

Decision KSA 2022 #2 Re: Harassment, duress and classroom interruptions

Throughout this election days during the 2022 KSA general election I received numerous unofficial complaints (over 15), including from members and several staff and faculty regarding the campaign of Harman Singh. The complaints allege harassment, duress during the voting process as well as the repeated interruption of KPU classes and the KPU library.

Several of the complaints speak to incidents involving campaigners pressuring students to vote in in their presence of the campaigner or on the campaigners' phone. Numerous complaints were also filed by staff and faculty regarding Mr. Singh's team of campaigners interrupting classes in the middle of class to provide the classes information on the election.

There were numerous reports of such behaviour and other informal complaints provided to me that were consistent with that described above, but didn't specifically identify Harman or his campaign team. The complaint that was received on March 16<sup>th</sup>, 2022 at 12:37 pm included the recorded video of the instructor's class which clearly identifies what is taking place. The campaigner interrupts the class in the middle of the instructor's session, states they are there for their best friend Harman Singh, is carrying posters for Harman and proceeds to attempt to get students to vote in front of her, including possibly on her phone. Similar allegations and concerns were raised by other instructors, some naming Harman's campaign and others not.

I have found each of the complaints to be credible, with no apparent ties to any candidate and remain consistent between each other, including between students and staff/faculty. Having the numerous detailed staff complaints has added to the credibility of student complaints given the independence staff and faculty have from the business of the KSA.

These alleged incidents breach some of the most fundamental elements of an election process. The secrecy of the vote is a primary foundation of any election. As well, the ability to cast ones vote individually and without duress is critical.

Section XI, Article 4, Clause 10e states:

Candidates shall not engage in the following manner of campaigning during elections and referenda: harassment, as defined in the Regulations, s. II, art. 10, c. 3;

Section II, Article 10, Clause 3e states:

Harassment includes any inappropriate conduct or comment by a person towards another person that a person knew or reasonably ought to have known would cause another person to be humiliated or intimidated including:

(i) ...;

(ii) verbal advances, undue attention, invitations, or physical advances where a reasonable person ought to know that such behaviour is unwelcome;

The campaigning at hand was clearly a violation of this rule.

Section XI, Article 4, Clause 9a/b states:

If a candidate seeks to campaign by speaking before a class in a classroom: candidates shall seek permission from the individual faculty members to speak to that ... individual faculty member's class before that class begins;

Several of the complaints clearly highlight that campaigners for Harman Singh interrupted their class in the middle of class with the request to speak to the classroom. Numerous staff raised concerns about the candidates or their campaigners interrupting their classes rather than requesting to speak to their classes prior to the start of class. It is not the duty of the instructor to know that interrupting the class is not allowed under the KSA rules and it seems the majority of instructors provided goodwill and allowed campaigners to speak to the class in the middle of class time, though in many cases the instructors cut the campaigners short when they felt uncomfortable with campaigners' aggressive request for students to vote right then in there in the presence of the campaigners.

I further note that the KPU library was forced to put large signs on their entrance forbidding campaigning in their facility after witnessing and receiving so many complaints of aggressive campaigning. When campus security attempted to enforce these measures, according to campus security the campaigns would cease for a time, but return when security officers were no longer present.

On the balance of probabilities, I find the allegations made in the complaints submitted to me by other students and staff as credible and I don't believe these cases to be isolated. While the incidents may not have been carried out by Harman Singh himself, he is responsible for those campaigning on his behalf as well. As well, Mr. Singh has expressed concern that this may have been a conspiracy from his opponent. I have no indication whatsoever that the complainants have any connection to Mr. Singh's opponent and believe they were students and staff that were very frustrated with the aggressive nature of the campaign between the candidates.

Candidates enter into an election process that is a serious matter. By completing a nomination package that includes references to important clauses of the rules and informs prospective candidates to read the bylaws and regulations, the candidates take responsibility understand and follow the rules and regulations.

Given the above-described harassment, intimidation and duress during the voting process, I have determined that serious violations that erode the trust of the KSA membership took place. As well, significant and unacceptable interruption took place with regard to the conduct of KPU classes. Given this, Harman Singh is disqualified from this election.

I note that Mr. Singh has 48 hours from the time they receive this decision to submit an appeal in the manner set forth in Section XI, Article 11 of the KSA regulations. Appeals may be sent to: [complaints@kusa.ca](mailto:complaints@kusa.ca)

A handwritten signature in blue ink, appearing to read "Ron Laufer", is written above a solid horizontal line.

Ron Laufer  
Chief Returning Officer

## Listing of the most pertinent unofficial complaints

**Sent:** Wednesday, March 16, 2022 5:45:40 PM

**To:** KSA Elections <elections@kusa.ca>

**Subject:** Funny Business at Richmond Campus

Hi Ron,

I spend some of my time at the Richmond campus and I notice there seems to be some funny business going on with this KSA election. Personally, last night I witnessed three individuals (not sure if they are all candidates and acting as a slate?) hover of a student and ask random students on campus to vote for them using their phones etc.

I have video of these people from last night, if you're interested because it just felt a little wrong to me.

Today I had a KPU staff member tell me another group (not sure if they're the same people) say that they are doing the same thing "vote for my brother, here's my phone". She said she has photos of them which she can provide if needed (I did not ask for these or request that they be made).

