Introduction & Purpose

This document seeks to provide council, executives, and administration documentation and insight of the PGSS 2015 general elections. Unlike past years, these current elections were particularly problematic, and involved two major contestations, and a disqualification. Notably, these two contestations provided far-reaching jurisprudence for PGSS Elections. Perhaps more importantly, they also document the actions of several PGSS players which may be of important consideration for PGSS colleagues, members and partners.

Moving to a new Online Voting System (OVS) for these elections, some documents traditionally included in this report will be bundled separately as annexed files found on the election website.

Finance

Budget

<table>
<thead>
<tr>
<th>Item</th>
<th>Budgeted</th>
<th>Paid</th>
<th>Note</th>
</tr>
</thead>
<tbody>
<tr>
<td>Posters</td>
<td>200</td>
<td>0</td>
<td>Print posters discontinued for elections</td>
</tr>
<tr>
<td>Translation</td>
<td>450</td>
<td>263.90</td>
<td>New contract translator engaged at a per-word fee.</td>
</tr>
<tr>
<td>Catering (Debates)</td>
<td>400</td>
<td>320.66</td>
<td>$225 paid to MGSS for debate hosting. 90.66 for downtown catering.</td>
</tr>
</tbody>
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Candidate Expenses

No direct candidates incurred expenses, apart from Mac Campus transport or, in the case of Candidate Ndandala, a candidate who was later disqualified. Some candidates shared the Debate Chairperson’s transportation (rental car). This expenses, for internal purposes, were imputed onto the candidates’ expenses.

Analysis & Suggestions

The cost of elections, as seen in the proposed budget, is largely dependent on candidate spending. While the society is obliged to budget for this variable cost, the Elections budget line can easily serve to offset other costs at the end of the fiscal year.

On another note, given the turnout of these elections vis-à-vis previous elections, it seems that the facebook or PGSS publicity schemes have a limited effect on voter turnout. This being said, the goal of such campaigns was to engage the disenfranchised, and, as such, should be continued in the future.
Timeline

Wed 28 Jan 2015
All day Nomination Period (General Election Executive)

Wed 11 Mar 2015
End of Nomination Period (5:00 pm or Midnight via Email)

Special Nomination Period (MSO election extended)
Wed 11 Mar 2015 - Thu 19 Mar

Thu 19 Mar 2015
End of Special Nomination Period (5:00 pm or Midnight via Email)
Wed 11 Mar 2015 - Thu 19 Mar

Mon 23 Mar 2015
11:45 - 13:15 MacDonald Debate (Campaign Period Exemption)
Where: Mac-Stewart Lounge (Mac Stewart Building)

16:45 - 18:15 All Candidates Meeting
Where: Thomson House Annex

Tue 24 Mar 2015
All day Campaigning Period : Période de campagne
Tue 24 Mar 2015 - Thu 9 Apr 2015

Mon 30 Mar 2015
All day Deadline for 350 word statement (with translation) and 750 word statement (due for midnight)

Sun 5 Apr 2015
All day Deadline for 350 word statement (without translation) (due for midnight)

Tue 7 Apr 2015
20:00 – 22:00 Downtown Debate
Where: Thomson House Ballroom

Wed 8 Apr 2015
Final Day All day Campaigning Period : Période de campagne
Tue 24 Mar 2015 – Wed 8 Apr 2015

Thu 9 Apr 2015
All day Voting : Période de vote
Thu 9 Apr 2015 - Fri 17 Apr 2015
Where: Online

Fri 17 Apr 2015
Final Day Voting : Période de vote (Ends at 17:00)
Thu 9 Apr 2015 - Fri 17 Apr 2015
Where: Online

Sat 18 Apr 2015
All day Contestation Period
Sat 18 Apr 2015 - Thu 23 Apr 2015

Thu 23 Apr 2015
Final Day – Regular Contestation Period
Sat 18 Apr 2015 - Thu 23 Apr 2015

Special Extended Contestation Period (MSO Election or Contestation-derived complaints)
Thu 23 Apr 2015 - Thu 30 Apr 2015
Ballot & Results

Ballot will be included as an appendix.

