

Councillors,

On October 11, Councillors approved a timeline for by-elections to fill empty spots on Council. Shortly after that meeting, a Councillor pointed out that the decision seemed to contradict a section of Elections Policy, specifically section 9.d:

9.d) Should any:

i) Faculty Representative position remain unfilled after the Union's annual elections or become vacant at any point after the Union's annual elections, the Nominating Committee shall make recommendations to Council regarding filling vacant positions, and Council shall make the appointments.

ii) Community Representative positions remain unfilled after the Union's annual elections or become vacant at any point after the Union's annual elections, the Council shall ratify the Faculty society's choice of representative.

There are a few complicating factors here. The Bylaws do not mention the Nominating Committee, and the relevant section of Committee Policy is outdated. As well, 9.d.ii mentions that faculty societies are to appoint community seats. It is unclear how that is supposed to happen.

The Bylaws offer the following:

c. Should a vacancy arise in the office of a Councillor on or before October 31 of the year in which that person was elected, a byelection shall be held to fill such vacancy...

A person could interpret this clause to mean that by-elections are held only in cases where the elected representative vacates their seat. It is unclear if this applies to positions that are unelected in the first place.

The Chief Returning Officer has stopped the by-election process. When vagueness in policy comes up, it is ultimately Council's job to determine how to interpret policy and move forward.

Council has to decide to do one of the following:

- 1) Strike a nominating committee, clarify that committee's role, and use it to appoint the unelected faculty positions. Clarify which societies should appoint community reps as per Elections Policy 9.d.ii.
- 2) Suspend Section 9.d) of the Elections Policy temporarily, and vote on a different way to appoint vacant seats.

There are potentially other options as well. Regardless, the by-election timeline that was approved at the October 11 meeting is no longer feasible.

At the November 1st meeting Councillors will have a chance to discuss these options, and decide on a path to move forward.

Let me know if you have any questions.

Chris Abraham
Chair, Dalhousie Student Union Council