Minutes of the AMS Governance Committee
(Minutes for February 14th, 2022 Meeting at 12pm | AMS Nest: Room 3259)

Attendance

Present: Kamil Kanji (Chair), Sheldon Goldfarb (Archivist and Clerk of Council), Saad Shoaiib (VP External), Alina Bhimji (Vice-Chair), Rebecca Liu, Katherine Feng, Teddy O'Donnell, Romina Hajizadeh

Regrets: Cole Evans (President)

Guests: Matthias Leuprecht

Recording Secretary: Alina Bhimji (Vice-Chair)

Call to Order

The meeting was called to order at 12:03 pm.

Territorial Acknowledgement

Approval of the Agenda

Moved: Saad Seconded: Romina

“BE IT RESOLVED THAT the agenda be adopted.”
Agenda Items

1. Introductions

2. Approval of Minutes

Moved: Saad       Seconded: Romina

“BE IT RESOLVED the Governance Committee meeting minutes of February 14 are approved as amended”

Saad: please bold “Note” that people recused themselves from discussion

3. Governance Review

TABLED

4. SSM/Non-Voting Members on AMS Committees

Kamil: see documents regarding non-voting member consultation. Council would like us to focus on the SSM on committees especially fin com and we can revisit other non-voting members at a later time.
I recommend we focus on SSM for now and leave the other non-voting members to a future time or perhaps Cole will address it in the governance review.

Saad: gov com should highlight this for governance reviews to be done in the future.
Council did give us a specific task to do about the SSM but we should include it in gov reviews

Kamil: agree. We can focus on the issue at hand.
We should move forward with the code change that Sheldon drafted before on this issue.
With the current SSM we know he has been good about recusing himself so it likely won’t be an issue so the code change can set a precedent for the next year.
Is what we have currently only applying to fin com?

Sheldon: yes.
Saad: if we do it for fin com we should do it for HR com too.

Romina: I understand the precedent so it makes sense to apply it to HR com. I don’t think it would be a problem if we didn't include HR com but I understand the need for the precedent.

Saad: at this point in time for HR there probably isn't anything but in the future there could be a direct or indirect conflict like pay structures. The SSM is kind of a sixth executive.

Sheldon: no not really

Kamil: does HR com handle exec pay as well?

Romina: HR com wants to look at it but we don’t currently.

Kamil: in practice the SSM does kind of act as a sixth executive so it is important. It's pretty clear that SSM would recuse themselves from

Romina: again I don't really have a preference.

Teddy: I agree. A change does need to happen eventually but not necessarily right now. We can’t always rely on precedents, it's always good to have something on the books.

Matthias (GovComm guest): Just before my time at UBC there was a committee that would do a review of exec compensation but there were a lot of issues with it so maybe we should review why that happened before putting this change in place.

Sheldon: there was a compensation review com. It has become a duty of the HR com. I think this com reviewed everyone except execs and if it was needed there would be an ad-hoc committee to do the review before given to HR com.

Kamil: just to be on the safer side it would be good to include.

Sheldon: HR com doesn’t involve reviewing SSM salary so I’m not sure who does. HR com is more on the business side now.
Saad: that's the distinction I feel like might come in the way

Kamil: Our purpose as gov com is to prevent future conflicts. There is a situation that because the SSM operates as an executive somewhat there can be conflicts in the future. On the safer side putting in place something similar to what we have for fin com for HR would be good.

Sheldon: So add the similar thing to the HR com?

Kamil: yes.

Sheldon: What about other committees?

Kamil: I think our main concerns were fin and HR.

Saad: That's the same thing as what the UNA does so it makes sense.

Sheldon: I'll draft.

Kamil: we'll review them later for Council on Mar. 2.

5. Elections Appeal Report

Kamil: elections appeal report sent by the elections appeals com. Several recommendations to review.

Sheldon: I wanted to double-check the facts. What I could derive from what the report says is
-the ams can't intervene if the constituency violates its own election rules if there hasn't been an appeal in the constituency
- there was no appeal in the constituency
- there could be no formal appeal to the ams
-electoral appeals com said they can't change anything because there was no appeal
We can fix code to say there doesn't need to be an appeal.

Saad: The option you provide about a party being able to come to the AMS first is one we should explore. Sometimes within constituencies, there may not be a lot of organization in the appeals process because their elections coms have lower capacities.
It might be easier for us to allow that if the constituency committee doesn’t give an appropriate response, the party can come to the AMS.

Sheldon: Well we have our own provision about this. Can move to elections appeals if elections com does not respond within a reasonable amount of time. I can follow the wording and then an appeal can be made straight to the AMS

Saad: if there's suspicion or lack of capacity or no time left then a party should be able to go to the AMS

Kamil: I also think constituency committees are not as organized or follow code as closely as the AMS committees do. Constituencies might think the AMS is overstepping their role because we are sort of removing the ability for constituencies to operate the way they choose.

Saad: I think it's more of a capacity thing because AMS committees involve paid people or people who are part of our board of directors.

Kamil: would the provision be that the party can choose constituency or AMS elections appeals?

Sheldon: It's not one or the other. For the AMS it's that you have to go to the elections com and then if they don't respond you can go to elections appeals. For constituencies, we can do the same thing so the party can come to the AMS

Saad: So go from constituency appeal to AMS elections appeal?

