University of Victoria Graduate Students’ Society

Briefing on proposed bylaw changes related to elections to the GSS Executive Board

October 16, 2016

Prepared by: Amanda MCLAUGHLIN and Stacy CHAPPEL
Prepared for: the Executive Board

Introduction
The GSS executive board, in consultation with legal counsel, identified loopholes in its bylaws pertaining to the elections of the GSS executive board. This briefing proposes a series of motions to clarify election procedures in the GSS Constitution and Bylaws.

Bylaw changes proposed

Bylaws pertaining to the Electoral Officer

Background
There exists language in our bylaws which state that the electoral officer be appointed 28 days prior to an election.

Bylaw 4.1.c states that the electoral officer may not run for elected office.

Commentary
Election procedures are initiated more than a month ahead of elections to the executive board. Additionally, the responsibilities of the electoral officer include not only a single election in March but also a presentation to the members at the GSS AGM, supervision of any elections to vacant positions of the executive board, and any referenda held during the Grad Council term. It is therefore unclear when the term of the Electoral Officer ends. We propose clarifying the terms of the Electoral Officer to begin and end with the term of Grad Council.

Bylaw 4.1.c is meant to prevent the Electoral Officer from running for the GSS board of directors, however the current language would suggest the GSS Electoral Officer from running from any elected office, and needs clarification.

Motion
BIRT BYLAW 4.1. be amended as follows:

The Electoral Officer shall:

a. Be appointed by Grad Council; at least twenty eight (28) days before an election
b. Be appointed in September, for a term that ends with the term of the Grad Council;
c. Not be a nominee for any elected office of the Society nor be a current voting member of the Executive Board nor be a registered member of any referendum side;

d. Be responsible for the operation of all elections, by-elections and referenda according to the By-laws of the Society;

e. Notify all candidates of the Schedule of Elections;

f. Work with the Electoral Appeals Committee.

Bylaws related to the Stipend Review Committee

Background

Bylaw 4.7 states that the Electoral Officer, members of the Electoral Appeals Committee and members of the Stipend Review Committee cannot stand for election to the executive board. The current bylaws however specify that these terms apply for the Stipend Review Committee during regular elections.

Bylaw 4.11 distinguishes the normal election procedures (March web-vote) from the extraordinary election procedures (AGM).

Commentary

This language can be interpreted to mean that members of the Stipend Review Committee are eligible to run for the executive board during extraordinary election procedures. Members of the Stipend Review Committee could therefore present their report to the membership during the same meeting that they run for the executive board.

We propose three changes: first that the language in bylaw 4.7 be simplified such that the terms of the Stipend Review committee end with the term of Grad Council. Second, we propose removing the words extraordinary from the election procedure, to clarify that election procedures include the online election in March in addition to the election of vacant positions during the GSS AGM.

Motion

BIRT BYLAW 4.7 be amended as follows:

Election Nominations and Referendum Sides:

a. Nominees must be members of the Society. The Electoral Officer, and members of either the Electoral Appeals Committee, cannot stand for election to the Executive Board. Members or of the Stipend Review Committee cannot stand for election to the Executive Board during the term of the Graduate Representative Council in which they were appointed in a regular election.

b. Nominations must be signed by the nominee, and ten nominators, who must be members of the Society.

c. Nominations must be returned to the Electoral Officer no later than the close of nominations.

d. People wishing to campaign for a referendum side must register with the Electoral Officer prior to beginning to campaign for that referendum side.

BIRT BYLAW 4.11 be amended as follows:
In the event that no nomination is received for an Executive Board position during the normal electoral nomination procedures as outlined in Bylaws 4.1 through 4.11, the following extraordinary elections procedures will be followed.

BIRT BYLAW 10.1 be amended as follows:

Directors of the Executive Board shall receive an annual stipend in an amount to be recommended by the Stipend Review Committee and approved at a General Meeting. The Committee will be elected by the Graduate Representative Council annually. Terms of reference for the committee will be set by the Graduate Representative Council, but the Committee’s purpose(s) must include an annual review of the directors’ hours and stipends. The Stipend Review Committee may invite any member of the Executive Board to submit information pertinent to the work of the committee. However, no current Executive Board member may sit on the Stipend Review Committee. Further, no current member of the Stipend Review Committee may stand for election to the Executive Board as per Bylaw 4.7.a.

Bylaws related to the procedures when there are no nominations during the nomination period

**Background**
Currently, the bylaws include section 4.11 which refer to “extraordinary” election, where remaining vacancies during the nomination process are filled at an AGM.

**Commentary**
The use of the terms “extraordinary” and “regular” have created confusion as to whether any or all of the other electoral bylaws apply to elections under bylaw 4.11.

**Motion**
BIRT bylaw 4.11 be amended as follows:

“4.11 Extraordinary Election Procedures:

In the event that no nomination is received for an Executive Board position during the normal electoral nomination procedures as outlined in Bylaws 4.1 through 4.11, the following extraordinary elections procedures will be followed:

i. The electoral officer will issue a call for candidates for any Executive Board positions for which there is no nominee. Call for candidates will be issued via email to all members of the Society and posters in all academic units stipulating the process as outlined in Bylaw 4.11.ii.

ii. Candidates can nominate themselves in person at the Semi-Annual General Meeting, or submit a written statement of candidacy to the electoral officer at least one day prior to the Semi-Annual General Meeting.”