affairs Committee;
- mmm. "Special General Meeting" means a General Meeting called by a petition under Bylaw 3200;
- nnn. "Standing Committee" means a standing committee of Council enacted by these Bylaws;

- ooo. "Standing Rules of Council" means any motion adopted by Council not otherwise included in the Governance Documents of the Union that regulates the procedures of Council;
- ppp. "Students" means students of the University whether Members of the Union or not;
- qqq. "Student Association" means any of the groups identified in Bylaw 200(1)(b) or by a Standing Resolution of Council;
- rrr. "Student-at-Large" means a Member of the Union who is not a Council Member;
- sss. "Student Member of the Board of Governors" means a student member of the Board of Governors appointed in accordance with Bylaw 2300;
- ttt. "Student Senate Caucus" means the Student Senate Caucus and any successor body;
- uuu. "Student Senator" means a student duly elected to the University Senate representing the students of a faculty or school as per the University of Manitoba Senate Handbook (Section 5.2);
- vvv. "Student Service Groups" means student-run organizations that provide specific services to Students and receive dedicated funding from UMSU;
- www. "Summer Session" means the months of May, June, July and August;
- xxx. "Supplemental Rules" means additional election rules developed by the CRO intended to provide clarification on issues not specifically addressed in the Bylaws or Policies;
- yyy. "Union" and "UMSU" mean the University of Manitoba Students' Union;
- zzz. "University" means the University of Manitoba;
- aaaa. "Vice President" means a Vice President of the University of Manitoba Students' Union; bbbb. "Website" means the official website of the University of Manitoba Students' Union;
- 2. All references to time in the Governing Documents of the Union or in any UMSU document or posting shall be in Central Standard Time unless otherwise stated.

### **BYLAW 200 - MEETINGS OF COUNCIL**

### Council

- 1. Council Members shall be:
  - a. the Executive, ex-officio;
  - b. representatives who are Members of the Union elected by the Members of the Union of each of the following organizations (known as "Student Associations"):

- i. Arts Student Body Council (ASBC);
- ii. Arthur V. Mauro Students' Association (AMSA);
- iii. Commerce Students' Association (CSA);
- iv. Education Student Council (EDSC);
- v. Faculty of Agriculture Students' Organization (FASO);
- vi. Human Ecology Students' Organization (HESO);
- vii. Manitoba Dental Hygiene Students' Association (MDHSA);
- viii. Manitoba Dental Students' Association (MDSA);
- ix. Manitoba Law Students' Association (MLSA);
- x. Manitoba Medical Students' Association (MMSA);
- xi. Nursing Students' Association Council (NSAC);
- xii. Pharmacy Students' Association (PSA);
- xiii. Resident Students' Association Council (RSAC);
- xiv. St. Andrew's College Students' Association (SACSA);
- xv. Student Association for Health, Physical Education, and Recreation (SAHPER);
- xvi. Students' Architectural Society (SAS);
- xvii. St. John's College Students' Association (SJCSA);
- xviii. School of Medical Rehabilitation Students' Association (SMRSA);
- xix. School of Music Students' Association (SMSA);
- xx. Students of Fine Arts (SOFA);
- xxi. St. Paul's College Students' Association (SPCSA);
- xxii. Science Students' Association (SSA);
- xxiii. Social Work Students' Association (SWSA);
- xxiv. Society of Earth Science & Environmental Studies (SESES);
- xxv. University College Resident Students' Association (UCRSA);
- xxvi. University of Manitoba Engineering Society (UMES);
- xxvii. University 1 Student Council (U1SC); and
- c. Representatives who are Members of the Union who self-identify as a member of, and are elected by, each of the following Constituency Groups:
  - i. Lesbian, Gay, Bisexual, Transgender, Two-Spirited and Asterisk students;
  - ii. Aboriginal students;
  - iii. Women;

- iv. International Students;
- v. Students Living with Disabilities; and
- d. Delegates of the following Affiliated Student Organizations:
  - i. the Inner City Campus Student Council;
  - ii. the University of Manitoba Athletes' Council;
- e. the President of the Graduate Students' Association (GSA) or designate (who is a non-voting, *ex-officio* Member);
- f. Student Members of the Board of Governors who are not Members of Council (who are non-voting, ex-officio Members);
- g. Committee Chairs who are not Members of Council (who are non-voting, ex-officio members); and
- h. the Director of Bannatyne Operations (who is a non-voting, ex-officio member).
- 2. The Members of the Union of each Student Association shall elect 1 representative for every 1000 members of their Student Association, or fraction thereof, up to a maximum of 4 representatives. The number of students in each Student Association as of January 31st shall be requested from the University of Manitoba.
- 3. No Member of Council shall hold two or more seats on Council.
- 4. Upon his or her election to Council, a Member shall resign from any paid position he or she holds with the Union.
- 5. No Member of Council shall be hired by UMSU. This does not apply to the employment of Members of Council that is part of being elected to a position on Council.

### Resignation

6. A Council Member may resign his or her office at any time by notifying the Chair of Council in writing. If no specific date is given for the resignation to take effect, it shall take effect 30 days after the notice is given to the Chair of Council.

### Quorum

- 7. Quorum at Council Meetings shall be 1/3 of the total number of voting Council Members.
- 8. The Chair of Council, as a non-voting member, does not count to quorum.

9. Non-voting Members shall not count towards quorum at any Council Meeting;

### **Proxies**

- 10. Any Council Member other than the Executive may appoint a proxy member for any part of the Council Member's term of office. Proxies must be Members of the Union. A voting Member of Council may not act as a proxy.
- 11. A Council Member may only appoint a proxy from the same group the Council Member represents on Council.
- 12. No appointment or termination of a proxy member is valid unless notice in writing is filed with the Chair of Council. The notice of appointment or termination of a proxy member shall include the name of the Council Member, the name of the proxy member, the Student Association or Constituency Group represented by the Council Member, and the date of the Council Meeting or Council Meetings at which the Council Member elects to be represented or not represented by the proxy member as the case may be. Such notice, to be valid, must be signed by the Council Member. The Chair of Council, upon receipt of a valid notice, shall sign the notice and indicate thereon the date on which the notice was received and such notice shall be kept along with the minutes of the Council Meeting to which it applies. However, the presence of a Council Member at any Council Meeting shall itself constitute termination of a proxy member's appointment without any requirement to file a notice of termination of the proxy member's appointment.
- 13. Proxy member forms of appointment or termination shall be accepted:
  - a. by the Chair of Council at any time prior to the Council Meeting being called to order; or
  - b. by Council during a Council Meeting, by passing a motion to this effect during the Meeting.
- 14. Subject to any other provisions in the Bylaws, throughout the duration of a proxy member's appointment pursuant to Bylaws 200(10) through 200(13), a proxy member shall meet the same qualifications and have the same rights and responsibilities as the Council Member who appointed the proxy member.
- 15. The Chair of Council shall be responsible for the enforcement of the Bylaws governing Proxies.

  The Chair of Council shall ensure that a record of all proxies is maintained with the Minute Book.

### Term of Office

- 16. A Council Member's term of office shall commence on May 1 in the year he or she is elected or immediately after their election upon receipt by the Chair of Council of the signed letter from the student association confirming his or her election to office if it occurs after May 1.
- 17. A Council Member's term of office shall expire on April 30.

### Scheduling Council Meetings

- 18. During the Summer Session, there shall be at least 1 Council Meeting per month, at dates, times, and locations set by the President in consultation with the Chair of Council unless varied by Council.
- 19. The Executive Committee shall make a motion to Council in consultation with the Chair of Council to adopt a schedule of proposed Council Meetings in the Regular Session no later than the second Council Meeting in September. This schedule shall contain the dates, times, and locations of each proposed Council Meeting.
- 20. Unless varied by Council, during the Regular Session, there shall be at least 2 Council Meetings per month except in December where there shall be one.

### Special Council Meetings

- 21. A Special Council Meeting may be requested in writing by any of the following:
  - a. The President:
  - b. One-fifth of Council Members; or
  - c. Fifty Members of the Union.
- 22. The written request for a Special Council Meeting must include a date and purpose for the meeting. The Chair of Council shall set the time and location of the meeting, which must be held within the City of Winnipeg.
- 23. The Chair must provide at least three working-days notice of any Special Council Meeting. This notice shall be provided to Council Members and any Member of the Union who has previously requested being notified of Special Council Meetings. This notice shall also be posted on the UMSU Website.
- 24. Notice of any special Council Meetings shall be given to Council Members by the Chair of Council by any means considered efficient by the Chair of Council, including written communication, e-

mail, or telephone. However, the Chair of Council shall attempt to honour, as far as practicable, any specific requests by a Council Member as to the method by which he or she prefers to receive notice of special Council Meetings.

### Rights of Participation

- 25. Members of the Union have, subject to any other provisions in the Bylaws, full rights to:
  - a. attend Council Meetings in Open Session;
  - b. speak, make and second motions;
  - c. serve on and vote in Standing and Ad-Hoc Committees where appointed by Selections Committee; and
  - d. have any other rights granted to a member of an assembly under the Robert's Rules of Order except voting rights in Council.
- 26. Council Members have, subject to any other provisions in the Bylaws, full rights to:
  - a. attend Council Meetings;
  - b. speak, make and second motions;
  - c. vote in Council Meetings;
  - d. serve on and vote in Standing and Ad-Hoc Committees where appointed or elected; and
  - e. have any other rights granted to a member of an assembly under the Robert's Rules of Order.
- 27. Guests have, subject to any other provisions in the Bylaws, rights to:
  - a. attend Council meetings at the discretion of the Chair;
  - b. speak at Council and Committee meetings in Open Session on motion by any Council Member and upon the discretion of the Chair. These speaking rights may be rescinded at any time on motion by any Council Member.
- 28. Any Council Meeting or part thereof may be held in closed session or in camera on motion of Council, but no motions may be passed while in camera.

### Minutes and Records of Motions

- 29. Council shall take complete and accurate minutes of the proceedings including discussions, documents, presentations, reports et cetera, of all Council Meetings in open session. These minutes shall be:
  - a. kept in the Minute Record, which shall also include a separate list of all motions passed and defeated by Council in Open Session;
  - b. signed by the President and the Chair of Council;
  - c. copied and provided to every Council Member and to any other Member of the Union who requests copies thereof;
  - d. made available for Members of the Union to access.
- 30. Council shall take complete and accurate minutes of the proceedings including discussions, documents, presentations, reports et cetera, of all Council Meetings in closed session. These minutes shall be:
  - a. kept in a separate, confidential Minute Record, which shall also include a separate list of all motions passed and defeated by Council in Closed Session;
  - b. signed by the President and the Chair of Council;
  - c. copied and provided to every Council Member.
  - d. made available for Council Members to access.
- 31. Council shall not take minutes while during an in camera session.

### **Council Procedures**

- 32. Voting at Council Meetings shall be by show of hands except where the Bylaws or the Robert's Rules of Order require a secret ballot vote.
- 33. Any voting Council Member or proxy may request a roll call vote except where the Bylaws or the Robert's Rules of Order require a secret ballot vote. Such a request is subject neither to debate nor to a vote, .
- 34. Roll call voting shall proceed by order set out in Bylaw 200(1), with the exception of the Executive who shall vote last.
- 35. The governance documents of the Union are ranked as follows in descending authority:
  - a. The UMSU Act;
  - b. The Bylaws of the Union;
  - c. The Policies of the Union;

- d. Standing orders of UMSU Council;
- e. Robert's Rules of Order.
- 36. The following shall be the order by which motions at Council Meetings shall proceed as far as may be considered practicable by the Chair of Council:
  - a. The motion is submitted to UMSU Council in one of three ways:
    - i. Any Council Member or Member of the Union may make a motion to Council. Any motion must be provided to the Chair in writing at a Council meeting, and the mover shall have an opportunity to provide motivation to their motion. The motion shall not be considered by Council until the next UMSU Council Meeting.
    - ii. Committees may also forward motions to Council. All motions shall be provided to the Chair of Council, by the Committee Chair, with sufficient time to permit the Chair of Council to include the item on the agenda for the Council meeting at which the motion is to be made. Such motions do not require a seconder. Any motion by a Committee may be amended at the Council meeting; however, in no circumstances shall additional motions be made at a Council meeting where the additional motion of the Committee does not appear on the agenda for the Council meeting.
    - iii. Emergency motions may be considered by UMSU Council if the Chair rules that the motion is both time-sensitive and could not have been brought forward at an earlier time.
  - b. The Council Member or Member of the Union who moved the motion is allowed a five minute presentation to present the motion.
  - c. Motions that have been moved and seconded by Council Members and/or Members of the Union, shall be referred to the appropriate Committee as decided by the Chair of Council;
  - d. If referred to Committee, the motion is discussed, explored and the Committee may decide, at a later time to be determined by a majority vote in Committee, to
    - i. bring the motion to Council verbatim;
    - ii. bring the motion back to Council with amendment(s) and explanation of said amendment(s); or
    - iii. table the motion.
  - e. A 15 minute question period of the motion by Council;
  - f. A 30 minute debate of the motion by Council and Members of the Union present except for the mover of the motion;

- i. speaking turns by Council Members shall be no longer than 5 minutes in duration and each Council Member shall be limited to 1 speaking turn;
- ii. a Council Member or a Member of the Union may be granted a second speaking turn on the condition that the second speaking turn only arises after any other Council Member who wishes to speak has exercised his or her rights to do so;
- g. 5 minute period during which the mover of the motion shall respond to any questions or issues raised during the debate; and
- h. Council shall vote on the motion.
- 37. Upon the expiration of the time limit set out in Bylaw 200(36), any Council Member may make a motion to extend the time limit described in Bylaw 200(36). Any such motion to extend the time limit is not subject to debate and shall only pass by a 2/3 majority vote of Council.
- 38. Subject to any other provisions in the Bylaws, the following shall be, as far as may be considered practicable by the Chair of Council, the order of business at Council Meetings:
  - a. determination of attendance and determination of quorum or rescheduling of the Council Meeting;
  - b. approval of the agenda;
  - c. approval of the minutes of the previous Council Meeting;
  - d. presentations;
  - e. reports of the Executive;
  - f. reports and motions of the Committees;
  - g. reports of the Student Senate Caucus and the Senior Sticks Caucus;
  - h. unfinished business arising from the minutes of the previous Council Meeting;
  - i. notice of motions;
  - j. new business; and
  - k. adjournment.
- 39. The Chair of Council, at his or her discretion, may ask the Chair of the Committee considering any motion for a verbal progress report.

### BYLAW 300 - CHAIR OF COUNCIL

1. Council shall have a Chair of Council who is a Student-at-Large.

- 2. The Selection Committee shall recommend the Chair of Council. Until the appointment of the Chair, the President shall act as Chair. In the absence of the President, the Vice-President Internal shall act as Chair.
- 3. The duties of the Chair of Council shall include the following:
  - a. call to order all Council Meetings;
  - b. chair all Council Meetings;
  - c. receive agenda items and prepare the agenda for Council Meetings;
  - d. take attendance at Council Meetings;
  - e. conduct Council Meetings in accordance with the Bylaws, Policies, and any Standing Rules of Council, and Robert's Rules of Order;
  - f. present all motions and resolutions requiring a vote by Council, and record the votes cast on those motions and resolutions;
  - g. recognize Council Members and other persons desiring to address a Council Meeting as guests of Council and maintain a speaker list using the general criteria outlined in the Robert's Rules of Order;
  - h. declare all motions that are passed by Council;
  - i. advance publication of notices of Council Meetings in accordance with the Bylaws, Policies and any Standing Rules of Council; and
  - j. advise all Committees on procedural matters.
- 4. In the absence of the Chair of Council a member of the Union as selected by Council shall act as Chair.
- 5. The Chair of Council shall have no speaking rights, no right to make motions, no right to second motions and no right to vote in Council or in Committee.
- 6. The Chair of Council shall perform any other duties or tasks assigned by the Bylaws, or by Council.
- 7. The Chair of Council shall be awarded an honorarium as decided by Council on a motion from the Finance Committee.

