

March 3, 2020

## UVSS Elections 2020 – Complaint 3 Decision

**Respondents:** Katy Berglund, Sebastian Franco-Monroy and Carlton Taylor

**Offense:** The complaint, received March 3, 2020, alleges that Berglund posted a campaign video on her Facebook page, in which two other members of her cooperative are present (Franco-Monroy and Taylor). The complainant states that this is a violation of section 5.6.d of the UVSS Electoral Policy Manual (“Candidates may not make reference to any other candidates, including other cooperative members, in any campaign materials.”). The complainant states that since Franco-Monroy and Taylor can be seen holding a promotional sign (a banner) this demonstrates campaign material which references other candidates. A link to Berglund’s Facebook page was also provided.

**Response:** A copy of the complaint was not provided to the respondents.

**Finding:** On Mar 3, 2020 at 5:15pm, I reviewed the only video on Berglund’s Facebook page, which shows Berglund posting **her banner** on the wall of one of the UVic campus buildings and responding to questions about her campaign platform. Two individuals are seen in the video holding Berglund’s banner as she tapes it to the wall. At no point in the video are the two individuals identified. At no point in the video are there references to Franco-Monroy’s campaign or Taylor’s campaign.

In making my decision, I turn to the intention (WHEREAS clauses) of the new policies in the UVSS Electoral Policy Manual that were made by the UVSS Board of Directors on December 9, 2019 (meeting minutes [here](#)) when slates were removed and cooperatives were introduced. The BOD stated that the "slate system discourages independents from running; creates a combative, cliquy, and sometimes toxic environment" and that the action to address this is through "the elimination of **branded materials**". The corresponding changes to the EPM around cooperatives focus predominantly on the elimination of branded campaign materials.

It is important to note that there are no policies within the UVSS Electoral Policy Manual that restrict candidates from campaigning on behalf of, supporting, or endorsing other candidates.

In reviewing the campaign material (the video itself, and not the banner in the video), I find that there are only references to a single candidate (Berglund). While I acknowledge that there are two other individuals visible in the video (whom I would infer to be Franco-Monroy and Taylor), the video does not reference them. As such, I find that no other candidates are referenced in the campaign material themselves, and I find that Berglund’s video does not contravene section 5.6 of the UVSS Electoral Policy Manual. As such, I am dismissing this complaint and no further actions will be taken.

**Sanctions:** No sanctions will be applied, as I am dismissing the complaint.

The complainant may appeal this decision to the Elections Adjudicator within one business day.

Shawn Slavin  
Chief Electoral Officer