

Ruling #1

March 2015 Students' Council and General Faculties Council Election
Attendance at Mandatory Candidates' Meeting – Multiple Candidates

Parties to the Ruling

- Jamie Hudson, Candidate for Students' Council (Science)
- Aila Jamali, Candidate for Students' Council (Science)
- Sumer Almani, Candidate for Students' Council and General Faculties Council (Engineering)
- Jonathan Cheng, Candidate for Students' Council and General Faculties Council (Law)
- Jessica Nguyen, Chief Returning Officer

Applicable Bylaw, Rules, and Regulations

- Bylaw 2300 §10 (Candidate Registration Meeting)
- Bylaw 2300 §11 (Content of the Candidate Registration Meeting)
- Rules and Regulations §1.3 (Candidates' Meeting)

Facts

1. Jamie Hudson, Alia Jamali, Sumer Almani, and Jonathan Cheng submitted valid and complete nomination packages for the March 2015 Students' Council and General Faculties Council Election prior to the nomination deadline on Tuesday, March 10 at 17:00.
2. Candidates Jamie Hudson, Alia Jamali, Sumer Almani, and Jonathan Cheng were not present at the mandatory candidates' meeting on Tuesday, March 10 at 17:00, at the time when the Chief Returning Officer was taking attendance as per Bylaw 2300 §11(f).
3. Candidates Jamie Hudson, Alia Jamali, Sumer Almani, and Jonathan Cheng arrived late to the candidates' meeting, the Chief Returning Officer indicated that it was already too late to fulfill Bylaw 2300 §10, which requires that candidates attend the meeting in its entirety.
4. Candidates Jamie Hudson, Alia Jamali, Sumer Almani, and Jonathan Cheng did not designate a proxy for the candidates meeting in writing to the Chief Returning Officer.
5. Candidates Jamie Hudson, Alia Jamali, and Sumer Almani followed up with reasons for their late arrival. Candidate Jonathan Cheng did not follow up with a written reason on his late arrival.
6. Candidate Jamie Hudson submitted the following:
 - a. "My name is Jason and I am one of the learning coaches for the Tuesday lab for Animal Science 200. I travel with the students on all of their field trips, and was with Jamie this past Tuesday when our lab got back later than scheduled. This is why Jamie was late to her meeting. I apologize for any inconvenience this may have caused, and I would not want this misunderstanding to affect her ability to run for elections for students council."
 - b. "I was late to the meeting Tuesday because I was in my animal science 200 lab, which generally takes us out of town to farms to see what sort of operations occur there. This was the case on Tuesday, as we went to a broiler farm, and obviously I could not predict that we would be late coming back. Bo and Bridget knew I would be late because I'm always posting in our council whatsapp chat about my field trips, hence why they offered to be my proxy. My apologizes for not giving written notice for the proxy, I was not expecting to be late as mentioned. As well, in council this year, Saadiq accepts my proxies when I text him or else just tell him in person so I didn't realize it

would be an issue. I'm sorry if this caused any issue, and I promise I will abide by anything else more closely - I thought the written notice of a proxy was more of a formality and not a requirement. I've been texting you about preparing for my campaign for the last week, so promise I wasn't trying to go against rules. I've had my learning coach/lab supervisor email you explaining we were late."

7. Candidate Alia Jamali submitted the following:
 - a. HI I am the instructor for Psyc 275. Our exam went until 5 pm today and this is why Aila Jamali was late to the elections. Sorry for any inconvenience this may have caused. I was late to start the exam today, and I would hate for that to ruin Aila's opportunity for running in the student council.
8. Candidate Sumer Almani submitted the following:
 - a. "If you remember me from earlier today, I was disqualified because I arrived 5 minutes late. I believe I have a legitimate reason for my lateness. As you will see on my class schedule, I had a "MAT E 202" lab from 2-4:50pm. I was going to ask Param Singh to be my proxy; however, I was almost certain that 10 mins would be enough to get to the meeting room in time. As I left the lab room and waited for the elevator on the 6th floor, it took more time than I anticipated- precisely about 3 mins for the elevator to come to the 6th floor from the time I pressed the elevator button. The chemical and materials engineering building is actually under construction at the moment and this is probably the reason for the inefficiency of the elevator's functioning. That being said, I got to the meeting room less than 5 minutes late and you had just finished calling out the engineering councillors, and when I got there, you were announcing the names of science councillors. I didn't want to interrupt your meeting as that would be considered rude, hence I was waiting for you to finish. Had that elevator worked, I wouldn't be writing this message to you."
9. The Chief Returning Officer does not find that any of their reasoning for arriving late to the meeting is reason to lift the penalty of disqualification, as the Chief Returning Officer believes that these cannot be considered "emergencies" and that it was possible for all candidates to designate a proxy in writing to the Chief Returning Officer in light of all three situations that came up. The Chief Returning Officer also believes that if there is even the slightest chance that a candidate cannot make the mandatory meeting on time, a proxy should be secured in writing to the Chief Returning Officer advance.

Ruling

1. Bylaw 2300 §10 and Rules and Regulations §1.3 were not respected by any of the aforementioned candidates, therefore a penalty should be assessed.

Penalty

1. Jamie Hudson will be disqualified from the Students' Council (Science) race.
2. Aila Jamali will be disqualified from the Students' Council (Science) race.
3. Sumer Almani will be disqualified from the Students' Council and General Faculties Council (Engineering) race.
4. Jonathan Cheng will be disqualified from the Students' Council and General Faculties Council (Law) race.

University of Alberta Students' Union Elections
Executive and Board of Governors General Election Ruling



So decided on: Friday, March 13 @ 15:00. Time limit for appeal: Sunday, March 15 @ 11:00.

Please direct any inquiries towards:

Jessica Nguyen
Chief Returning Officer
University of Alberta Students' Union