Graduate Students Association of McMaster University

Referendum re: Mental Health Services April 1-3, 2017

Final Decision of the Chief Returning Officer (CRO) dated March 28, 2017

The GSA received several complaints regarding the conduct of the No campaign in relation to the GSA referendum on Mental Health Services. Pursuant to the GSA bylaw, the CRO has reviewed the complaints and determined that there has been campaign impropriety. Pursuant to the GSA bylaw the CRO is imposing the sanctions set out below:

SANCTION 1:

Misconduct: an official from the No Campaign has made false statements of fact in its campaign materials in violation of the GSA bylaw (Art. XXII, s. 16a)
Sanction: The No Campaign shall
   a. pay a fine of $15.00 and
   b. fully retract and correct such false statements on all social media, via mass emails sent, and on any other campaign materials generated (posters) within twenty-four (24) hours.

False Statement Example A:

The No Campaign stated in posters, in email(s), and on social media that “the university is offering 1,000 hours of counselling in exchange for an extra $225,000 in fee revenue; this is in addition to the base $75,000 + $25,800 that is already allocated to the SWC annually through graduate ancillary fees. This thus equates to a cost of $325 in fee revenue for every hour of counselling being offered”

The statement is false because:
   1. the additional contribution will cover not 1,000 hours but 2000 hours of counselling
   2. the additional 225,000 in fee revenue is not only for the additional hours of counselling hours but also covers the costs of physicians and psychiatrists that are not covered by medical billings, the mental health nurse, the health promotion team, and the management of the centre and all expenses associated with it.
   3. the cost is not $325 per hour, as not only are there 2,000 hours instead of 1000 hours, but the additional fee revenue covers the aforementioned costs, and not just the additional counselling hours.
As noted in the proposal provided to the GSSRC (Graduate Student Services Review Committee) from student affairs:

**Services**

If approved, this fee would increase the Student Wellness Centre budget by approximately $225,000 and would enable the department to **hire two additional mental health professionals** (salary and benefits). Each additional full-time mental health professional provides approximately 1,000 hours of student mental health support per year.

**False Statement Example B:**

The No Campaign stated in posters they have circulated: “Why is the GSA using three times as much money on-campus for the same services available off-campus? Why is the GSA offering graduate students fewer hours of counselling for a higher fee? Why is the GSA taunting graduate students who need mental health services at an affordable and accessible cost?”

The statement is false because:

1. The GSA is not using money for the on-campus services available to students or offering graduate students hours of counselling. The proposed fee would be levied by the University and the University will offer the services.

**False Statement Example C:**

The No Campaign stated in document titled: “An Offer We Can’t Refuse:”

“Worse yet, a new ancillary fee contract proposal from the university that a successful referendum result would **trigger** contains a number of losing propositions for students: it absolves the university of any duty to cooperate with graduate students on allocations of funds for services, allows them to increase fees above inflation up to 4% per year through a mere GSA Council vote, and does not properly define what services graduate students are entitled to receive for their money.”

AND in their committee platform:

“Even more concerning is that the university is proposing a new ancillary fee contract in connection to this referendum –”

This statement is false because:

1. The CAF Agreement is not tied to the referendum question or its potential outcomes. The current referendum is about approving an increase to existing compulsory ancillary fees. This should not be confused with the Compulsory Ancillary Fee Agreement between the University and the GSA, revision of which is properly a separate discussion.

**SANCTION 2:**

Misconduct: The No Campaign materials are libellous in violation of the GSA bylaw (Art. XXII, s. 12a)
Sanction: The No Campaign shall
   a. pay a fine of $15.00 and
b. fully retract and correct such libellous statement on all social media, via mass emails sent, and on any other campaign materials generated (posters) within twenty-four (24) hours.

Libellous statement EXAMPLES:

The No Campaign stated on a Facebook post:

“Get your best Sean Van Koughnett, AVP Students stance in gear as he sets up another fee increase to slam dunk into reality. The nets of the MSU and GSA are very low, allowing for nearly effortless dunking...”

AND in posters/ the document titled “An Offer We Can’t Refuse:”

“...the students’ associations and the wider student body are fundamentally dysfunctional and undemocratic.”