Sheldon: It's that if nothing is being done in the constituency then the party can come to the AMS. NOT that the AMS can just be like we don't like the way this constituency is running their election. The issue in the case we looked at is that there was no appeal made within the constituency so that's why AMS elections committee couldn't do that. This is what we want to fix.

Kamil: what's being suggested is that if someone feels they need to appeal they should go to the constituency appeal and if they don't respond they can go to AMS elections and then if nothing happens they can go to AMS election appeals.
Saad: theoretically if AMS elections gave a result that the appellant did not like they can still go to the AMS election appeals com?

Sheldon: yes because all AMS elections decisions can be appealed to AMS election appeals com

Romina: Are we going to clarify how long is too long?

Kamil: in terms of responding or having the whole issue resolved?

Sheldon: the analogy I gave you says within “a reasonable time.” But it doesn't say what that reasonable time is. We can't really specify.

Saad: it has to be interpreted.

Kamil: For example for us a reasonable time could be like four months.

Saad: I agree because constituencies may have their own timelines so I think putting in a constraint could be in order.

Sheldon: clearly you would want this before the constituency decides if someone is elected or not.

Kamil: So how do we phrase that?

Sheldon: okay I'll work on that. A time frame for appeals.

Saad: what even happens at that point? If an appeal is going on, is the constituency elections com allowed to officialize results before the appeal decision comes out?

Sheldon: No they technically can't. We can include that in the provision. The next problem is that the AMS elections committee is just a one-person body because the other two parties are likely to split the vote. They recommend appointing two SaL to the committee to ensure impartiality.

Kamil: That was a good recommendation but there were many concerns.

Romina: I think it's about SaL understanding the elections rules
Kamil: yes I think it was about that.

Sheldon: Let's jump to problem 6. These are about who can run and who can vote in departmental and year-specific elections. It used to be that people must be in good standing to vote and to run. [see Section IX-A Article 9, sections 1(l) and (m).] Then the CEO last year said it's a problem because we can't have all the science students voting in all the science elections because they can't vote for comp sci because that's violating the code. So then I drafted the current thing which now says all members in good standing can vote in constituency elections except the ones restricted to department or year. Then we did the same thing for paragraph m.

Kamil: It says all members who are in good standing.

Sheldon: We don't want to tell the constituencies too much about what to do. SUS has restricted it on its own.

Saad: So they restricted it and then didn't follow their rules?

Sheldon: yes but we can't step in and do anything because there was no appeal within the constituency. Our code has a separate paragraph, one for running one for voting.

Saad: the only way it could apply in this case is if there was an appeal

Sheldon: Yes. Do we want to change our own code to something else?

Kamil: What was Neil's recommendation?

Sheldon: to clarify them.

Kamil: to clarify the language. I see. Either we force constituencies to limit elections to those years and programs?

Sheldon: Or you could say if you decide one way for voting then apply it to running.
Romina: I agree with that one and it still gives them some autonomy to choose but they still have to follow the rule.

Kamil: I think it makes sense. If all the candidates voting are from a specific program then all the people running should be from the same program/year.

Sheldon: I can draft that.
Problem 5 refers to accountability and professionalism. I think he's referring to the appointment of individuals.

Saad: I see this a bit in elections committees. Making sure there is paid staff on these committees who has that level of responsibility to help with elections would be good.

Kamil: Do we do code training for constituency committees?

Saad: it is done very poorly

Sheldon: they're supposed to be trained by the CEO

Kamil: Saad, is your idea that the CEO should have more people?

Saad: The CEO should liaise with the constituencies and make sure everything is running smoothly. Technically if there's a dispute going on the first time the ams elections com will hear about it will be when it comes for appeal.

Kamil: I wonder if we can add a role about having frequent conversations with constituencies to make sure this doesn't happen.
How overburdened is the elections com with elections?

Romina: They are really busy because they have a lot to do. We would definitely benefit from expanding them to delegate roles

Kamil: I would agree with that. I think it would be valuable to create a role for liaising with constituencies

Romina: I think constituencies would like that too

Kamil: Can we create a role like that?
Sheldon: We can do that but I think we need to consult first. The current elections committee, consult HR com, fin com, that sort of thing. All constituencies do their elections at different times.

Kamil: if this role is something the com is interested in we can begin consulting

Teddy: The only thing I would caution about is the job description because the person would need to have a vast knowledge of the system. We need to be specific about what they're expected to do. If they're training everyone they almost need to have more knowledge than the CEO.

Romina: Is that essentially having two CEOs? Because the CEO trains right now.

Kamil: I think it's clear that the CEO is not filling that role because they just have too much to do. I agree the specificity has to be really clear here. It could almost be like past CEOs could take on this role. I'll begin the consultation with finance, HR, and constituency elections committees.

Romina: I think constituencies will be really happy about this. Finance is the main thing to find out about.

Sheldon: Also speak to Max and President's Council.

Kamil: yes for sure. We can revisit the other recommendations at another time.

Sheldon: We won't be able to change the rules during the election period.

Kamil: if we want this in place for the upcoming election then we should meet next week. The question is if we want it in place for the upcoming election or the next election cycle.

Sheldon: The worry with that is putting it off for too long.

Kamil: I don't want to rush the conversation so I think we'll meet on the 28th and have a longer conversation about the other recommendations with candidates recusing themselves.
**Next Meeting**

The next meeting is Feb. 28, 2022, @ 12 pm.

**Adjournment**

The meeting was adjourned at 12:58 pm.