### **BYLAW 400 - SECRETARY**

- 1. The Executive Committee shall designate a staff member to function as the Secretary of Council.
- 2. The responsibilities of the Secretary shall be to:

- a. record accurate minutes and attendances at all Council Meetings in accordance with the Robert's Rules of Order and any Standing Rules of Council;
- b. prepare and edit the minutes and attendance at Council Meetings for distribution;
- c. ensure all outstanding business arising from Council Meetings is properly documented and forwarded to the appropriate individual or Committee for action;
- d. maintain a list of motions being deliberated by Council and its Committees and their current status, which shall be reported regularly to Council;
- e. maintain a list of motions tabled by UMSU Council and Committees over the past three years; and
- f. report to the Executive Committee.
- 3. The Secretary may delegate their duties to UMSU staff as required.
- 4. The deadline for the distribution of minutes and attendances shall be 48 hours before the next Council Meeting.
- 5. Subject to other provisions in the Bylaws, the Secretary may utilize recording devices to record the proceedings of a Council meeting.
- 6. In the absence of both the Secretary and a suitable recording device, the Chair of Council shall appoint an acting Secretary for the Council Meeting to take minutes.

### **BYLAW 500 - EXECUTIVE POSITIONS**

### President

- 1. Subject to other provisions in the Bylaws, the President shall be responsible for the overall operation of the Union. Without restricting the generality of the foregoing, the President shall be responsible for:
  - a. acting as the main Union spokesperson on all student issues;
  - b. presenting the Union with a viewpoint of persons and groups outside of the University;
  - c. advocating the Union's interests in the Board of Governors, the Senate and any other committees of the University of which the President is a member or whom the President has an opportunity to address;
  - d. advocating the Union's interests as a non-voting ex-officio member of the Board of Trustees of the UMSU Scholarship and Bursary Fund and Endowment Fund;

- e. providing input to all Committees;
- f. serving as a liaison between UMSU and Student Associations, and attending the meetings of such Student Associations at their request as far as practicable;
- g. chairing the Senior Sticks Caucus, and facilitating the involvement of the Senior Sticks in the activities of UMSU;
- h. chairing the Executive Committee;
- i. providing input to all of UMSU businesses;
- j. approving the distribution of Student Association fees;
- k. providing long term strategic direction for the Union;
- I. ensuring that any programs of Council and the Union are implemented in accordance with motions of Council, the Act, the Bylaws, and Policies;
- m. furthering and maintaining good working relationships with Members of the Union,
  University, government bodies, the private sector, the not-for-profit sector, and the general
  public, and other student unions and/or student associations and/or student federations;
- n. serving as a liaison between UMSU and senior administration of the University, developing and maintaining a working relationship, and when appropriate lobbying them on behalf of UMSU;
- o. serving as a liaison between UMSU and external organizations, including the Canadian Federation of Students;
- p. serving as a signing authority of the Union;
- q. overseeing all campaigns and government relations of the Union, including implementation of any Canadian Federation of Students campaigns.
- r. performing any other duties and responsibilities as directed by the Bylaws or Council.

### Vice-President Advocacy

- 2. Subject to any other provisions in the Bylaws, the Vice-President Advocacy shall be responsible for the general advocacy and academic concerns of the Union. Without restricting the generality of the foregoing, the Vice-President Advocacy shall be responsible for:
  - a. advising Members of the Union on academic and disciplinary appeals and related matters, and
  - b. acting as the official Student Advocate under the authority of the UMSU Act;

- c. advocating the Union's interests in the Board of Governors, the Senate and any other committees of the University of which the Vice-President Advocacy is a member or whom the Vice-President Advocacy has an opportunity to address;
- d. acting as the Chair of the Student Senate Caucus;
- e. serving as a liaison between UMSU and administration of the University, developing and maintaining a good working relationship, and when appropriate lobbying them on behalf of UMSU;
- f. assisting with the development and implementation of all campaigns of the Union;
- g. overseeing all academic issues that arise from members of the Union; and
- h. performing any other duties or tasks assigned by the Bylaws, the President, or by Council.

### Vice-President Student Services

- 3. Subject to any other provisions in the Bylaws, the Vice-President Student Services shall be responsible for the Union's student groups, as well as overseeing all programming activities of the Union. Without restricting the generality of the foregoing, the Vice-President Student Services shall be responsible for:
  - a. serving as a liaison between UMSU and any UMSU recognized student groups;
  - b. chairing meetings of the Student Group Executive Committee (SGEC);
  - c. serving as the liaison between UMSU and the student service groups;
  - d. serving as a liaison between UMSU and Student Associations, and attending the meetings of such Student Associations at their request as far as practicable;
  - e. overseeing the UMSU Student Group Resource Centre and other services specific to student groups and councils;
  - f. assisting with the development and implementation of all campaigns of the Union;
  - g. overseeing the Union's programming events, ensuring they cater to the academic, cultural and social interests of the Members of the Union;
  - h. overseeing the production of Union event publications, such as the Orientation Guide, and Celebration Guide;
  - i. overseeing the promotion of Union events within the University and outside of Campus;
  - j. providing support for any student council and student group events;

- k. advocating the Union's interests as a voting ex-officio member of the Board of Trustees of the UMSU Scholarship and Bursary Fund and Endowment Fund;
- I. performing any other duties and responsibilities as directed by the Bylaws, the President, or Council.

### Vice-President Internal

- 4. Subject to any other provisions in the Bylaws, the Vice-President Internal shall be responsible for the Union's internal matters, including the budget, overseeing the proper operation of Union services and businesses, and Union bylaws and policies. Without restricting the generality of the foregoing, the Vice-President Internal shall be responsible for:
  - a. overseeing all financial management of the Union, including preparing and maintaining the budget;
  - b. acting as chair of the Finance Committee;
  - c. acting as the Chair of the Health Insurance Plan Committee and any health and/or dental insurance plans;
  - d. maintaining all UMSU bylaws, policies and standing procedures, including implementation of such rules;
  - e. overseeing the operations of all UMSU businesses;
  - f. serving as a signing authority of the Union;
  - g. overseeing UMSU services including but not limited to the UMSU food bank, art gallery, offcampus housing and tutor registry;
  - h. assisting with the development and implementation of all campaigns of the Union;
  - i. advocating the Union's interests as a voting ex-officio member of, and serving as a liaison to, the Board of Trustees of the UMSU Scholarship and Bursary Fund and Endowment Fund;
  - j. and performing any other duties and responsibilities as directed by the Bylaws, the President or Council.

### Vice-President External

- 5. Subject to any other provisions in the Bylaws, the Vice-President External shall be responsible for overseeing all Union campaigns and communications. Without restricting the generality of the foregoing, the Vice-President External shall be responsible for:
  - a. overseeing all UMSU internal communications, including, but not limited to, electronic communications and newsletters;
  - b. overseeing the production of all Union publications including, but not limited to, the Annual Daytimer/Handbook and Convocation Guides;
  - c. overseeing all UMSU promotional materials;
  - d. acting as Chair of the Campaigns and Government Relations committee;
  - e. assisting with the development and implementation of all campaigns of the Union;
  - f. maintaining the Campaigns Guide;
  - g. overseeing all external communications, including press releases and external campaigns, and lobbying efforts of the Union in conjunction with the President;
  - h. in conjunction with the President, serving as a liaison between UMSU and external organizations, including the Canadian Federation of Students; and
  - i. performing any other duties and responsibilities as directed by the Bylaws, the President or Council.

### General

- 6. Members of the Executive may request to delegate responsibilities to other Executive members or to the Chair of Council to perform as needed. These requests must be approved by the individual to whom the responsibility is being delegated as well as a majority of the Executive Committee as a whole. The delegated authority can be revoked at any time.
- 7. Executive positions shall be full-time positions for a term determined under Bylaw 1010. The Executive shall be paid a salary in an amount to be determined by Council on a motion from the Finance Committee.
- 8. An UMSU Executive's term of office shall commence on May 1st in the year he or she is elected, and shall expire on the subsequent April 30th.
- Each Executive member may enrol in no more than 8 credit hours in each semester of the Regular Session and the Summer Session in any faculty or school during the term of their respective offices.

### BYLAW 550 – DIRECTOR OF BANNATYNE OPERATIONS

- 1. The Director of Bannatyne Operations (DBO) shall be appointed by the Executive Committee after posting the position. The selection shall be made no later than June 1st, with the position running from June 1st until April 30th of the same Fiscal year.
- 2. The DBO must be enrolled as a student at the Bannatyne Campus. At no point shall the requirements of this position infringe on the student's scholastic requirements; furthermore, the Executive will be mindful of the DBO's course requirements.
- 3. The DBO shall be responsible for:
  - a. Advocacy concerns of Bannatyne Undergraduate Students in association with the Vice President Advocacy.
  - b. Setting and maintaining a minimum of five (5) set office hours per week in an office provided by UMSU.
  - c. Attending all UMSU council meetings, As per 500 2); if this is not possible a report shall be prepared for each meeting, to be delivered by the Vice President Student Services.
  - d. Act as Chair for the Bannatyne Board of Senior Sticks, in conjunction with the UMSU President.
  - e. Assist with the planning and other logistics of the Bannatyne Orientation week—both in September and January.
  - f. Prepare a report for the UMSU President to deliver to the Board of Senior Sticks on behalf of the Bannatyne Board of Senior Sticks.
  - g. Serve as the main spokesperson for UMSU at the Bannatyne Campus with the discretion of the UMSU President.
  - h. Serve as the liaison between UMSU and the Health Science Graduate Students Association and GSA regarding all Bannatyne operations.
  - i. Work with the VPSS on any student groups operations at the Bannatyne Campus.
  - j. Must be available by email until at least September 1st after their term has elapsed to assist in the transition of the new DBO.
  - k. Must schedule and attend Bi-Annual meeting with the Dean of the Faculty of Health Sciences.
  - I. All other duties related to Bannatyne operations as determined by the Executive Committee.

- 4. The DBO shall report directly to the Vice President of Student Services.
- 5. The DBO is to attend—either in person or through teleconference—(2) executive committee meetings a month.
- 6. The DBO shall be paid a salary as allocated in the UMSU Budget.

### BYLAW 600- COMMUNITY REPRESENTATIVES

- 7. The five Community Representative positions shall be:
  - a. the Lesbian, Gay, Bisexual, Transgender, Two-Spirit, and Asterisk Students'
     Representative;
  - b. the Aboriginal Students' Representative;
  - c. the Women's Representative;
  - d. the International Students' Representative; and,
  - e. the Students Living with Disabilities Representative.
- 8. The students elected to the Community Representative Seats are expected to liaise with the students they are elected to represent including, but not limited to, related student groups. Input from these ongoing discussions shall be brought forward to UMSU Council in a timely fashion.

### BYLAW 700 - CHIEF RETURNING OFFICER SELECTIONS COMMITTEE

- 1. The Chief Returning Officer Selection Committee shall be comprised of:
  - a. The Chair of UMSU Council, as Chair;
  - b. the President, *ex-officio*;
  - c. 3 Council Members selected by the Selections Committee; and
  - d. 2 Students-at-Large selected by the Selections Committee.
- 2. The Chief Returning Officer (CRO) selection process is as follows:
- 3. A CRO Selections Committee shall be struck by October 1st of each year.
- 4. The CRO Selections Committee shall nominate and present a candidate to Council by November 30th.
- 5. The CRO's term of office shall commence upon appointment by Council and shall expire on April 30 of the same academic year.

- 6. The following people are not eligible to be appointed CRO:
  - a. Council Member, including the Executive;
  - b. an executive member of any Student Association; and
  - c. any employee of the Union.
- 7. As far as practicable, the following shall be the order by which the Chief Returning Officer Selections Committee shall present to Council.
  - a. During item D of the Council agenda as outlined in Bylaw 200(38) the CRO nominee shall make a five (5) minute presentation followed by a ten (10) minute question and answer period;
  - b. CRO selections committee shall report;
  - c. CRO nominee shall leave the room;
  - d. Motion to accept the nomination is put forward by the Chief Returning Officer Selections

    Committee; and
  - e. Debate on the motion shall follow the rules outlined by By-Law 200(33). If the motion to accept the nomination fails, the Chief Returning Officer Selections Committee shall present a new motion no later than the next Council meeting and the process outlined in this policy is repeated.

### BYLAW 800 - CHIEF RETURNING OFFICER AND THE DEPUTY RETURNING OFFICER(S)

### Chief Returning Officer - Duties & Powers

- 1. The responsibilities of the CRO are:
  - a. overseeing all Elections & Referenda, including:
    - i. ensuring elections & referenda operate safely, fairly, and in accordance with the Election Rules:
    - ii. management of the Deputy Returning Officer(s)("DRO");
    - iii. organizing voting during elections & referenda, including:
      - 1. hiring adequate poll staff,
      - 2. situating polls at appropriate locations across Campus, and
      - 3. advertising the poll locations;
    - iv. overseeing the physical count of the ballots during elections/referenda;

- v. ensuring adequate security of all ballots and ballot boxes;
- vi. reporting the result of an election/referendum to the appropriate parties:
- vii. facilitating classroom speaking arrangements during an election/referendum;
- viii. enforcing budgetary regulations as stipulated in the Bylaws;
- ix. reserving 1 poster from each candidate/side to be posted, in randomly selected order, at each polling station; and
- x. creating and posting Supplementary Rules for elections and referenda.
- b. maintaining office hours and being accessible to candidates and other Members of the Union during the election period, as described in this bylaw;
- c. acting as the arbitrator in any dispute which may arise during the course of an election/referendum, other than those between the CRO and any other party, which should be dealt with by ERDIE Board;
- d. rectifying the violation of the Election Rules and assigning reasonable penalties as appropriate, within the confines of UMSU's Elections & Referenda;
- e. ensuring that a cost effective and accurate ballot counting process is in place;
- f. submitting to Council, prior to March 31, a final report of activities and recommendations which shall include the following:
  - i. the final results of any elections or referenda during their term;
  - ii. a list of any recommendations for UMSU Council, the UMSU Executive, and/or the following year's CRO pertaining to the electoral process;
  - iii. a complete list of all complaints filed with the CRO and ERDIE during their term;
  - iv. the adequacy of the budget provided for that years election; and
  - v. any Supplementary Rules issues by the CRO during their term.
- g. submitting to Council a monthly report of activities;
- h. organizing the Candidate's/Referendum Forum referred to in Bylaw 1045, including:
  - i. adequately advertising the time and date of the forum in the previous 2 issues of the Manitoban newspaper; and
  - ii. ensuring a safe and fair election/referenda forum by providing for security;
- i. providing proper training for DRO(s) and poll clerks;
- j. promoting the election/referenda beginning at least 19 days before the close of the nomination period;

- k. subject to any other provisions in the Bylaws, the CRO shall be responsible for the performance of those duties normally required of a chief returning officer
- 2. The CRO shall have a budget in an amount to be set by Council on motion by the Finance Committee.