Just thought I'd send you a tip in case you have anyone on campus right now that can investigate. They are in the atrium in the main building.

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Wed 3/16/2022 4:39 PM

To: KSA Elections

Hey Ron,

Had a moment to talk with one of them - he said he was representing **Harman** and the guy who was doing the representing was \*\*\*\*\*.

I asked what they were doing, and they seemed a little evasive "oh we're just telling people it's voting day" when \*\*\*\* (the young man in the {\*\*\*\*\* colour} turban) admitted he himself was promoting **Harman**.

Attached are a zip file - all these should be dated but three videos are from yesterday and one from today (I think it might be duplicated).

Second Photos.zip are from the KPU staff member.

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**Sent:** Wednesday, March 16, 2022 4:01 PM

**To:** info <info@kusa.ca>

**Subject:** Concerns about aggressive reminders to vote

Hi,

I am an instructor at KPU, and several of my students have mentioned today that they felt uncomfortable with the way they were approached to vote.

One student mentioned that students waited at the stairway exit to ask everyone who passes by if they had voted. They ended up going the long way around just to avoid them when she had to go to her car to get her laptop.

Another student came into class early, and I was in the room already. A student asked if he could talk to my student. I saw no reason to say no, so I let him in. Afterwards, my student told me that they had already said no to him in the hallway but he followed them to the class just to get them to scan the QR code and vote.

In all my 16 years at KPU, I have never seen such aggressive push to get students to vote. I am letting you know that at least 3 students have voiced discomfort to me, and I, too, feel that this is excessively aggressive. Please address this issue.

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{note - Election Officer redacts and greatly edits much of this email, but summarizes by stating what Security Officers state}

From:

Sent: Thursday, March 17, 2022 10:28 AM

To:

Subject: RE: KSA Elections - Tues March 15 to Thur March 17

Good morning,

Harman Preet Singh was stopped multiple times in the library and told to leave. When Security officers leave, the campaigners return. The library is very frustrated by noncompliance, even after a big sign was put up by the Library entrance. Harman is always seen without mask with his supporters.

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On Mar 16, 2022, at 12:37 PM, \*\*\*@kpu.ca> wrote:

Dear \*\*\*\*\*,

I am a faculty member of the School of Business. I have a concern about the KSA general election that is happening from Tuesday to Thursday.

I had a class yesterday morning (Tuesday) from 10am to 1pm. I was interrupted by a student, and I initially thought this was a student late to the class. So, I opened the door and let this student into the class.

This student was promoting the KSA General election for a particular candidate. The promotion was strange as she describes that the student should vote for her friend. This promoter has no real information about why the students should vote for this candidate. A moment later, she took out her cell phone and asked the students in the class to use this phone to vote for her friends and wanted the students to do it right there during class. Obviously, I did not let this happen during the class. As I mentioned in the class that you can promote but voting should be a choice. I would invite everyone to look at the candidate's information before voting for anyone.

What shocked me is that I saw the same scene on the hallway in the Richmond campus yesterday and today, there were about 10 promoters who aggressively stopped every student who was entering the campus and asked them to vote using the promoter's cellphone. I obviously have no idea if all candidates are doing the same thing.

Best regards,

\*\*\*\*

Election Officer Report – I was sent a video of this class and the campaigner interrupting the class in progress. The campaigner was clearly representing Harman, had posters for Harman, did not request permission to speak to the class in advance of the class (as required) and attempted to get students to vote in real time in the class with her help (contrary to regulations).

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**From:** \*\*\*  
**Sent:** Thursday, March 17, 2022 10:32 AM  
**To:** \*\*\*  
**Subject:** Aggressive campaign students

Hi \*\*\*\*,

I was teaching yesterday in Fir building and was interrupted in the middle of lecture four times by a large group of mostly male students wanting to solicit votes from the students in my class. This has been going on for more than a week, I believe, but it has reached a new and disturbing level. These students, many of them maskless, were very insistent and would not take no for an answer.

Afterwards, I received the following email from one of our instructors:

*This afternoon, a group of about eight students approached the door of my classroom during my class time and introduced themselves as campaigners for the KSA elections. They requested permission to come into my class to speak to my students. This is not my concern in the matter, although as I recall, students campaigning for the KSA used*

*to email professors first with a polite request to speak to their classes, rather than just do the equivalent of a cold call.*

*My concern is that about half of the group of eight were unmasked. I denied them access to my classroom and reminded them that there is still a mask mandate in place at KPU and instructed those unmasked to put their masks on. They apologized and went on their way. I will add that not one of the unmasked students put a mask on after I insisted that they do so. So, presumably, they moved on to the next classroom to request the same permission of another prof, similarly unmasked.*

*On my way back to my office at 4 PM after my class, I encountered two additional students campaigning at the elevator. Both students were unmasked. I reminded them that there is still a mask mandate in place at this institution and that they needed to put their masks on. One did.*

*One my way out of Fir building about 15 minutes later, I ran into the same group of 8 that petitioned me at my classroom door--still unmasked.*

Yet another instructor saw this group of male students swarm a female instructor asking for her vote; she had to tell them to leave her alone because she was an instructor, not a student.

Thank you,

Electoral Officer's note: in a separate email, the instructor identified the person campaigning as Harman.

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