Preamble
A formal complaint was filed by Sonalika Patel, a candidate for the position of Associate Vice-President Labour in the GSA Election of Associate Vice-President Labour (hereafter “the Complainant”), against Muneeb Masood Raja, a candidate for the position of Associate Vice-President Labour in the GSA Election of Associate Vice-President Labour (hereafter “the Respondent”), the morning of 3 March 2023, and alleges two separate breaches of GSA Bylaw and Policy. Both will be addressed below.

List of parties to the complaint
● Complainant: Sonalika Patel, candidate for Associate Vice-President Labour
● Respondent: Muneeb Masood Raja, candidate for Associate Vice-President Labour

Summary of alleged breach #1 (entering offices)
● Complaint: The complainant alleges that the respondent approached her and confessed to visiting student offices but not finding enough people there. She alleges that the respondent wanted to talk to her in person, and she brought another candidate with her as a witness.
● Response: The respondent claims that he did not go into offices, classrooms, or lecture halls throughout the election, and only campaigned in open spaces. He claims to have entered the DICE building, but not the offices.
● Relevant bylaw and policy: I.POL.10.11 Candidates will get permission, where appropriate, to campaign in instructional spaces, such as classrooms and lecture halls. Candidates will not campaign in unsafe spaces that require proper safety equipment. The CRO will talk about safety issues, including campaigning in labs, at the All-Candidates Meeting.
● Extra context
  o The complainant received a 15% vote deduction for entering student offices. This was brought up by external graduate students (i.e., not candidates in the GSA General Election or Election of the Associate Vice-President Labour) who emailed the CRO to express their concerns about some candidates and feeling disrupted in their office spaces.
  o I.BYL.1.1 The fundamental principle underlying GSA elections is that they are to be fair, respect the wishes of voters, and conducted in a manner that reflects the excellent, positive reputation of the GSA.
  o D.POL.10.1.d.ix With advice from the GSA Elections and Referenda Committee(GSA ERC), the CRO issues interpretations of GSA Bylaw and Policy on elections and referenda to be shared equally amongst all candidates and Campaign Representatives during the course of a GSA General Election, by-election, or referendum.

Summary of alleged breach #2 (poster approval)
● Complaint: The complainant alleges that the respondent put up posters in two locations which required permission, but he did not obtain permission, as he did not have approval stamps on his posters. The complainant provided photo and video evidence of these.
● Response: The respondent explains that he used 27 posters in total. He obtained approval for posters put up in engineering buildings. He did not realize that approval was required for the AgFor poster board as there was no sign. He was in a rush when putting up the poster in SUB and did not see the sign. The remaining posters he put up were in areas where approval was not required.
● Relevant bylaw and policy: I.POL.10.3 Candidates will ensure all campaign plans, materials, and/or advertisements conform with all University of Alberta policies and regulations and all municipal, provincial, and federal laws.
Summary of consultations with the GSA Elections and Referenda Committee (ERC)

● The CRO first consulted with the GSA ERC to determine whether it would be fair to deduct votes if the respondent was found to be in violation of GSA Bylaw and Policy, at this stage in the election, with the knowledge of how any deduction could affect the results.
  ○ The CRO and the GSA ERC agreed that deducting votes would only be appropriate if the respondent was found to be in violation of alleged breach #1, as other candidates had also received vote deductions for this violation, so it would be simple to assign the same deduction to the respondent.
  ○ The CRO and the GSA ERC agreed that deducting votes would not be fair and impartial if the respondent was found to be in violation of alleged breach #2, as no other candidates received vote deductions for this violation, and thus no precedent had been set for an amount to deduct. As the voting period has ended and provisional results have been released, if votes were to be deducted, the CRO would essentially have the power to determine the results of the election. Vote deductions are only appropriate when the CRO and the GSA ERC are blind to the vote numbers (which was the case when previous vote deductions were imposed). If the respondent was found to be in violation of this alleged breach #2, the CRO and the GSA ERC agreed that if the violation is severe, disqualification is an option, but if the violation is not severe, it would not warrant any action. This would be determined through comparing this allegation to other breaches in this election cycle and comparing the consequences.

● The CRO then consulted with the GSA ERC to determine which alleged breaches the respondent was in violation of, if any.
  ○ The CRO and the GSA ERC agreed that the respondent, in regards to alleged breach #1, would not be deducted votes due to the fact that there was insufficient evidence provided. The complainant was previously found to be in violation of this same alleged breach, which was accompanied by sufficient evidence from various graduate students emailing their concerns to the CRO. As discussed earlier, if the respondent was found to be in violation, he would receive the same vote deduction as the complainant; however, this was not found to be the case.
  ○ The CRO and the GSA ERC agreed that the respondent is in violation of alleged breach #2. As mentioned earlier, vote deduction was not an option for this alleged breach as it is not possible to remain impartial now that provisional results are available. The only two options available were to not impose any consequences (if the violation is not severe), or disqualify the respondent (if the violation is severe). The CRO and the GSA ERC compared this violation to other violations during this election cycle and found this to be a negligible violation; therefore, warranting no action at this time.

Decision

As per GSA Bylaw and Policy, Section 1.BYL.1.1.: “the fundamental principle underlying GSA elections is that they are to be fair, respect the wishes of voters, and conducted in a manner that reflects the excellent, positive reputation of the GSA.” It is clear that there was one breach of GSA Bylaw and Policy (as noted above). However, due to the stage in the election (provisional results released) and the severity of the violation (very low), no penalties will be issued to the respondent.

I appreciate that in an election, candidates work hard to advance their campaigns and sometimes oversights can occur. I appreciate the quick responses from both parties that were demonstrated in this instance. After working through this complaint with the GSA Elections and Referenda Committee, we are united in expressing the hope that, in all election processes, candidates will run positive campaigns and honour the provisions of GSA Bylaw
and Policy to treat all involved with respect and work to uphold the integrity of the elections process and reputation of the Graduate Students’ Association.

**Process by which the decision was reached**

In reaching this decision I carefully considered both the formal complaint and the formal response, as well as consulted extensively with the GSA Elections and Referenda Committee, as per the requirements of GSA Bylaw and Policy, Section D.POL.10.1.d.x.

**Applicable GSA Bylaw and Policy**

- GSA Bylaw and Policy, I.POL.10.11
- GSA Bylaw and Policy, I.BYL.1.1
- GSA Bylaw and Policy, D.POL.10.1.d.ix
- GSA Bylaw and Policy D.POL.10.1.d.x
- GSA Bylaw and Policy, I.POL.10.3

**Appeals of this decision to the GSA Appeals and Complaints Board (ACB)**

- As per GSA Bylaw and Policy, “decisions of the CRO are subject to appeal to the GSA Appeals and Complaints Board (GSA ACB)” (Section I.POL.11.6) and “candidate(s) or referendum campaign member(s) have twenty-four (24) hours from the time the CRO’s decision is deemed delivered to submit an Appeal (Section H.POL.15.2.b).
- “Deemed Delivered” is defined such that an email is deemed to have been delivered twenty-four (24) hours from the time it was sent (GSA Bylaw and Policy, Section H: Definitions).