### **Deputy Returning Officers - Duties & Powers**

- 3. Two Deputy Returning Officer(s) shall be appointed by the CRO.
- 4. The DRO(s)' term of office shall commence upon appointment by the CRO and shall expire on April 30 of the same academic year following his or her appointment.
- 5. In appropriate circumstances, a DRO may be dismissed by the CRO. A decision by the CRO to dismiss a DRO is reviewable by Council.
- 6. The responsibilities of the Deputy Returning Officer(s) shall include:
  - a. carrying out the duties assigned to them by the CRO;
  - b. assisting the CRO in the completion of his or her duties;
  - c. maintaining office hours and being accessible to candidates and other Members of the Union during the election period, as described in this bylaw;
- 7. Upon his or her appointment, a Deputy Returning Officer shall resign from any position he or she holds as:
  - a. a Council Member;
  - b. an employee of the Union; and
  - c. an executive member of a Student Association.
- 8. The Deputy Returning Officer(s) shall be directly responsible to the CRO, and shall not be responsible for making rulings during elections/referenda.

### Miscellaneous

- 9. During weekdays between the hours of 8:30 AM and 7:00 PM at least one Returning Officer shall be available;
- 10. During weekends, the CRO shall make every attempt to be available by phone between the hours of 8:30 AM and 7:00 PM.

11. The CRO may be suspended or dismissed from their position by a two-thirds majority vote of Council on motion by Executive Committee, passed at two consecutive Council Meetings.

### BYLAW 1000 - UMSU ELECTION & REFERENDA

- 1. UMSU will hold an annual general election, on a schedule set out in the Bylaws, during which the Members of the Union will elect the Executive of the Union and the Community Representatives on Council as well as vote on any referenda deemed valid by the Chief Returning Officer for that election.
- 2. UMSU may also hold referenda at other times in the year. Any such referenda may only be held during the Regular Session, and must be held at a time when the majority of Members would be present on campus and able to vote.
- 3. Bylaws 1000 through 1080 apply to all elections and referenda run either solely or jointly by UMSU. Notwithstanding the above, Council may choose to overrule all or part of the Election Bylaws temporarily for a given Referendum, provided such a motion is:
  - a. adopted in a 2/3 vote of Council,
  - b. adopted by at least two weeks prior to the opening of nominations for the Referendum it would affect,
  - c. provided to Council for notice at least two weeks prior to being adopted by Council,
  - d. reasonable, made in good faith, and does not unnecessarily inhibit the democratic nature of a Referendum.
- 4. The General Manager (or designate) shall be the UMSU Elections Staff Liaison for the duration of the election and referenda, and shall be responsible for providing the Chief Returning Officer with logistical and other support from the Union as required.

### **Election & Referenda Definitions**

- 5. The following definitions apply to the Election Rules, unless specifically excluded:
  - a. "Annual General Election" is the election held during February and March to elect the Executive and Community Representatives for the following academic year.
  - b. "Banner" is any sheet of paper or other material, of a total area between 1.5 square metres and 35 square metres, which is displayed as part of a campaign;

- c. "campaign" or "campaigning" is any act that has the intention of soliciting support or opposition for a particular Candidate, Slate, or Side;
- d. "Campaign Expense" means any and all expenditures by or on a Candidate's or Side'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;
- e. "Campaign Manager" includes any Member of the Union identified by a Candidate, Slate, or Side as their Campaign Manager for the purposes of the Election Rules;
- f. "Campaign Materials" includes any created objects (physical or digital) that solicit support or opposition for a particular Candidate, Slate, or Side,
- g. "Candidate" means any Member of the Union whose nomination is accepted under procedures established in the Election Bylaws;
- h. "Nomination Day" means the final day of the period, as set out by these bylaws, that nominations for candidacy or registrations for Sides will be accepted.
- i. "referendum" means a decision made by the Members of the Union in a balloted vote organized by the Chief Returning Officer of the Union;
- j. "Scrutineer" means a volunteer who oversees part or all of either a polling booth or a vote count on behalf of a candidate, slate, or side;
- k. "Side" means any CRO-recognized group of individuals representing a particular position on a referendum question.
- I. "Slate" means candidates who are members of a single campaign, each running for a different position; and
- m. "Volunteer" means any individual who engages in campaigning or scrutineering on behalf of a candidate, slate, or side.
- n. "voting week" means the final week of campaigning where voting is held.

### Scheduling an Election or Referenda

6. The following is the schedule used for all UMSU Election and/or Referenda, subject to any other part of these Bylaws:

- a. Week 1 (Four weeks prior to Voting Week): Nominations open on Monday at 9:00.
   Nominations may remain open over the following weekend at the discretion of the CRO.
   This week is part of the pre-campaigning period.
- b. Week 2 (Three weeks prior to Voting Week): Nominations close on the Friday at 17:00. This week is part of the pre-campaigning period.
- c. Week 3 (Two weeks prior to Voting Week): This week is part of the pre-campaigning period.
- d. Week 4 (One week prior to Voting Week): Campaigning begins at 9:00 on Monday, and extends through the following weekend. The CRO may choose to provide advance voting during this week at their discretion.
- e. Week 5 (Voting Week): Campaigning continues until the close of polls on Friday. Polling stations are open on the Wednesday, Thursday, and Friday of this week on a schedule set by the CRO, and may be additionally open on the Monday or Tuesday at the discretion of the CRO.
- 7. In the event of referenda being held outside of the Annual General Election, Council may direct the CRO:
  - a. begin the election period at Week 2, with nominations opening on the Monday of Week 2, and/or
  - b. skip Week 3, with campaigning beginning the week following the close of nominations.
- 8. The Annual General Election of the Union will be held at a time that allows Week 3 to be held during Reading Week.

### BYLAW 1001 - CALLING OF REFERENDA

- 1. Referenda may only be called in 2 methods:
  - a. by the receipt of a petition by the President, the Chair of Council, or the CRO, as specified in Bylaw 1001(4), signed by 1,000 Members of the Union demanding a referendum;
  - b. upon direction from Council in the form of a motion by the Executive Committee. Such a motion must specify the precise wording to appear on the ballot.
- 2. A petition must contain the first and last names, signature and student ID number of each Member of the Union signing the petition.

- 3. The wording of the petition demanding a referendum or referenda only has to be clear in intent; such clarity to be determined by the Chair of Council in consultation with legal counsel if necessary.
- 4. Upon submission of a valid petition to either the President or to the Chair of Council or to the CRO, or as directed by Council on motion by the Executive Committee, the Chair of Council will:
  - a. draft the appropriate wording for the question, with legal consultation as required; and
  - b. inform the petitioners of the wording of the question, which may then be appealed to Council on a motion by the petitioners.
- 5. The CRO is responsible, in accordance with the Election Rules, for the proper advertising in the Manitoban Newspaper, as well as posting notice(s) outside the CRO's office and the UMSU offices, that a referendum is to be held.

### BYLAW 1010 - CAMPAIGN EXPENSE AND ADVISORY COMMITTEE

- 1. The mandate of the Campaign Expense and Advisory Committee shall be to advise the Chief Returning Officer as well as to set spending limits for election and referenda campaigns.
- 2. The membership of the Campaign Expense Committee shall be:
  - a. The Chief Returning Officer, as Chair;
  - b. The Chair of the Finance Committee;
  - c. Two Members of Council selected by the Selections Committee;
  - d. One Student-at-Large selected by the Selections Committee;
  - e. The UMSU Elections Staff Liaison (non-voting, ex-officio member)
- 3. The Campaign Expense and Advisory Committee must be struck by September 15th.
- 4. No meeting of the Campaign Expense and Advisory Committee shall be found to have met quorum if the Chief Returning Officer is not present.
- 5. Members of the Campaign Expense and Advisory Committee who want to be nominated for the UMSU Annual General Election must step down from their position on the Campaign Expense and Advisory Committee prior to the first meeting of the Campaign Expense and Advisory Committee.
- 6. The Campaign Expense and Advisory Committee shall be responsible for reviewing:
  - a. decisions of the Campaign Expense and Advisory Committee from the previous year regarding spending limits;

- b. the CRO's Supplementary Rules;
- c. the CRO's Report to Council from the previous year;
- d. the location of polling booths from the previous year;
- 7. The Campaign Expense and Advisory Committee is responsible for recommending the following to Council for each particular election and referendum, subject to Bylaw 1060:
  - a. the overall spending limits for Candidates and/or Slates,
  - b. the overall spending limits for Sides; and
  - c. the inclusion or exclusion of particular types of campaign expenses from spending limits and the campaign expense account.
- 8. No motion regarding the items in Bylaw 1010 (7) may be considered by Council until the earlier of:
  - a. A motion being proposed on that item by the Campaign Expense and Advisory Committee, or
  - b. Three weeks prior to the opening of nominations of an election or referendum.
- 9. If no motion is adopted by Council prior to the opening of nominations, the following spending limits apply for that election or referendum:
  - a. Candidates are eligible to spend \$350.00 indexed to inflation.
  - b. Sides are eligible to spend \$400.

### **BYLAW 1020 - NOMINATIONS**

- 1. The duties of the CRO with regards to nominations and registration shall be to:
  - a. advertise for the nominations of candidates and the registration of sides prior to the nomination/registration period;
  - b. advertise in any manner the CRO considers just and fair;
  - c. advertise for the forthcoming election or referenda to encourage Members of the Union to actively participate in the democratic process;
  - d. exclusively determine the manner of advertising used, with the exception that whenever possible the CRO shall advertise in the Manitoban newspaper;
  - e. prepare a package of written information which will be available to any Member of the Union at least one week prior to the opening of the Nomination Period, and will include:
    - i. current copies of the Bylaws, Policies, and Supplementary Rules related to Elections,
       Referenda, the CRO, and the ERDIE Board;

- ii. nomination forms (if applicable);
- iii. registration forms (if applicable):
- iv. a list of all nomination requirements and deadlines, including instructions on obtaining a letter confirming the nominee's academic standing;
- v. any other forms required of nominees, including a signed acknowledgment and acceptance of nomination by the nominees;
- vi. the current posted office hours and contact information of the CRO and DRO(s);
- vii. a detailed description of "pre-campaigning" and a list of permitted and restricted activities;
- viii. a statement of the rules regarding keys and use of offices.

### Nomination Schedule

- 2. Complete nominations, containing all material required by the Bylaws and the CRO, must be received by no later than the deadline set out in these Bylaws by the Office of the CRO.
- 3. It is the sole responsibility of nominees to ensure the completeness and accuracy of their nominations. Any nomination that fails to comply with any part of the Bylaws shall be summarily rejected, although the CRO can, at their discretion, allow an appropriate extension to correct any accidental or unavoidable errors or omissions in the nomination package.
- 4. Within 36 hours of the closing of nominations, the CRO shall post both the legal names of all candidates and the names which shall appear on the ballot, and shall publish the same in the next issue of the Manitoban newspaper.

### **Nomination Vacancies**

- 5. If an open position receives no nominations by the deadline for nominations, nominations remain open until 17:00 on the Friday during Week 3, and the CRO must advertise and post this information as the CRO deems fair and practical.
- 6. If an open position receives no nominations by the extended deadline for nominations, then:
  - a. If the position is on the Executive, it shall be vacant until the process described in Bylaw 3300 can be followed.

b. If the position is for Community Representative, it shall be vacant until the process described in Bylaw 3350 can be followed.

### Nomination Requirements

- 7. A person who is nominated as a candidate must:
  - a. be a Member of the Union;
  - b. be nominated under their legal name or a reasonable derivative thereof;
  - c. be a self-declared member of the community they are being nominated to represent if they are being nominated for a Community Representative position;
  - d. be registered as an international student with the University if they are being nominated for International Students' Representative;
  - e. have provided a completed nomination package to the CRO prior to the end of the nomination period, which shall include:
    - i. basic information about the candidate, including their name and contact information;
    - ii. for persons nominated for the UMSU Executive, the first and last names, signatures, faculties, years, and student identification numbers of at least 100 nominators who are Members of the Union;
    - iii. for persons nominated for Community Representative, the first and last names, signatures, faculties, years, and student identification numbers of at least 15 nominators who are Members of the Union and are members of the relevant community;
    - iv. a signed acknowledgment of acceptance of the nomination by each nominee;
    - v. a letter from the Student Records office of the University confirming that the nominee (and campaign manager, if applicable) are Members of the Union;
    - vi. a \$50.00 deposit; and
    - vii. a signed document indicating the name which each candidate wishes to appear on the ballot, and an indication of whether he or she considers this name to be a reasonable derivative of his or her legal name.
- 8. Members of the Executive and Council may run as candidates in any General Election for either Executive or as a Community Representative, provided they meet all other criteria required of any

other nominated candidate.

### Slates

- Candidates for Executive positions may run in slates of up to five candidates, each running for a different position.
- 10. Candidates who are running alone are considered to be running as a Slate of one for the purposes of the Election Rules.
- 11. Candidates for Community Representative may not register as part of a Slate.
- 12. No candidate may simultaneously run as part of more than 1 slate.
- 13. Slate names require approval by the CRO, and must be submitted in writing to the CRO. If no name is chosen, the CRO may assign a reasonable name for that Slate.
- 14. No slate shall choose a slate name which is the same as that of a registered federal or provincial political party. Where two or more similar slate names are submitted to appear on the ballot for a slate, the CRO shall choose which names appear on the ballot.

### All Candidates' Meeting

- 15. Following the closing of nominations, the CRO shall immediately convene a meeting for all candidates and their campaign managers (referred to as the "All Candidates' Meeting").
- 16. All candidates and campaign managers shall attend the candidates meeting in its entirety. The CRO may exempt individuals from attendance under extenuating circumstances, but only if the person requesting an exemption does so in writing at least 48 hours prior to the candidates meeting, or informs the CRO of an emergency for which no notice could reasonably be given.
- 17. At the candidates meeting, all candidates and campaign managers shall be required to deposit with the CRO any and all keys, cards, or other methods of access to any building or room on any Campus, except for:
  - a. a candidate's or a campaign manager's personal residence or the residence of a significant other:
  - b. a candidate's or a campaign manager's place of employment.
- 18. At the candidates meeting, the CRO shall:

- a. review the relevant Bylaws, and any additional rules and Policies, and respond to questions about same;
- b. announce the times and dates of daily meetings during the campaign, and announce any other methods that shall be regularly used to communicate with campaigns; and
- c. take attendance for the purposes of verifying compliance with Bylaw 1020(16);
- d. deal with any other topics deemed necessary by the CRO.

### **BYLAW 1021 - REGISTRATION OF SIDES**

- 1. On the Nomination & Registration Day, each side shall present its registration forms to the CRO.
- 2. In order to become registered, a side must have:
  - a. An organized committee of Members of the Union (the "Side Committee") that supports the position of the Side;
  - b. The first and last names, signatures, faculties, years, and student identification numbers of the members of the Side Committee; and
  - c. The first and last names, signatures, faculties, years, and student identification numbers of at least 50 nominators who are Members of the Union (which can include members of the Side Committee);
- 3. The Side Committee shall have as part of its structure:
  - a. An authorized representative, authorized to represent the Side to the CRO;
  - b. A treasurer, authorized to handle the Side Committees finances.
- 4. A Side Committee cannot restrict membership to the Committee from any Member of the Union provided they have joined the Side and support the position of the Side honestly and in good faith.
- 5. Members of the Executive and Council and candidates for Executive and Community Representative may participate as Members on a Side Committee, provided they meet all other criteria required of any other person sitting on the Committee.
- 6. Each side shall provide the CRO with a list of those who are currently members of the Side Committee.
- 7. Any Member of the Union wishing to join a side may register with the CRO following the specified deadlines. The CRO shall forward the name and phone number of the member to the appropriate authorized representative.