Results

Results will be included as an appendix.

Participation by department - programme - faculty:

The simply voting system does not furnish results by department, programme or faculty.

Voter Turnout by Time:
Contestations & Complaints

The first concerned the receivability of Ms. Pura’s nomination form in extenuating circumstances. The CRO accepted the grounds for the contestation made by candidate Lungu. He later ruled to reject the complaint seeking to throw out Ms. Pura’s nomination as the arguments made in favour of disqualification were based on a restrictive and non-subjective interpretation of electoral regulations. On appeal, the Judicial Committee ruled that the CRO was correct in using his judgement to decide how and when to apply electoral regulation. This served to underline the notion that the CRO is not only an administrator but also a judiciary who has the power to interpret and apply (or not) electoral regulations under the obligation of a duty of fairness. The second contestation, which was not appealed and was made by the leaving Equity Commissioner, called for the rejection of the Member Services Officer election on the grounds that the aforementioned contestation poisoned, from the beginning, the candidacy of Ms. Pura by painting her as unethical. While Ms. Pura was certainly without fault, the basis for the initial contestation against her does have validity from an administrative perspective. Ms. Lungu, in her complaint, raised valid questions on the electoral procedure. While one may speculate on her motives for filing this complaint, we cannot conclude that the basis for this complaint was meritless or entirely vindictive. As a result, and given the turnout of the MSO election, a second election for the MSO position would have imposed unfair hardship on Ms. Lungu and likely had no effect on the outcome of this election. Two contestations were filed during these elections, one of which was escalated to the Judicial Board. The two contestations, and the Judicial Committee ruling are available on the PGSS website and attached as appendices.

Lastly, Candidate Ndandala failed to submit his expense form in the obligatory delay imposed by the Society Activities Manual, despite reminders. As per the governance committee decision (Election Reference, 2013), the CRO can pursue a sanction without a complaining party. As he, Mr. Ndandala, did not present any extenuating circumstances, and as the SAM prescribes disqualification, his candidacy was retroactively removed from the elections.

Conclusion

This election highlighted two major issues in PGSS elections: ressources and structure. The office of the CRO consists of a single, part-time consultant. The regulations governing elections and referendums consist of a detailed list of general rules. Taken together, this leaves much discretion to the CRO on how to best enact the elections. However, it also requires candidates to act in good faith, and take initiatives to ensure regulatory compliance. During this election, some players did not err on the side of caution, as demonstrated in part by the above contestations. The CRO endeavoured to palliate this behaviour using creative alternatives and a proactive approach to enforcement. This is not always sufficient. Needless to say, we cannot ever extend the CRO the ressources of a government electoral office. In lieu, we propose strengthening the regulations to:
- Prevent disclosure of allegations or complaints in pending contestations and rulings
- Extend the definition of Campaigning to include support with logistics, complaints, regulations and legal
- Enforce a 24 hour deadline on the acceptance or rejection of contestations
- Enforce a ten day deadline on the issuing of CRO rulings
- Impose the onus of proof on candidates for any statements made during campaigning, with the CRO having the right to audit or verify this information during the elections with sufficient notice to the candidate
- Clarify any real practice in the regulations for concerns raised in Ms. Lungu’s procedural contestation
- Require that debates are recorded for both publicity and evidentiary reasons
- Extend disqualification to any candidates making comments that can be deemed highly offensive to any social grouping, within the limits of a proper legal definition (ex: criminal code)
- Include individuals helping with logistics, legal or contestations as campaign supporters

A more detailed list of reforms will be brought to PSAC and-or Council in the coming months.

Thank you

Regards

Colby Briggs
PGSS Chief Returning Officer