8. The name of a side may not include a federally or provincially registered political party name or symbol, or derivation thereof.

### BYLAW 1030 - CAMPAIGN MATERIALS

- 1. All Campaign Materials (unless exempted under 1030(2) or 1030(3)) must be approved by the CRO before they may be used in a campaign.
- 2. The CRO may choose to exempt, at any time, any type of Campaign Materials from the approval process in Bylaw 1030. Any such exception must be:
  - a. Clearly defined,
  - b. Consistently applied to all Candidates, Slates, Side, and UMSU Members,
  - c. Communicated fairly to all Candidates, Slates, or Sides.
- 3. The following types of Campaign Materials are automatically exempt from the approval process in Bylaw 1030:
  - a. Messaging that is private and solicited, whether it is mediated by a digital system (such as e-mail, texting, or direct messaging), or not.
- 4. The CRO may require the use of a unique mark, punch or other means of identification for any type of Campaign Materials that incidates those Campaign Materials have been approved by the CRO.
- 5. Candidates, Slates, and Sides may request a written ruling from the CRO about whether any proposed materials fall within the definition of Campaign Materials. The CRO must reply in writing within 24 hours.

### Approval Process

- 6. The process for approval of Campaign Materials is:
  - a. Campaigns must provide the CRO with a written description of the proposed Campaign Material;
  - b. the CRO may request any or all of the following in writing in order to ensure the proposed Campaign Materials do not violate the Election Rules:
    - i. an estimate of the cost of the proposed Campaign Material;
    - ii. a declaration of the source of the mateirals used in production; and
    - iii. the contents or presentation of the proposed Campaign Material.

- c. The CRO will provide in confidence a written approval or refusal of Campaign Materials, and will respond within 24 hours of receiving a complete request, subject to any clauses in the Election Rules.
- d. If the Campaign Material is approved by the CRO, the Candidate, Slate, or Side can print, post, or otherwise distribute it, subject to any clauses in the Election Rules.
- 7. All Campaign Materials that can be produced by the Union's Digital Copy Centre must be purchased there, unless the CRO provides an exemption. No exemption will be provided unless it can be demonstrated in writing to the CRO's satisfaction by the Candidate, Slate, or Side that the Union's Digital Copy Centre does not have the facilities or equipment required to produce the materials.

#### **Banners**

- 8. Each Candidate, Slate, or Side may place place banners around Campus, and the CRO will set rules and limitations on :
  - a. The number of banners available for each Candidate, Slate, or Side to use;
  - b. The banner locations available for use; and
  - c. The method by which these banner locations will be allocated.
- 9. Candidates, Slates, and Sides must construct and place banners in accordance with University building regulations.
- Banners locations will be assigned at the first All Candidates' Meeting.
- 11. Banners, whether made from paper or any other material, are restricted to a minimum total area of 1.5 square metres and a maximum total area of 35 square metres.

#### **Prohibitions & Violations**

- 12. No Candidate, Slate, or Side may distribute or use, and the CRO cannot approve, Campaign Materials which:
  - a. Have more than a nominal value when distributed,
  - b. contain libel or slander (based on consultation with legal counsel if necessary);
  - c. are factually incorrect; or

- d. violate any federal or provincial statute, or any University rule, regulation, policy, or procedure; or
- e. are discriminatory or derogatory towards any person(s) based on the characteristics listed ni section 9 (2) of the Manitoba Human Rights Code.
- 13. Where the CRO determines that Campaign Material which requires the approval of the CRO is being distributed, displayed, or used by a campaign without the CRO's approval, then the CRO may:
  - a. order the material immediately withdrawn or removed and may confiscate the material from the campaign for a period of not less than 24 hours; and
  - b. assign an additional penalty, which may include (but is not limited to) any or all of the following:
    - i. destruction of the material
    - ii. a reduction in permitted campaign expenses or a restriction on campaigning, provided that the penalty is balanced against the volume of material distributed or its effect, and that no destruction takes place until the appeal period expires.
- 14. Any Campaign Materials that cost more than \$100 to produce must have their costs pre-approved by the CRO. The CRO will approve all costs exceeding \$100, provided they are not in violation of the Election Rules.
- 15. Each Candidate, Slate, or Side must comply with any building regulations of the University in addition to the following:
  - a. no more than 1 poster per Candidate, Slate, or Side may be affixed to any one bulletin board;
  - b. no more than 1 poster per Candidate, Slate, or Side may be affixed on the same plane within 1 foot of another;
  - c. no more than 2 posters per Candidate, Slate, or Side may be affixed to the same pillar, and these posters must face in opposite directions; and
  - d. no poster may be affixed so as to obscure or cover another Candidate, Slate, or Side's campaign materials.
- 16. Where posted Campaign Materials are in violation of Bylaw 1030, they may be removed by the CRO. The CRO may authorize another individual or Candidate, Slate, or Side to make the removal.

- 17. No individual may remove, deface, damage, or destroy Campaign Material without the authorization of the CRO.
- 18. Each Candidate is limited to a maximum of 150 posters on display at any one time at the Fort Garry Campus. The CRO may also create limits of the number of posters that can be displayed on campuses other than the Fort Garry Campus. The CRO may restriction distribution of Campaign Materials to ensure this limit is not breached.

#### Post-Election Period

19. All Campaign Materials must be removed after the close of polls on the final day of voting by a date and time to be determined by the CRO.

### **BYLAW 1040 - CAMPAIGNING**

- Campaigning will last for 12 consecutive days, starting at 9:00 on the Monday of Week 4,
   continuing through the next weekend, and ending at the close of polling on the final day of voting.
- 2. No Member of the Union shall campaign either for or against a Candidate, Slate, or Side after the opening of the nomination period and prior to the campaign period, with the exception of:
  - a. private campaign organizing meetings involving recognized campaign volunteers;
  - b. the collection of signatures for nomination forms and referenda petitions;
  - c. the normal duties required of the current members of the UMSU Executive and Council; and
  - d. private conversations to recruit Volunteers.
- 3. When applying Bylaws 1040(2), the CRO may consider any additional factors in addition to the definition of campaigning.

### Daily Campaign Meetings

- 4. On every weekday during the campaign period, the CRO shall chair a meeting of campaign representatives to review complaints, rulings, orders, rules, procedures and announcements.
- 5. All candidates and sides are required to do one of the following for each of the CRO's daily campaign meetings:
  - a. attend the meeting themselves;

- b. send a proxy; or
- c. ask for and receive the CRO's permission to miss that particular meeting.
- 6. Candidates and sides not directly competing with each other can send the same person as a proxy to the daily campaign meetings, but such proxies must be approved by the CRO.

### Campaigning Standards and Prohibitions

- 7. Each campaign shall act reasonably, responsibly, and in good faith. Further, each campaign shall:
  - a. ensure that all Candidates, Campaign Managers and Volunteers are aware, understand and comply with the Election Rules and all other relevant rulings, orders, and rules;
  - b. be responsible to the CRO for the conduct of its Volunteers;
  - c. report any breach of a Bylaw, rulings, orders, rules, or Policies forthwith;
  - d. comply with any University rules, regulations, policies, and procedures; and
  - e. comply with all local, municipal, provincial and federal laws.
- 8. No Candidate, Slate, or Side may collude with another campaign, either prior to, during, or following the campaign period. Specifically, no campaign, campaign manager, volunteer, or candidate shall:
  - a. appear jointly in any campaign material, except in reference to slate members as approved by the CRO;
  - b. publicly endorse another slate or campaign;
  - c. produce campaign materials whose appearances could cause a reasonable person to associate that campaign with another slate or candidate who is not on a slate; or
  - d. distribute the campaign materials of another slate.
- 9. Campaigning is restricted to Members of the Union, and no one who is not a Member of the Union may campaign, with the exception of UMSU Officers and Staff campaigning for a Councilendorsed Side at the direction of Executive Committee.
- 10. No candidate, campaign manager, or volunteer may campaign:
  - a. in a business or service owned or operated by the Union, except where specifically provided for by the CRO, and where all candidates and sides have been given equal access;
  - b. in a University library; or
  - c. in a classroom during a class period without first obtaining permission from the instructor responsible for the class;

- d. anywhere else the CRO feels would be detrimental to the election and referenda process.
- 11. Community Representative candidates and their volunteers may assist with the campaign duties of other Community Representative candidates that they are not competing with.
- 12. In the event of referenda being held during an Annual General Election, candidates, campaign managers, and volunteers may speak to, volunteer for, and/or endorse a side.

### Office Space

- 13. The Union shall endeavour to provide storage and office space to all candidates and sides.
- 14. No campaign shall have an office on campus which is not approved by the CRO.
- 15. The CRO shall ensure that all candidates in an election and sides in a referenda have equal access to office space.
- 16. The priority for distributing office space shall be, in order of highest priority to lowest:
  - a. Candidates for Executive positions;
  - b. Sides in a referenda;
  - c. Candidates for Community Representative.
- 17. If any member of a campaign already has an office at the University, such office may be used for the storage of campaign materials and may be used for any act which pertains to the campaign, provided the CRO approves such use prior to its use.

#### **BYLAW 1045 - ELECTION FORUM**

- 1. There shall be at least one Election Forum on the Fort Garry campus during the campaign, which shall be held, if possible, no sooner the 3rd day of campaigning.
- 2. There shall be an Election Forum on the Bannatyne campus if deemed practicable by the CRO.
- 3. All Candidates and Sides shall be provided with the opportunity to participate in at least one Election Forum during the campaign period.
- 4. Members of the Union shall be provided with the opportunity to ask all Candidates and Sides questions from the floor at an Election Forum.
- 5. The Election Forum shall be chaired by the CRO.
- 6. Each Candidate, Slate, or Side has the opportunity to speak for a time period as fixed by the CRO.
- 7. Each speaker shall have the same fixed period of time in which to speak as their opponents have.

- 8. If there is a question from the audience at the Election Forum, each Candidate, Slate or Side shall have a reasonable and fair opportunity to respond thereto.
- 9. Any person(s) who attempt to disrupt the orderly conduct of the Election Forum shall be removed from the facility.

### BYLAW 1050 - VIOLATIONS, COMPLAINTS, AND APPEALS

- 1. The CRO is empowered to investigate and rule upon any breach of the Election Rules, whether submitted to the CRO in a complaint or initiated by the CRO.
- Complaints shall be allegations of a breach of the Election Rules against Members of the Unions other than the Chief Returning Officer which are submitted to the Chief Returning Officer for a ruling.
- 3. Appeals shall be allegations of a breach of the Election Rules by the Chief Returning Officer which are submitted to the ERDIE Board for a ruling, and such alleged breaches shall be:
  - a. a misapplication of the Election Rules to a Complaint;
  - b. a misapplication of the Election Rules to any other ruling of the CRO; and/or
  - c. any other action by the CRO during the Election Period that contravenes the Election Rules.
- 4. No appeal exists from a ruling of the ERDIE Board, and a ruling of the ERDIE Board shall be final and binding on the parties to the Appeal.
- 5. Rulings of the CRO regarding breaches of the Election Rules that were not as a result of a Complaint shall be treated as Complaints for the purposes of posting the ruling.
- 6. All Members of the Union shall cooperate with the investigations of the CRO and the ERDIE Board unless otherwise prohibited by the Governance Documents of the Union or by law.
- 7. The CRO shall prepare and provide a complaint form which requires complainants to indicate the:
  - a. name and student identification number of the complainant;
  - b. specific clause(s) of the Election Rules that is alleged to have been breached;
  - c. specific campaign or individual that is alleged to be in breach;
  - d. specific facts which constitute the alleged breach; and
  - e. evidence of these facts.
- 8. The CRO shall prepare and provide an appeal form which requires appellants to indicate the:
  - a. name and student identification number of the appellant;
  - b. CRO's ruling being appealed;

- c. reason for the appeal, including specifically any errors in interpretation or application found in the ruling; and
- d. ruling sought from the ERDIE Board.

### **Complaint Procedure**

- 9. Any Member of the Union, other than the CRO, may file a Complaint regarding an alleged breach of the Election Rules.
- 10. The following shall be the process by which Complaints are filed, received, and ruled upon:
  - a. The Complainant must submit a Complaint to the CRO using the proscribed form within 48 hours of the alleged breach of the Election Rules.
  - b. If the Complaint is found to be validly submitted, the CRO shall send a copy to any other parties named in this Complaint and continue this complaint procedure.
  - c. 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.
  - d. The CRO shall issue a written ruling within 24 hours of having received the Complaint, and shall:
    - i. send the ruling to all parties to the Complaint via e-mail; and
    - ii. post the ruling as soon as possible at both the office of the CRO, the Election Website, and the UMSU offices.
    - iii. Any penalties assigned by the CRO as a result of their ruling shall take effect immediately unless stated in the CRO's ruling.
- 11. Complaints that are not validly submitted shall be thrown out by the CRO, but the Complainant may resubmit as soon as they can make a valid submission.
- 12. The following do not require a written complaint and shall be brought to the CRO's attention immediately upon being discovered:
  - a. A violation of Bylaw 1070(5) regarding the required number of poll clerks at a voting booth; and
  - b. complaints regarding pre-campaigning.
- 13. All Complaints other than those filed under Bylaw 1050(12) must be submitted electronically.
- 14. Any posted ruling of the CRO on a Complaint shall contain:

- a. a summary of the allegation;
- b. a summary of the parties to the complaint;
- c. where the CRO fails to possess jurisdiction, a summary of the reasons for this finding;
- d. a listing of all applicable Election Rules that apply;
- e. a finding regarding the facts;
- f. a ruling regarding the alleged breach;
- g. the penalty assigned;
- h. the time the ruling was posted; and
- i. the time limit on any appeal.

### Appeal Procedure

- 15. Any Member of the Union may file an Appeal alleging a breach of the Election Rules by the CRO in accordance with Bylaw 1050(7).
- 16. Only Members of the Union who were party to an original Complaint are entitled to Appeal the ruling of the CRO to the ERDIE Board.
- 17. The following shall be the process by which Appeals are filed, received, and ruled upon:
  - a. The Appellant must submit a Appeal to the Chair of ERDIE using the proscribed form within 48 hours of either the alleged breach of the Election Rules or the CRO's ruling on a Complaint.
  - b. If the Appeal is found to be validly submitted, the Chair of ERDIE shall send a copy to any other party named in the Appeal, including the CRO, and continue this procedure;
  - c. The Chair of ERDIE shall schedule a hearing of the ERDIE Board to take place within:
    - i. 12 hours of receiving the Appeal form if the alleged violations could result in the voiding of the Election or Referenda;
    - ii. 24 hours of receiving the Appeal form for all other alleged violations of the Election Rules.
  - d. The Chair of ERDIE shall communicate the time and place of this hearing to all parties named in the Appeal, including the CRO.
  - e. Prior to the appeal hearing, the ERDIE Board shall first convene in camera and determine if a prima facie case has been made in the appeal. If a prima facie case has not been made, the ERDIE Board shall dismiss the Appeal or the affected parts thereof.

- f. The Appeal hearing shall occur, and shall use the following process:
  - i. The Chair shall ask:
    - 1. the members of the ERDIE Board if any perceived conflict of interest exists between them and any party to the Appeal; and
    - 2. the parties to the Appeal if they wish to challenge any Board member based on a conflict of interest.
  - ii. The Board may call a recess to consider any Conflicts of Interest raised at the beginning of the hearing.
  - iii. The Chair shall then explain any procedures to be followed to the parties present, including any time limits on presentations or examinations.
  - iv. The Chair shall invite the Appellant to present their case.
  - v. The Chair shall invite the Respondent to present their case.
  - vi. The ERDIE Board shall investigate the case as they deem appropriate, and may call a recess of no more than twelve hours in duration.
  - vii. The Chair shall offer first the Respondent then the Appellant the opportunity to make a closing statement.
  - viii. The ERDIE Board shall retire for deliberations in camera.
- g. The ERDIE Board shall tell the parties to the Appeal who are present at the hearing their ruling immediately after coming out of deliberations.
- h. The Chair shall issue the written ruling of the ERDIE Board within 12 hours of the end of the meeting, and shall:
  - i. send the ruling to all parties to the Appeal via e-mail; and
  - ii. post the ruling as soon as possible at both the office of the CRO, the election website, and the UMSU offices.
- i. Any penalties assigned or modified by the ERDIE Board as a result of their ruling shall take effect immediately unless stated in the ERDIE Board's ruling.
- 18. The CRO may choose to resolve an Appeal informally prior to the Appeal hearing. If the Appeal is resolved to the satisfaction of all parties to the Appeal, the Appellant shall notify the Chair of ERDIE who shall cancel the hearing.
- 19. The ERDIE Board may request any person to appear at an ERDIE Board Meeting whose evidence would assist the ERDIE Board in making a decision.

20. The ERDIE Board may uphold, modify, or overturn any ruling made or penalty assigned by the CRO, and additionally may overturn all or part of the election results and apply penalties under 1005(11) within the spirit of good governance for elections.

#### **Penalties**

- 21. Where a breach has occurred, regardless of cause or the intent of the parties involved, and that breach has provided an unfair advantage to a campaign, the CRO shall assign a penalty that:
  - a. fully counterbalances any unfair advantage gained;
  - b. penalizes the campaign for committing a violation; and is of the same type or character as the advantage which was gained.
- 22. Penalties available to the CRO include, but are not limited to:
  - a. a reduction in permitted campaign expenses;
  - b. a reduction in reimbursements:
  - c. the confiscation or destruction of campaign materials;
  - d. limits, restrictions, and prohibitions on any type of campaigning, for any period of time; and
  - e. disqualification.
- 23. A penalty may be assessed for an individual breach, or for a series of repeated violations that in aggregate constitute a greater breach.
- 24. A candidate shall only be disqualified where they commit a serious breach that:
  - a. cannot be counterbalanced by a lesser penalty;
  - b. involves tampering with ballots, balloting, voting or counting procedures; or
  - c. involves repeated violations for which lesser penalties have already been imposed.
- 25. Where candidates are part of a slate, any disciplinary action, including disqualification, taken by the CRO against any candidate shall not affect other members of the slate unless they are named in the complaint and the CRO determines they are also at fault. Each infraction by a member of a slate shall be considered a violation by that individual candidate.
- 26. Where a serious contravention of the election bylaws occurs, such that the results of the election or referenda could not reasonably be deemed to indicate the actual preference of the voters, that election, referendum, or part related to the contravention, may be declared void if:
  - a. the CRO submits a formal request to the ERDIE Board;

- b. the ERDIE Board holds a hearing using the Appeal process as closely as possible, with all Candidates and Authorized Representatives of Sides who would be affected considered to be the Respondents; and
- c. the ERDIE Board rules that such a request is justified.
- 27. If all or part of an election or referendum is voided, they shall be repeated at the earliest opportunity by which the ERDIE Board feels the actual preference of the voters can be determined.

### BYLAW 1060 - CAMPAIGN EXPENSES

### **Expense Accounting**

- 1. Candidates, Slates, and Sides must include the cost of all Campaign Materials created in their campaign expense accounts whether or not those materials are used or distributed.
- Each Candidate, Slate, and Side must keep an up-to-date and accurate account of all campaign
  expenses and the Campaign Manager or Treasurer is responsible for answering any inquiry from
  the CRO regarding expenses.
- 3. All expenses incurred by a Candidate, Slate, or Side in the course of campaigning must be included in the campaign expenses unless specifically exempted by Council or listed below:
  - a. Services and products provided by UMSU to all Candidates, Slates, and Sides at the request of the CRO, and
  - b. The use of UMSU Officers and Staff by a Council-endorsed Side and at the direction of the Executive Committee.
- 4. Educational materials may be distributed by UMSU to Members of the Union during a referendum and may not be considered part of the campaign expenses of any Candidate, Slate, or Side, provided that the materials:
  - a. Are approved by the CRO;
  - b. Are non-partisan in nature; and
  - c. Provide education and context to all Members of the Union.

#### Fair Market Value

- 5. A Candiate, Slate, or Side that receives a product or service for free or at a reduced price shall use the fair market value of the product when calculating their total campaign expenses if the product or service cannot be reasonably obtained by all competing campaigns at the same price.
- 6. Fair market value shall be determined by the CRO using the following factors and the CRO shall notify the campaign which method of valuation has been used:
  - a. the price another campaign would have to pay for the same product or service provided by that supplier, or another similar supplier, in which case that amount shall be assessed; or
  - b. whether the product or service is reasonably available to all campaigns at no charge, in which case no charge shall be assessed.
- 7. For certainty of budgeting purposes, a campaign may request in writing a declaration from the CRO of a product or service's fair market value, but must include in that request:
  - a. a full and accurate description of the product or service;
  - b. the supplier of the product or service, and their address, phone, fax and E-mail where available;
  - c. the campaign's estimate of fair market value and their method of deriving that value;
  - d. at least 3 other suppliers of the same product or service, if available;
  - e. where a product or service is to be claimed as free, reasonable evidence of that fact;
  - f. where a product or service is to be claimed as free, reasonable evidence that the product or service is reasonably available free of charge to other campaigns; and
  - g. a signed declaration from the purchaser indicating the presence or absence of any known relationships, whether by blood, marriage or acquaintance, between the supplier and any member of the campaign.
- 8. The CRO shall provide a written response to any complete request made under Bylaw 1060 (6) within 36 hours of the request being received.

### **Expense Summaries and Overspending**

- 9. The CRO shall review all campaign expense accounts (containing those products and services that are subject to spending limits), and shall post preliminary summaries of each campaign's expenses by 18:00 Hours on the day before voting begins.
- 10. Where the CRO determines that a Candidate, Slate, or Side has exceeded the spending limit (for those products and services that are subject to spending limits) or has falsified documents, the

- campaign shall be disqualified, and notice to this effect shall be posted with the summaries of each campaign's expenses, and communicated directly to the campaign in question.
- 11. The CRO shall request the ERDIE Board to convene an ERDIE Board Meeting at 15:00 Hours on the Monday before voting begins in the event that there is an appeal of a ruling made under Bylaw 1060(10).
- 12. Where a campaign has been disqualified under Bylaw 1060(10), the campaign may only appeal by presenting notice and appearing before an ERDIE Board Meeting within 24 hours of the posting deadline as per 1060(10).
- 13. Final expense accounts must be provided to the CRO by noon on the first Tuesday after voting ends.

### BYLAW 1070 - VOTING, VOTE COUNTING, AND BALLOTS

- Every member of the Union shall be eligible to vote in all elections and referenda, unless otherwise prohibited by these bylaws.
- 2. The CRO must schedule polls to will take place on the final three days of campaigning.
- 3. Notwithstanding Bylaw 1070(2), the CRO may provide for advance voting no earlier than the Monday of Week 4.
- 4. Each Member of the Union shall be allowed to cast 1 secret, non-transferable ballot, and the ballot shall entitle each voter to make 1 choice for each position or referendum question for which they are eligible to vote.
- 5. Ballots may be either paper ballots or some form of electronic ballots, provided the method of electronic voting sufficiently protects both the spirit and letter of these bylaws.
- 6. Voting shall be conducted at locations and times determined by the CRO in consultation with the Campaign Expense and Advisory Committee, and the CRO shall advertise the same.
- 7. At each poll there shall be a minimum of two Poll Clerks in attendance at all times. When, for any reason, only one Poll Clerk is in attendance, voting shall temporarily cease.
- 8. The CRO shall provide for the secure handling and transportation of ballots.
- 9. Campaigning may continue during voting.
- 10. Candidates and volunteers shall not campaign within 20 feet of a polling station or booth.

- 11. The voting population for the LGBTTQ\*, Aboriginal, Women's, and Students Living with Disabilities Representatives shall include all Members of the Union who self-identify as coming from the community described in the title of each position.
- 12.A voters list shall be compiled for the International Students' Representative, and shall include all International Students who are Members of the Union.
- 13. Provisions shall be made by the CRO so that Members of the Union attending evening classes may vote during the evening.

### Ballot Design

- 14. Notwithstanding these Bylaws, the CRO shall decide the design of the ballot.
- 15. Each ballot shall be identical to the next with the exception of the ordering of ballot options.
- 16. If a ballot question is a 'Yes/No' choice, the options shall be 'Yes' followed by 'No'.
- 17. If a ballot question is a choice between anything other than 'Yes' and 'No', the CRO may decide whether the ballot options are placed in the same order on every ballot or on a rotating order.
- 18. The ballots must allow for voters to clearly indicate their choice.
- 19. Ballots for Community Representatives shall include a method for voters to self-identify as coming from the community in question.
- 20. Accessible voting ballots (in the form of large print and braille ballots) to be made available in all UMSU elections and referenda.

### **Ballot Counting**

- 21. The ballots shall be counted after the polls close on the evening of the final day of voting.
- 22. Notwithstanding Bylaw 1070(18), the CRO may delay the counting of the ballots for some of the positions until the following day, but shall respect the following:
  - a. The CRO cannot delay the counting of the ballots for President and the Vice-Presidents;
     and
  - b. Once the ballots for a position have begun to be counted, all ballots for that position must be reviewed and counted that day.

- 23. The CRO or at least 1 designated DRO shall supervise the ballot counting process, where they will ensure that the ballot counting process is transparent and fulfills all requirements of these Bylaws.
- 24. A ballot shall be considered valid and not spoiled if it:
  - a. Indicates clear voter preference for one of the options on the ballot; and
  - b. Does not include any identifying marks.
- 25. Each Candidate, Slate, or Side may have scrutineers present at the counting of ballots.
- 26. Once the scrutineers have entered the count room, they may not leave the room until the completion of counting of ballots or with the consent of the CRO.
- 27. Scrutineers may not touch the ballots in any way.
- 28. All scrutineers shall have equal opportunity to argue for and against the validity of all ballots their Candidate, Slate, or Side is on.
- 29. Once the count has been completed, the CRO shall:
  - a. post election results within 48 hours of all complaints and appeals having been resolved;
  - seal ballot boxes until access is required by the ERDIE Board to resolve any complaints and/or appeals;
  - c. store the ballots in a locked container or room for a period of at least two weeks after the last recount has been completed; and
  - d. destroy the ballots the later of:
    - i. four weeks after the last recount has been completed;
    - ii. after all complaints and appeals have been satisfied.

#### Recounts and Ties

- 30. A request for recount shall be granted where:
  - a. the request is in writing and signed by the candidate(s) or the authorized representative of a Side who are contesting the original count;
  - b. the request is submitted to the CRO within 48 hours of the posting of the election results; and
  - c. the difference between the leading candidate or side and another candidate or side contesting the same position or referendum question is less than 4% of the total votes cast or is less than the total number of spoiled ballots for the respective position or question.

- 31. The CRO may in his or her sole discretion initiate a recount independently. This decision is not appealable to the ERDIE Board.
- 32. As far as is practicable, a recount shall occur by way of the same procedure as the original count.
- 33. The CRO shall post the results of a recount within 48 hours of the recount being completed.
- 34. In the event that two or more competing candidates receive an equality of votes and have the highest amount of votes for the respective position, the tie-breaking method shall differ as follows:
  - a. For Executive positions, there shall be a run-off election between the tied Candidates conducted as far as practicable in accordance with the Election Bylaws. Any such run off election shall occur within 14 days of the final recount of the ballots of the General Election;
  - For Community Representative positions, Council shall vote to decide which of the tied Candidates shall be elected at the soonest Council meeting following the final recount of the ballots of the General Election;

#### Record of Elections

- 35. A record shall be kept of voter turnout in UMSU general elections, by-elections and referenda, for each faculty, residence and college.
- 36. Election results (including the final vote count for each candidate or side) as well as turnout shall be made publicly available to Members of the Union, and results of elections and referenda (including sample ballots) shall be archived by the Union and accessible to Members.

### Referenda Results

- 37. The choice in each referenda question that achieves a plurality of votes cast will be adopted by the Union.
- 38. Council does not have the power to void a valid referendum.
- 39. In the event that a referendum involves less than 5% of eligible voters, the results of the referendum are considered as advice to Council that is in no way binding on Council.

#### BYLAW 1080 - CANDIDATE & SIDE REIMBURSEMENT

- The Union shall reimburse a candidate or side the remaining full value of its campaign expenses for products or services that are subject to a spending limit as evidenced by its campaign expense account.
- 2. In cases where the campaign paid less than fair market value for a product or service that is subject to a spending limit, the campaign's reimbursement shall be limited to the amount actually paid for the product or service and not the fair market value thereof.
- 3. The Union shall reimburse the candidate or side within seven days of the end of the campaign, unless there are outstanding issues that could potentially disqualify the candidate or side from receiving all or part of their campaign expenses or deposit.
- 4. Candidates who do not hand in their expense accounts by the deadline shall not receive any reimbursement.

### Damages, Disqualifications, and Lost Deposits

- 5. Any damage or similar expenses caused by a Candidate, Slate or Side, or a volunteer for a Candidate, Slate or Side, shall be paid for by the Candidate, Slate or Side deemed responsible by the CRO. Failure to do so shall result in immediate disqualification for the offending Candidate or Slate.
- 6. Any disqualified Candidate or Side will lose their deposit, if any, and their right to be reimbursed for election expenses.
- 7. Reimbursement of campaign expenses for candidates who withdraw from the election shall be at the discretion of the CRO.

### Reimbursing Sides

8. The Treasurer of the Side shall be responsible for distributing reimbursed costs to individual members of the Side.

#### **BYLAW 1200 - STANDING COMMITTEES**

- 1. There shall be the following Standing Committees:
  - a. Executive Committee;

- b. Finance Committee;
- c. Policy and Bylaws Committee;
- d. Sustainability Committee;
- e. Elections and Referenda Discipline, Interpretation and Enforcement Board;
- f. Health Insurance Committee;
- g. Campaigns & Government Relations Committee; and
- h. Student Group Promotion and Affairs Committee.
- 2. The remainder of Bylaw 1200 shall apply to all Standing Committees except for the ERDIE Board, except where overruled by the Bylaw referring to the specific Standing Committee.

#### **Committee Procedures**

- 3. Quorum for Standing Committee Meetings shall be 50% of all voting Members of the Standing Committee including the Chair.
- 4. The Chair of a Standing Committee shall be selected by the Selections Committee. Should the Chair be absent, a Standing Committee Member shall be elected as Chair at that Standing Committee Meeting and exclusively for that Standing Committee Meeting.
- 5. The governance documents of the Union are ranked as follows in terms of descending order of authority for the purposes of a Standing Committee meeting:
  - a. The UMSU Act:
  - b. The Bylaws of the Union;
  - c. The Policies of the Union;
  - d. Standing orders of UMSU Council specifically regarding Committees;
  - e. Standing orders of the respective UMSU Committee;
  - f. Robert's Rules of Order.
- 6. Except where otherwise stated in the Bylaws, all standing committee meetings shall be set with no less than 2 working days notice to voting members and such notice shall include the agenda and any and all related materials related to the agenda be it in draft or final report form. This includes, but is not limited to reports, motions, papers and presentations.
- 7. No motion shall be made by a Standing Committee at a Council Meeting unless the motion appears as an agenda item for the particular Council Meeting.

### Committee Membership

- 8. The term of a Standing Committee Member shall commence upon his or her appointment and shall expire on April 30 following his or her appointment.
- 9. No Council Member may be a Member of more than 3 Standing Committees (not including Selections Committee) or Chair of more than 1 Standing Committee. An ex-officio member's position on a Standing Committee shall not count towards these limits.
- 10. Selections Committee may not appoint current members of the Executive to a Committee position reserved for Council Members.
- 11. The President shall be a non-voting ex-officio member of every Standing Committee except the ERDIE Board.
- 12. The Chair of every Standing Committee shall:
  - a. call regular Standing Committee Meetings;
  - b. receive, either directly or from the secretary of the Standing Committee, all correspondence directed to the Standing Committee:
  - c. present, at every Council Meeting, a report on the activities of the Standing Committee occurring since the Standing Committee's last report to Council;
  - d. ensure that any motions which the Standing Committee makes to Council are presented to Council in typewritten format;
  - e. report to Council on the overall attendance record of all Standing Committee Members;
  - f. if there is an ongoing problem meeting quorum, make a motion to Council that the Selection Committee replace 1 or more Standing Committee Members or re-strike the Standing Committee; and
  - g. arrange for the Standing Committee to receive presentations from any Members of the Union including Council Members on any issue within the jurisdiction and mandate of the particular Standing Committee for the purpose of determining whether the Standing Committee will make a motion to Council at any Council Meeting.
  - h. appoint a Secretary for that committee, who shall take minutes of the committee meetings and be responsible for their distribution.
- 13. Non-voting Members shall not act as Chair of any Committee Meeting except where provided for elsewhere in these Bylaws.

- 14. The Chair of a Standing Committee may be removed by Council on motion by the Selections Committee for failure to complete tasks outlined in Bylaw 1200 (11). The new Chair would be chosen by the Selections Committee.
- 15. Standing Committees may have UMSU Staff and Members of the Union as non-voting members of the Committee as decided by the Standing Committee.

#### **Committee Jurisdiction**

- 16. Standing Committees may only make motions with respect to matters within their jurisdiction and mandate.
- 17. It is within the exclusive jurisdiction of every Standing Committee to determine whether it will make a motion to Council on a matter within its jurisdiction and mandate, with the following exceptions:
  - a. Motions regarding Policies for inclusion in the Policy Manual of the Union may only be made by the Policy and Bylaws Committee;
  - b. Motions regarding the Bylaws of the Union may only be made by the Policy and Bylaws Committee; and
  - c. Motions regarding the Finances of the Union as allowed by Bylaw 2400 may only be made by the Finance Committee.

#### Committee Consultation

- 18. Where possible and expedient, the Executive Committee shall consult with other Committees on matters that may touch on their jurisdiction. Nothing in the Bylaws prevents the Executive Committee from making any motion to Council with respect to matters that may touch upon the jurisdiction of other Committees; however, Council may direct the Executive Committee to place the matter before any other Committee for review and consideration.
- 19. Standing Committee Meetings shall be open to the Members of the Union unless the Standing Committee determines to have an in camera or closed session.
- 20. Any Standing Committee may consult with other Committees, Council Members, Members of the Union, or any other person who it considers appropriate, provided that resource does not charge money for their services.

- 21. Standing Committees may also seek paid legal or other paid expert advice with the permission of the Finance Committee.
- 22. Standing Committees may enact their own procedures and requirements for accepting recommendations and seeking advice from others in considering whether to make motions to Council for the adoption of Policies or Bylaws.

#### BYLAW 1300 - AD HOC COMMITTEES

- 1. Council may enact Ad Hoc Committees at any time and for any purpose as considered necessary by Council or where required by the Bylaws.
- 2. Bylaw 1200 also applies to Ad Hoc Committees, except where superseded by either part of Bylaw 1300 or by the terms of reference of the Ad Hoc Committee. References to 'Standing Committees' in Bylaw 1200 should be taken to refer also to Ad Hoc Committees for the purposes of this clause.
- 3. Any enactment of an Ad Hoc Committee shall include:
  - a. the mandate of the Ad Hoc Committee;
  - b. the date the Ad Hoc Committee shall be enacted;
  - c. the date the Ad Hoc Committee shall be dissolved:
  - d. the Ad Hoc Committee Members or the method by which the Ad Hoc Committee Members shall be selected; and
  - e. the quorum for Ad Hoc Committee Meetings.
- 4. All Ad Hoc Committees shall consist of at least 5 Council Members
- 5. Notwithstanding the jurisdiction of an Ad Hoc Committee as defined by its mandate, the Policy Committee may from time to time make motions for Policies respecting matters that are ultimately considered or to be considered by Ad Hoc Committees.

### **BYLAW 1400 - EXECUTIVE COMMITTEE**

#### Committee Mandate and Membership

 The mandate of Executive Committee is to oversee and administer the day-to-day affairs of the Union, to make decisions as needed between meetings of UMSU Council, and to represent the collective opinion of the Executive.

- 2. The Executive Committee shall be composed of the following:
  - a. the President, ex-officio;
  - b. the Vice-President (Advocacy), ex-officio;
  - c. the Vice-President (Student Services), ex-officio;
  - d. the Vice-President (Internal), ex-officio; and
  - e. the Vice-President (External), ex-officio.

#### **Committee Procedures**

- 3. The President shall be the Chair of the Executive Committee. In the absence of the President, the Vice-President-Internal shall be the Chair of the Executive Committee. In the absence of the President and the Vice-President (Internal), the remaining voting members of the Executive Committee shall elect a temporary Chair for the meeting.
- 4. All meetings of the Executive Committee shall be in closed session unless otherwise decided upon by the Committee.
- 5. During Regular Session, the Executive Committee shall meet at least once a month...

#### **BYLAW 1500 - FINANCE COMMITTEE**

- 1. The mandate of the Finance Committee is review the financial affairs of the Union, create new full-time positions and review the undergraduate travel grants.
- 2. The Finance Committee shall be composed of:
  - a. the Vice-President (Internal), ex-officio, as Chair;
  - b. the UMSU President (non-voting and ex-officio);
  - c. the Vice-President (Student Services) (non-voting and ex-officio);
  - d. Seven Council Members appointed by the Selections Committee; and
  - e. The General Manager or designate (non-voting or ex-officio).
- 3. The Finance Committee shall consider matters relating to the following subjects:
  - a. presentation of, and amendments to, the Budget;
  - b. approval of financial statements and the appointment of an auditor;
  - c. the exercise of any right attached to a security, and the acquisition and disposition of securities;

- d. employment of full-time staff and personnel matters relating to the Union;
- e. creation, acquisition, regulation, disposition, or termination of any UMSU businesses;
- f. scrutinize the financial affairs and the contractual obligations and benefits of the Union. In carrying out this duty, the Finance Committee shall have full access to all financial records, financial information, or written agreements, or other records or documents of any kind of UMSU and any UMSU businesses;
- g. allocation of undergraduate travel grant funds and requests for sponsorship from UMSU; and
- h. any other matter under Bylaw 2400 within its jurisdiction.
- 4. The Chair or any 3 Finance Committee Members may call a Finance Committee Meeting by providing at least 3 working days notice of the date, time and location of the Finance Committee Meeting in the City of Winnipeg.
- 5. The GM shall train and ensure Vice-President Internal is prepared for the first finance committee presentation in the month of August.
- 6. The Finance Committee shall make reports to Council regarding the expenditure of Union funds as set out in the budget at the last Council meeting in the months of August, December and April.
- 7. Decisions regarding the retention of legal counsel, or changing counsel, shall be made by the Finance Committee after consultation with the Executive.

### BYLAW 1600 - POLICY AND BYLAWS COMMITTEE

- The mandate of the Policy and Bylaws Committee is to maintain the Bylaws and Policies of the Union, to periodically consider amendments to the Bylaws and Policies, and to forward their recommendations to Council for approval.
- 2. The Policy and Bylaws Committee shall be composed of:
  - a. the Vice-President (Internal) ex-officio;
  - b. five Council Members;
  - c. two Students-at-Large selected by the Selection Committee; and
  - d. the President of UMSU who is a non-voting and ex-officio member.

#### **BYLAW 1700 - SUSTAINABILITY COMMITTEE**

- 1. The mandate of the Sustainability Committee is to raise awareness of environmental issues, recommend and, where directed by UMSU Council, implement sustainability initiatives with regards to the Union's businesses, services and activities, as well as to liaise with the both on-and off-campus environmental groups.
- 2. The Sustainability Committee shall be composed of:
  - a. The Vice-President (Internal) or their designate (ex-officio), as Chair;
  - b. Three Members of Council selected by the Selections Committee;
  - c. Two Students-at-Large selected by the Selections Committee;
  - d. One member designated by the University of Manitoba Recycling & Environmental Group (non-voting); and
  - e. One Council Member or Student-at-Large from the Bannatyne Campus or Inner City Campus.

#### BYLAW 1800 - HEALTH AND DENTAL PLAN COMMITTEE

- 1. The mandate of the Health and Dental Plan Committee is to oversee the health and/or dental insurance plans, or other similar plans, which UMSU provides to its members, to review the effectiveness of existing plans, to recommend changes to existing plans, to assist in organizing referenda on new plans or significant amendments to existing plans, and to act as an appeal
- 2. The Health and Dental Plan Committee shall be composed of:
  - a. The Vice-President (Internal) (ex-officio), as Chair;
  - b. The Vice-President(Advocacy);
  - c. Four members of Council selected by the Selections Committee;
  - d. Two Students-at-Large selected by the Selections Committee; and
  - e. The UMSU Staff person responsible for administering the UMSU Health and Dental Plan (non-voting and ex-officio).
- One of whom shall be the GSA President or designate, until such time that members of the Graduate Students' Association cease participating in the Health and Dental Plan administered by this committee).

#### **Current Plan and Review**

- 4. The Health and Dental Plan Committee shall have jurisdiction over the health and/or dental insurance plans, or other similar plans, which UMSU provides to its members.
- 5. The Health and Dental Plan Committee shall annually review the cost and coverage of any insurance plan provided to ensure cost effectiveness and broadness in scope.
- 6. The Health and Dental Plan Committee shall make regular reports to Council.
- 7. The Health and Dental Insurance Plan Committee shall consult as widely as possible when dealing with matters under its jurisdiction.
- 8. The Health and Dental Plan Committee shall ensure that full and complete details of any insurance plans are made available to members of the Union.

### Amending and Replacing the Current Plan

- 9. The Health and Dental Plan Committee shall be responsible for recommending changes to Council on any changes to an insurance plan.
- 10. Significant changes as per outlined by the health plan referendum question to the cost or coverage must be approved by a referendum.
- 11. If the Health and Dental Plan Committee is not satisfied with the cost and/or coverage of a particular plan, they shall be responsible for seeking out a new plan and/or provider.
- 12. When examining any proposed changes or new plans, the Health and Dental Plan Committee shall consider the cost, scope of coverage, opting out provisions, and the involvement of a provider with other student unions.
- 13. The Health and Dental Plan Committee shall, when necessary, hold public forums on both campuses to gather student input and gauge student support for any proposed changes or new plans.
- 14. The Health and Dental Plan Committee shall ensure that full and complete details of any current insurance plans in effect are made available to Members of the Union.

#### BYLAW 1900 - CAMPAIGNS AND GOVERNMENT RELATIONS COMMITTEE

1. The mandate of the Campaign and Government Relations Committee shall be to recommend social justice, political, or activist campaigns to Council that will further the goals of both UMSU

and the larger student movement, as well as to be involved in and providing leadership for approved campaigns.

- 2. The Campaigns and Government Relations Committee shall be composed of:
  - a. The President;
  - b. The Vice-President (External) as Chair;
  - c. The Vice-President (Internal);
  - d. The Vice-President (Student Services)
  - e. The Vice-President (Advocacy);
  - f. Three members of Council as selected by the Selections Committee; and
  - g. Three Students-at-Large as selected by the Selections Committee.
- 3. When examining any proposed initiatives or new plans, the Campaigns and Government Relations Committee shall consider the direct and indirect impact.
- 4. The Campaigns and Government Relations Committee shall consult as widely as practicable when dealing with matters under its jurisdiction.
- 5. The Campaigns and Government Relations Committee shall, from time to time, hold public forums on issues under its jurisdiction and campaigns, to gather student input and gauge student support.

#### BYLAW 2000 - STUDENT GROUP PROMOTION AND AFFAIRS COMMITTEE

- The mandate of the Student Group Promotion and Affairs Committee (SGPAC) shall be to consider matters relating to UMSU Student Groups, specifically regarding Student Group recognition, grants, resource allocation, and policy.
- 2. SGPAC shall be composed of:
  - a. The Vice-President (Student Services) as Chair;
  - b. The Vice-President (Internal);
  - c. The Vice-President (Advocacy);
  - d. Four Council Members appointed by the Selection Committee
- 3. SGPAC has the delegated authority to:
  - a. provide and revoke official UMSU recognition of student groups;
  - b. allocate student group office space.
- 4. Decisions made under the authority of Bylaw 2000(3) can be reconsidered by UMSU Council, and must be reported to Council at the first available meeting of Council.

- 5. SGPAC also has the limited authority to create and amend Student Group Policy regarding:
  - a. criteria which a student group must satisfy in order to become an UMSU recognized student group;
  - b. criteria for awarding grants to UMSU recognized student groups; and
  - c. criteria for awarding student group office space to UMSU recognized student groups.
- 6. Student Group policy created under the authority of Bylaw 2000(5):
  - a. cannot take effect until it has been approved by Council; and
  - b. shall be kept in a separate Student Group Policy Manual instead of the UMSU Policy Manual.
- 7. SGPAC shall report to Council the last Council meeting in the months of August, December and April a summary of:
  - a. All expenditures made in the current year-to-date.
  - b. Details of the decisions made under the authority of Bylaws 2000(4) and 2000(5).
- 8. SGPAC shall work together with the SGEC to ensure that UMSU recognized student groups are provided as many opportunities as possible to pursue their objectives and aims.

#### **BYLAW 2001 - STUDENT GROUP EXECUTIVE CAUCUS**

- The mandate of the Student Group Executive Caucus (SGEC) shall be to facilitate communication between the Student Groups and UMSU, and to make recommendations on Student Group issues to UMSU.
- 2. SGEC shall be composed of:
  - a. The Vice-President (Student Services), as Chair; and
  - b. A representative from every UMSU recognized student group
- 3. SGEC is responsible for addressing the concerns of all student groups and their members. In appropriate circumstances, SiGEC shall work with SiGPAC to ensure the interests and concerns of student groups and their members are addressed in a timely fashion.
- 4. SGEC shall meet on a monthly basis during Regular Session, and twice during Summer Session.
- 5. When appropriate, the Vice-President (Student Services) will present motions and/or policies of SGEC to SGPAC and/or the appropriate Committee. No action of SGEC is binding upon either Council or SGPAC.

# BYLAW 2100 - ELECTIONS AND REFERENDA DISCIPLINE INTERPRETATION AND ENFORCEMENT BOARD

### Committee Mandate & Membership

- 1. The mandate of the Elections, Discipline, Interpretation, and Enforcement Board is to consider and adjudicate disputes that arise during UMSU Elections and Referenda.
- 2. The ERDIE Board shall be composed of:
  - a. three Council Members;
  - b. two Students-at-Large;
  - c. five Members of the Union who shall serve as alternate members and shall sit as ERDIE Board members when regular members or the Chair are absent or disqualified pursuant to Bylaw 2100(16); and
  - d. a Member of the Union to act as Chair.
- 3. The Chair shall appoint a Vice-Chair, who shall act as Chair if they are not available.
- 4. The term of an ERDIE Board member shall commence by his or her appointment and shall expire at the Changeover Meeting following his or her appointment.
- 5. By October 7, or as soon as possible thereafter, the Selection Committee shall announce the members and alternate members of the ERDIE Board. If at that time, the Selection Committee is not in a position to announce the Chair of the ERDIE Board, the ERDIE Board shall carry on as if the Chair was absent and a temporary Chair shall be appointed until the appointment of a Chair by the Selection Committee.
- 6. FRDIF Board Members shall be:
  - a. objective and impartial;
  - b. from different faculties, where possible; and
  - c. available on short notice.

#### Committee Procedures

7. Quorum at ERDIE Board Meetings shall be 5 ERDIE Board members and the Chair or temporary Chair.

- 8. Meetings of the ERDIE Board shall be open to all Members of the Union, except that any ERDIE Board Meeting or part of an ERDIE Board Meeting may, at the discretion of the ERDIE Board, be held in Closed Session.
- 9. The ERDIE Board may decide that there are no grounds for deliberation and refuse to hear an appeal.
- 10. A copy of any decision delivered by the ERDIE Board shall be kept on file at the Union office and shall be available for all Members of the Union to examine upon request.
- 11. Subject to any provisions in Bylaws 1000 to 1035, the ERDIE Board shall have the exclusive jurisdiction to determine its procedure.
- 12. In the event of the absence of one of the parties to a hearing before the ERDIE Board, the ERDIE Board may proceed with the hearing notwithstanding the party's absence.
- 13. Complete and accurate minutes shall be taken of all meetings and shall be made available to Members of the Union upon request. The secretary of ERDIE Board, as appointed by the Board, shall take minutes.

#### General

- 14. The ERDIE Board shall be responsible for those duties and matters set out to it in Bylaws 1000 to 1035.
- 15. The Chair of ERDIE Board shall write a report for Council to be included in the final report to Council of the Chief Returning Officer. This report will summarize any actions of the ERDIE Board during the Election.

#### Conflicts of Interest

- 16. Candidates or Sides may challenge the membership of ERDIE Board regarding a conflict of interest:
  - a. At any time prior to the commencement of campaigning;
  - At any time during the Election Period, with the exception of during ERDIE Board hearings;
     and/or
  - c. At the beginning of an ERDIE Board hearing, until the Chair has given time for such challenges and has declared the ERDIE Board to be valid for that Appeal.

- 17. The ERDIE Board shall make a decision on the alleged conflicts-of-interest raised within 24 hours of receiving a challenge, unless the challenge is received at the beginning of a meeting in which case the decision must be made within six hours of receiving the challenge.
- 18. Having heard the statements made in the challenge under Bylaw 2100(16) and Bylaw 2100(17), the ERDIE Board shall have the exclusive jurisdiction to determine who shall sit on an Appeal.

#### **BYLAW 2200 - SELECTIONS COMMITTEE**

- The mandate of the Selections Committee is to fill vacancies on UMSU Committees and prescribe and publish deadlines for applications for any position that is required to have filled and the method of application for any such positions
- 2. The Selections Committee shall be composed of:
  - a. The President, as Chair;
  - b. 1 Vice-President appointed by the Executive, as Vice-Chair; and
  - c. Three Council Members selected at random.
- 3. The random draw to select the three council members shall occur in accordance with the first meeting of the new Council. If one of the Council members resigns or is dismissed, another random draw shall be held at the next Council meeting to ensure three Council members are on the Committee.
- 4. The President may call a Selections Committee meeting by providing at least 36 hours notice of the date, time, and location of the Selections Committee meeting.
- 5. The Selections Committee shall meet within 4 weeks of the first meeting of the new Council.

#### Selection Process and Criteria

- 6. In carrying out their duties under the Bylaws, subject to any other provisions in the Bylaws, the Selections Committee shall
  - a. Prescribe and publish deadlines for applications for any position that it is required to have filled and the method of application for any such positions; and
  - b. Solely determine deadlines, the method of application for positions, and publication of deadlines and methods of application for positions

- 7. The deadlines for applications, the publication of these deadlines, and the method of application should be set so as to permit as many people as possible to be aware and apply for particular positions to be filled by Selections Committee.
- 8. The Selections Committee shall consider the issue of equity in the consideration of its recommendations wherever possible.
- 9. The Selections Committee must determine the criteria for positions to be held on committees before advertising of the positions are made and the applications are taken.
- 10. Selection criteria and duties provided must be included in the advertisement.

#### BYLAW 2300 - BOARD OF GOVERNORS

- 1. The President, Vice-President (Advocacy), and the GSA President (or designate) shall be voting members of the Board of Governors.
- 2. Members of the Board of Governors appointed under these Bylaws shall make regular reports to Council.

### **BYLAW 2400 - UNION FINANCES**

### **Union Budget**

- 1. The finances of the Union shall be the responsibility of the Vice-President (Internal), who shall supervise the Budget in consultation with the Executive Committee and the Finance Committee.
- 2. The Vice-President (Internal) in consultation with the Executive Committee shall submit the Budget to the Finance Committee for their review and decision.
- Upon approval of the Budget by the Finance Committee, the Finance Committee shall submit the Budget to Council Members at least 14 days prior to the Finance Committee's motion to Council for approval of the Budget.
- 4. Council is prohibited from approving a deficit budget.

#### Staff

- 5. The Finance Committee shall be given notice of all employment contracts involving staff in UMSU's General Office.
- 6. The hiring and employment of all staff shall follow generally accepted human resource principles.
  All staff shall also have an employment contract with UMSU signed by the President (or designate) and the staff member.
- 7. The Finance Committee shall:
  - a. approve the creation of new salaried positions on recommendation by the President,
  - b. receive notice of all new hires for salaried positions,
  - c. receive no less than three reports in each year from the General Manager that include up-todate aggregated statistical data on UMSU's salaried and non-salaried employees. These reports shall include aggregated data on the following, provided it does not violate the legal privacy rights of employees:
    - the hiring of new and returning employees;
    - ii. the termination and resignation of current employees;
    - iii. basic demographic information of current employees;
    - iv. any other data requested by Finance Committee that can reasonably be provided.

#### **Contracts**

- 8. Contracts, documents, or instruments in writing requiring the signature of the Union shall be signed by the President and the General Manager and all contracts, documents, or instruments in writing so signed shall be binding on the Union.
- 9. Subject to any limitations contained in the Policies, the Chair of any Committee and the members of the Executive may endorse contracts relating to approved Budget items for which they are responsible and such contracts once endorsed shall be binding on the Union.
- 10. Council may appoint on motion by the Executive Committee or the Finance Committee any person to sign particular contracts, documents, or instruments in writing, which, once endorsed, shall be binding on the Union.
- 11. All parties entering into contractual negotiations with UMSU must be provided with this Bylaw and any other related financial policies.
- 12. Any motion in a Committee or by a Committee to Council that rescinds a motion approving a contract requires notice be given to all parties to the contract. Failure to give such notice prohibits

the Committee or Council from considering the motion to rescind. Notice must be given at least one week before such motion is made in Committee or Council.

- 13. The following schedule restricts the approval of capital projects or unbudgeted operating expenditures:
  - a. The Executive Committee has the authority to approve such expenditures up to \$5,000 in value.
  - b. The Finance Committee has the authority to approve such expenditures up to \$15,000 in value, and
  - c. UMSU Council has the authority to approve expenditures of any value.
- 14. The Finance Committee shall, in association with the Executive Committee, review the amounts in 2400 (13) on an annual basis.
- 15. No person (or persons) shall draft a series of contracts or amend a contract to split the financial commitments so as to evade Bylaw 2400 (13). If it is discovered that contract splitting has occurred and the Bylaws were circumvented, Council may enact one of the following penalties on motion from Finance Committee:
  - a. Make the account(s) used for the split contracts inactive for a period of time;
  - b. Censure the person (or persons) found to have split contracts;
  - c. Other penalties as deemed appropriate.
- 16. Contracts exceeding 12 months in duration shall come before Council.
- 17. UMSU staff are prohibited from signing any contract on behalf of UMSU unless the proper notice and approvals have been sought and received.

### Investments, Securities, and Loans

- Council may invest funds in accordance with the Act on a motion by the Finance Committee.
- 19. Subject to the Act and on a motion by the Finance Committee, Council may from time-to-time:
  - a. borrow money on the credit of the Union;
  - b. issue, sell and pledge security on the Union;
  - c. charge, mortgage, hypothecate, or pledge all or any of the real or personal property of the Union, including book debts, rights, powers, franchises, and undertaking to secure any securities or any money borrowed or any other debt or other obligation or liability of the Union; or

- d. guarantee the payment of the debts, obligations, and liabilities of any body corporate.
- 20. The Union shall only borrow a sum of money or enter into a contract if such transaction falls within Section 17 of the Act.
- 21. No person shall expend any money beyond those approved expenditures from their respective allocations of the Budget or as directed by Council on motion by the Finance Committee.
- 22. All of the shares or other securities carrying voting rights of any company or corporation held, from time-to-time, by the Union may be voted at any and all meetings of shareholders, bondholders, debenture holders, or other security holders, as the case may be, of such company or corporation and in such manner and by such person as the Council, on motion by the Finance Committee, shall, from time-to-time, determine. The duly authorized signing officers of the Union may also, from time-to-time, execute and deliver, for and on behalf of the Union, proxies or arrange for the issuance of voting certificates or other evidence of the right to vote in such names as they may determine without the necessity of authorization from Council.
- 23. If the Union receives any dividends, proceeds on dissolution, or similar receipts due to any securities held by the Union, the Finance Committee shall be responsible for determining the use to which those funds are put.
- 24. The Finance Committee shall have sole discretion over the sale of any securities owned by the Union.
- 25. The Union is prohibited from making loans to any Member of Council or employee, except for expenditures incurred for, on behalf of, and authorized by the Union.
- 26. A cash advance on wages to a staff member is not considered a loan, and is not prohibited by Bylaw 2400 (25).

#### Conflict of Interest

- 27. If a member of Council or Finance Committee has a material interest in a contract or transaction that comes before Council or Finance Committee, they must:
  - a. Declare their material interest in the contract or transaction to the Council or Finance Committee, which shall be noted in the minutes;
  - b. Abstain from voting upon the contract or transaction they hold a material interest in;
  - c. Not participate in discussion or debate, unless a motion specifically allowing them to do so is passed;

28. If a Member of the Union has a material interest in a contract or transaction that comes before Council or Finance Committee and wishes to speak on the topic at the meeting, they must declare their interest in the contract or transaction before being allowed to speak.

#### Miscellaneous

- 29. The fiscal year of the Union shall commence May 1st and end on the following April 30th.
- 30. The Union shall appoint an auditor each fiscal year. The appointment of the auditor shall be the responsibility of the Finance Committee.
- 31. The removal of an auditor requires a motion from the Finance Committee approved by a 2/3 majority of Council.
- 32. Council may recommend an increase in student organization fees to the Board of Governors as directed by Council on a motion by the Finance Committee. A motion in Council recommending an increase (or decrease) in student organization fees shall only pass by a 2/3 majority vote of Council.

#### **BYLAW 2500 - BOARD OF TRUSTEES**

- The UMSU Board of Trustees shall oversee the UMSU Scholarship and Bursary Fund and the UMSU Endowment Fund.
- 2. The UMSU Scholarship and Bursary Fund is a distinct and separate corporate entity from UMSU. Subject to its Articles of Incorporation and Bylaws, the purpose of the UMSU Scholarship and Bursary Fund is to receive funds and apply from time to time those funds as scholarships and bursaries to the Members of the Union.
- 3. The UMSU Endowment Fund is a distinct and separate corporate entity from UMSU. Subject to its Articles of Incorporation and Bylaws, the purpose of the UMSU Endowment Fund is to receive and maintain an endowment fund and apply from time-to-time the income from the fund to student aid and assistance to the Members of the Union.
- 4. Subject to the provisions of the UMSU Scholarship and Bursary Fund's Bylaws or the UMSU Endowment Fund's Bylaws respectively, the Board of Trustees shall consist of no less than 3 and no more than 10 trustees.
- 5. Normally, the Board of Trustees shall consist of 8 trustees, including:

- a. the Vice-President (Student Services), ex-officio;
- b. the Vice-President (Internal), ex-officio;
- c. One Student-at-Large;
- d. Three Community Members;
- e. the President ex-officio non-voting; and
- f. the General Manager, ex-officio non-voting.
- 6. The General Manager shall serve as the Secretary of the Board of Trustees.
- 7. After each meeting of the Board of Trustees, the President shall make a report to Council.
- 8. After each meeting of the Board of Trustees, the Vice-President (Internal) shall make a report to the Finance Committee.
- 9. The term of the Student-at-Large shall commence immediately upon appointment, and end on April 30 or upon the appointment of a replacement, whichever is sooner.
- 10. Community Members shall be appointed for three-year terms. Members shall be replaced on a three year rotating basis where one Community Member seat shall be appointed in each year. The President shall present to the Finance Committee a list of potential Community Members for their consideration. Community Members shall be prominent members of the community who are not students at any post-secondary education institution. After consideration of the list, the Finance Committee shall appoint a Community Member to the Board of Trustees.
- 11. The Student-at-Large and Community Members may be re-appointed to the Board of Trustees by the Finance Committee. No Student-at-Large shall serve more than 3 consecutive terms, and no Community Member shall serve more than 2 consecutive terms.
- 12. In event of a conflict, the Articles of Incorporation and Bylaws of the UMSU Scholarship and Bursary Fund and the Articles of Incorporation and Bylaws of the Endowment Fund take precedence over the UMSU Bylaws.

## **BYLAW 2800 - NATIONAL LOBBY ORGANIZATIONS**

- 1. The Union shall, from time to time, belong to lobby organizations.
- 2. Prior to joining a new lobby organization, Council shall consider advantages and disadvantages to the Union of membership in the lobby organization.
- 3. Membership in a lobby organization must be accomplished by a referendum.

- 4. Referenda under this Bylaw shall be conducted in accordance with the Election Bylaws. Where UMSU Bylaws conflict with those of a National Lobby Organization under consideration, it is the sole discretion of UMSU Council to amend or suspend said Bylaw(s) by a motion and 2/3 majority vote.
- 5. Withdrawals from a lobby organization shall be accomplished in the same fashion to joining that lobby organization.
- 6. Regular reports shall be made to Council regarding the activities of any lobby organizations to which the Union belongs and the report shall include information regarding the Union's activities in those lobby organizations.

## BYLAW 2900 - BOARD OF SENIOR STICKS

- The mandate of the Board of Senior Sticks is to meet on a regular basis to discuss issues facing student associations on campus as well as to share ideas for events, campaigns and collaborative activities.
- 2. The Board of Senior Sticks consists of all Presidents of all Student Associations listed in Bylaw 200(1)(b).
- 3. The Chair of the Board of Senior Sticks shall be the President of UMSU.
- The President of UMSU shall make regular reports to Council on the activities of the Board of Senior Sticks.
- 5. The Board of Senior Sticks shall meet at least once a month during the Regular Session, and at least once during Summer Session.
- 6. No action of the Board of Senior Sticks is binding upon Council.

# BYLAW 2950 - BANNATYNE BOARD OF SENIOR STICKS

- The mandate of the Bannatyne Board of Senior Sticks is to meet on a regular basis to discuss issues facing student associations on campus as well as to share ideas for events, campaigns and collaborative activities.
- 2. The Bannatyne Board of Senior Sticks consists of all Presidents of all Bannatyne Student Associations listed in Bylaw 200(1)(b), whose faculty operates out of the Bannatyne Campus.

- 3. The Chair of the Board of Senior Sticks shall be the President of UMSU or designate.
- 4. The President of UMSU, or designate, shall make regular reports to Council on the activities of the Bannatyne Board of Senior Sticks.
- The Bannatyne Board of Senior Sticks shall meet at least twice per term during the Regular Session.
- 6. No action of the Bannatyne Board of Senior Sticks is binding upon Council.

## **BYLAW 3000 - STUDENT SENATE CAUCUS**

- 1. The mandate of the Student Senate Caucus is to
  - a. provide an open forum for student senators to discuss the affairs of Senate;
  - b. facilitate the development of questions to be brought forward to Senate; and
  - c. nominate members to the standing committees of Senate.
- 2. The Student Senate Caucus shall consist of elected student senate members and assessors who shall participate in the deliberations and activities of the Student Senate Caucus.
- 3. The Vice-President (Advocacy) shall be the Chair of the Student Senate Caucus.
- 4. The Vice-President (Advocacy) shall make regular reports to Council on the activities of the Student Senate Caucus.
- 5. The Student Senate Caucus shall meet prior to every Senate meeting to discuss Senate agenda items.

### **BYLAW 3100 - GENERAL MEETINGS**

# Calling & Publicizing a General Meeting

- 1. The Chair of Council, in consultation with the President, shall schedule General Meetings of the Union ("General Meetings") on 2 occasions during the Regular Session, with 1 of the 2 General Meetings taking place at the Bannatyne Campus. Additional General Meetings may be scheduled by Council on a motion by the Executive Committee.
- UMSU shall publish notice of a General Meeting on the UMSU Website at least three weeks prior to the date of the General Meeting.

- 3. The UMSU Website shall also include (as part of their advertisement of the Special General Meeting) any motions or amendments submitted.
- 4. All motions and amendments arising out of the specific issues shall be submitted to the Chair of Council a minimum of two days prior to a Special General Meeting.
- 5. UMSU shall publish an advertisement, that is at least 1/8 of a page in every issue of the Manitoban published no less than one week prior to and no more than three weeks prior to the General Meeting announcing the date, time, and location of the General Meeting.

# Meeting Procedures

- 6. The quorum for a General Meeting shall be 200 Members of the Union.
- 7. The Chair of the General Meeting shall be the Chair of Council.
- 8. The Chair of Council shall be responsible for arranging and conducting the General Meeting in such a way that as many Members of the Union as possible, including Council Members, have the opportunity to speak.
- 9. The Secretary shall take complete and accurate minutes of the proceedings of General Meetings. Such minutes shall be signed by the President and the Chair of Council and copies thereof shall be provided to every Council Member and to any other Member of the Union who requests copies thereof.
- 10. The governance documents of the Union are ranked as follows in terms of descending order of authority for the purposes of a General Meeting:
  - a. The UMSU Act;
  - b. The Bylaws of the Union;
  - c. The Policies of the Union;
  - d. Standing orders of UMSU Council;
  - e. Robert's Rules of Order.
- 11. Subject to any other provisions in the Bylaws, the following shall be, as far as practicable, the order of business at the General Meetings:
  - a. approval of the agenda;
  - b. approval of the minutes of the previous General Meeting;
  - c. unfinished business arising from the minutes;
  - d. reports of the Executive;

- e. reports of the Committees;
- f. question period;
- g. presentation of any motions;
- h. other business; and
- i. adjournment.
- 12. Speaking turns by Members of the Union at General Meetings shall be no longer than 5 minutes in duration.
- 13. A motion before the General Meeting shall be considered by the General Meeting for no longer than 30 minutes. Once the motion has been considered for 30 minutes, the Members of the Union who are present shall vote on the motion.
- 14. The time limits described in Bylaw 3200(13) may be varied for a particular motion by a 2/3 majority of the Members of the Union who are present at the General Meeting. Such a motion may be brought by any Member of the Union who is present at the General Meeting.

# Voting at General Meetings

- 15. At any General Meeting, motions shall be considered and voted upon by the Members of the Union who are present including any Council Members.
- 16. Voting on all motions at a General Meeting shall be by a show of hands, except where the Bylaws or the Robert's Rules of Order require a secret ballot vote.

# Motions passed at General Meetings

- 17. Passage of a motion by General Meeting shall become a policy of the Union for the term of the Council then in office and shall take effect on the day after the next regularly scheduled Council Meeting.
- 18. A General Meeting may, by 2/3 majority of Members of the Union who are present, rescind any motion of the Council then in office.
- 19. Any motion passed by a General Meeting may be rescinded or amended by a 2/3 majority vote of Council.
- 20. Motions may be passed by a General Meeting in the absence of a quorum but such motions shall be considered only as advice to Council and shall have no force or effect whatsoever.

### **BYLAW 3200 - SPECIAL GENERAL MEETING**

- 1. A General Meeting may also be scheduled when the Chair of Council receives a petition of no less than 200 Members of the Union requesting that a General Meeting be held on a specified issue.
- 2. General Meetings initiated by a petition are referred to as 'Special General Meetings', and are bound by all the clauses within Bylaw 3100 except where contradicted by Bylaw 3200.
- A petition requesting a Special General Meeting shall state a specific issue to be discussed and shall be in the form of a motion and shall include a summary of the issue no longer than 250 words.
- 4. Advertisements published in the Manitoban or elsewhere regarding Special General Meetings shall also include the summary provided in the original petition.
- 5. The agenda for a Special General Meeting shall only include the following unless specified in the petition requesting the meeting:
  - a. the presentation of motions;
  - b. adjournment.
- 6. The time limit for motions at a Special General Meeting is 60 minutes. The process for extending this time limit is the same as for General Meetings.
- 7. Motions and amendments shall not be amended in any way from the floor of the Special General Meeting.

### BYLAW 3300 - EXECUTIVE MEMBER VACANCIES

### President

- 1. If the President resigns or becomes incapacitated before October 1, or if the position of the President remains vacant after the UMSU Annual General Election:
  - a. a Vice-President shall be appointed to be an interim President by the Executive Committee;
  - b. a by-election for the vacated President position shall be conducted by the CRO; and
  - c. said by-election shall be held in accordance with the Election Bylaws.
- 2. If on or after October 1 the President resigns, a Vice-President shall be elected to the Office of the President.

- 3. The election shall be held at the next meeting of Council and shall use the following procedures:
  - a. One or more Vice-Presidents will be nominated by a member of council to be elected to the Office of the President;
  - b. Council shall decide by secret ballot which Vice-President shall be elected.

### Vice-President

4. Should a Vice-President resign or become incapacitated during the term of his or her office, or if the position of the President remains vacant after the UMSU Annual General Election, the President shall appoint a replacement. This appointment is subject to the approval of Council.

#### All Executive

- 5. In the event that all executive members were to resign or become incapacitated prior to the Annual General Elections, Council will appoint an interim President until a by-election is completed.
- 6. A by-election for the vacated position shall be conducted by the CRO. The by-election shall be held in accordance with the Election Bylaws.
- 7. In the event that all executive members were to resign or become incapacitated after the Annual General Elections, the executive who was elected to begin May 1st, would start as soon as practicable.

### BYLAW 3350 - COMMUNITY REPRESENTATIVE VACANCIES

- 1. If a position remains vacant after the Annual General Election, nominations to fill the position by appointment of Council shall reopen on October 1st.
- 2. If a position becomes vacant through any other means after or during September and before March, nominations to fill the position by appointment of Council shall be reopened on the first of the next month.
- 3. The nomination period shall be one week.
- 4. If, by the end of the nomination period:
  - a. no one has been nominated, nominations shall be reopened after one month has passed, and every one month after that, until the position is filled.

- b. one or more people have been nominated, Council shall decide by voting after a presentation by each of the nominated candidates. Council shall also request the perspective and input of community members associated with the position. The candidate with a plurality of votes shall be considered appointed to the position.
- 5. The candidate appointed by Council shall be appointed for the remainder of the academic year, and shall have full voting rights during their term in office.

### BYLAW 3400 - DISMISSAL OF EXECUTIVE MEMBERS

- 1. Members of the Executive can only be dismissed by way of referendum.
- 2. A referendum to dismiss a member of the Executive can only be initiated by a petition with signatures of at least 10% of the total number of Members of the Union. This number is to be determined by the University of Manitoba's enrolment count at the time that the petition is presented.
- 3. A referendum to dismiss a member of the Executive shall be worded as follows: "Should (insert name of Executive member(s)) continue to serve as (insert position) of the University of Manitoba Students' Union?"
- 4. Any such referendum shall, as far as practicable, be carried out in accordance with the Election Bylaws. The results of any such referendum shall be binding on Council and the Union.
- 5. If a member or members of the Executive is/are dismissed, any resulting vacancy shall be dealt with, as far as practicable, in accordance with Bylaw 3300 as if the Executive member(s) had resigned.
- 6. In the event of dismissal, the Executive member(s) shall continue to receive their salary for a period of 1 month from the date that the results of the referendum are announced or the recount results are announced if there is a recount.
- 7. Amendments to this bylaw shall not take effect until the following May 1st after being adopted by Council.

### BYLAW 3500 - REMOVAL OF COUNCIL MEMBERS

- 1. A Council Member may be dismissed, on motion to Council, for any reason determined appropriate by Council, and without restricting the generality of the foregoing may include any 1 or more of the following reasons:
  - a. the Council Member has repeatedly acted in a manner that is unduly disruptive and disrespectful of Council and its proceedings;
  - b. the Council Member ceases to be a member of the union; or
  - c. the Council Member fails to attend or send a proxy to three consecutive meetings or a total of six meetings during regular session.
- 2. Removal of a Council Member is subject to the following procedure:
  - a. a motion to dismiss is made to Council by a Member of the Union which includes the reasons for the proposed dismissal;
  - b. an Ad Hoc Committee shall be struck to consider the merits of the motion and shall consist of five Council Members selected by Council;
  - c. the Ad Hoc Committee shall gather information from any source that the Committee

    Members consider appropriate, investigate any allegations made in the motion, and shall
    accept submissions on behalf of the Council Member in question; and
  - d. within two weeks of the motion the Ad Hoc Committee shall report back to Council.
- 3. The motion to remove a Council Member shall not be voted on by Council unless the Council Member has been given the opportunity to make submissions to the Ad Hoc Committee, or Council is satisfied that reasonable attempts have been made to communicate with the Council Member who is subject to removal, but those attempts have been unsuccessful.
- 4. A motion to remove a Council Member shall only pass by a 2/3 majority vote of Council.

# **BYLAW 3600 - OATHS OF OFFICE**

- 1. The President and Vice-Presidents, prior to the commencement of their official duties, shall take an Oath of Office. Failure to do so shall preclude the President and/or Vice-Presidents from carrying out their duties as prescribed by the Act and the Bylaws of the Union, subject to any other provisions of the Bylaws of the Union.
- 2. The Chair of Council shall administer the Oath. In the absence of the Chair, the Secretary of Council shall administer the Oath.

- 3. The President and Vice-Presidents shall take their respective Oaths of Office at a Council meeting prior to May 1.
- 4. The Oath of Office for the President shall be: I, (name), do hereby promise that I will diligently, faithfully, and to the best of my ability fulfill the duties, responsibilities, and expectations of the office of the President of the University of Manitoba Students' Union, in accordance with the Act and the Bylaws of the Union, and above all else in the best interests of the students who belong to the Union. I humbly acknowledge and accept the great privilege and honour bestowed upon me, and shall not violate the trust placed in me by Council and the Members of the Union.
- 5. The Oath of Office for the Vice-Presidents shall be: I, (name), do hereby promise that I will diligently, faithfully, and to the best of my ability fulfill the duties, responsibilities, and expectations of the Office of the Vice-President (position title) of the University of Manitoba Students' Union, in accordance with the Act and the Bylaws of the Union, and above all else in the best interests of the students who belong to the Union. I humbly acknowledge and accept the great privilege and honour bestowed upon me, and shall not violate the trust placed in me by Council and the Members of the Union.
- 6. In the event of the resignation, dismissal, and incapacitation of any executive member(s), the interim or newly executive member(s) is entitled to carry out the duties of that office immediately and must take the Oath of Office at the earliest Council meeting possible.

# **BYLAW 3700 - GOVERNANCE DOCUMENTS**

- 1. Unless otherwise stated in these Bylaws, the Governance Documents of the Union are ranked as follows in descending authority:
  - a. The UMSU Act:
  - b. The Bylaws of the Union;
  - c. The Policies of the Union;
  - d. Standing Rules of UMSU Council;
  - e. Robert's Rules of Order.
- 2. UMSU will also maintain a Campaigns Guide, which provides direction on Campaigns of the Union.

### Amending Governance Documents

- 3. Only Council has the jurisdiction to adopt additions, amendments, or deletions from the Bylaw Manual, Policy Manual, Standing Rules of Council, and Campaigns Guide.
- 4. A motion to amend or introduce a Policy or Bylaw must expressly contain in its text the resolution that Council adopts said motion as a Policy or Bylaw.
- 5. New or Amended Bylaws, Policies, Standing Rules of Council, or Campaigns take effect the day following its adoption by Council unless otherwise stated in the motion to adopt.
- 6. Amendments to the Bylaw Manual, Policy Manual, or Campaigns Guide shall be distributed to all Council Members and posted on the Website within a reasonable time after which they occurred.
- 7. No motion to amend to the Election Rules shall be considered during the Election Period.

### Act

- 8. Any requests to alter, amend, update, or otherwise change the Act may only be passed by a 2/3 majority of Council on motion by Policy and Bylaws Committee.
- 9. No motion to request to amend the Act may be considered without first allowing 2 weeks notice to Councillors.

### **Bylaws**

- 10. All Bylaws will be documented in the Bylaw Manual.
- 11. The Bylaws may only be amended during regular session with a two-thirds majority vote in Council during regular session on a motion from the Policy and Bylaws Committee.
- 12. No motion to amend the Bylaws may be considered without first allowing 2 weeks notice to Councillors.
- 13. The Policy and Bylaws Committee must complete a full Bylaws review at least every three years.

### **Policies**

- 14. All Policies will be documented in the Policy Manual.
- 15. A Policy will take the form of a motion and shall be prefaced by a preamble which expresses the sentiment or principles on which the motion is based.

16. Policies may be introduced or changed amended at anytime throughout the year with a majority vote in Council.

# Standing Rules of Council

- 17. Standing Rules of Council will be documented in the Resolutions Manual.
- 18. Standing Rules of Council may be introduced or amended at anytime throughout the year with a majority vote in Council.
- 19. Standing Rules of Council expire upon the Changeover of Council unless adopted by the incoming Council.

# Campaigns Guide

- 20. Ongoing Campaigns of the Union will be documented in the Campaigns Guide.
- 21. Campaigns may be introduced or amended at anytime throughout the year with a majority vote in Council.
- 22. Each Campaign in the Campaigns Guide expires three years (or less, if decided by Council) after being adopted by Council. Expired Campaigns may be reviewed and re-adopted by Council as necessary.