

September 7, 2018

To the SFSS membership:

This document details the by-laws and policies that Jaskarn Singh Randhawa, President of the Simon Fraser Student Society, was in violation of, along with ongoing concerns arising since the beginning of his board term. These incidents have led the Board of Directors to recommend Randhawa's impeachment at the Annual General Meeting taking place at the Diamond Family Auditorium on September 24th at 1pm.

GENERAL CONCERNS

1. Spent \$1,125 on a "board development session presentation" without consulting any other member on the board about the spending. Made the purchase prior to Board approval and then passed the reimbursement on the Board agenda one week after the purchase.
2. Failed to appropriately address concerns of sexual harassment in the Board Office against three female Board members. This created increased opportunities for the harassment to continue and escalate to the SFU Sexual Violence and Prevention Office. After the fact, Randhawa also revealed these confidential complaints to the Peak and other individuals outside of the Board, completely disregarding the consent, sensitivity and safety of the females involved in this incident.
3. Created a hostile work environment through his aggressive behavior that forced some Board members to avoid working in the Board Office.
4. Withheld information from the Board of Directors and impaired their decision making ability. This concern was especially critical for ongoing discussions with organizations seeking space in the SUB. Randhawa did not show the Board any of the agreements he was presenting to other organizations on behalf of the Board.
5. Failed to consult the Board of Directors when responding to issues on behalf of the entire Board. This forced the Board to comply with Randhawa's decisions and did not allow the Board to make democratic decisions using good process.
6. Created illegitimate power over the Board of Directors and prevented them from feeling empowered enough to bring issues forward at the Board table.
7. Created a divide between the CEO and Board of Directors. This stopped the CEO and Board of Directors from working together efficiently and carrying out their duties.
8. Broke the confidentiality of Board members by publicly revealing details brought forward in private discussions between himself and other Board members. This left Board members fearful of bringing forward concerns to Randhawa as he was the designated HR representative to whom the Board members were meant to go to for a confidential resource.

BY-LAWS

1. By-law 6 (4a)
 - o The Board shall not delegate its powers to expend or disburse funds except that:
 - i. The Board may, by way of regulation, delegate its powers to expend or disburse funds to the Executive Committee, except that this power shall only be exercisable between the last quorate Board meeting of each semester, and the first quorate Board meeting of

each subsequent semester, and any such expenditure or disbursement shall be limited to a maximum of \$20,000.

INCIDENT: Randhawa called Executive meetings on multiple occasions during the Summer semester. He did not give the entire Board enough notice to allow Faculty Representatives to attend which created a power divide between the Executive board members and the Faculty Representatives. Some of these meetings did not have any minute takers present, and decisions were not communicated back to the entire Board. Two meetings that were held on the record took place on June 18 and May 15. Money was spent at these board meetings without the knowledge, or vote, of the remaining 9 members of the board present.

2. By-law 6 (18)
 - Robert's Rules of Order shall govern the conduct of all meetings of the Board and its committees.

INCIDENT: Randhawa showed inconsistent application of Robert's Rules of Order, primarily for his own benefit. This incompetency led to unorganized Board meetings where Board members did not have an equal opportunity to debate the presented topics. Randhawa continuously ignored the speaker's list and avoided calling on Board members whose opinions he did not agree with at the Board table.

POLICIES

1. GP-3 (1d)
 - Directors shall treat one another and all persons associated with the Simon Fraser Student Society in such a way as to preserve their dignity and communicate respect and fairness.

INCIDENT: Randhawa engaged in an act of physical aggression against Kia Mirsalehi in the SFSS Board Office in July. Numerous Board members witnessed Randhawa push Mirsalehi and then hit him in the face. Following this physical confrontation, Randhawa said "what a pussy, why didn't he do anything" in response to Mirsalehi's lack of physical response. After this incident, there was a general concern of safety in the Board office and many members preferred to work outside of the Board office when possible.

2. GP-3 (1e)
 - Directors shall protect the confidentiality of all information, records, and material acquired through their service with the Simon Fraser Student Society by understanding and adhering to the Board Policies of the Simon Fraser Student Society, the Federal Privacy Act, the Freedom of Information and Protection of Privacy Act, and any other relevant government acts and regulations.

INCIDENT: Randhawa accessed another Board member's laptop without the consent of the owner as they were asleep to send himself a private recording of an internal meeting that took place on August 1st. Randhawa then took this confidential recording, that was only meant to be circulated to Board members,

and sent it to The Peak without the consent of the Board. Many of the topics discussed in this recording were sensitive and personal to the individuals mentioned in the recording.

3. GP-3 (1f)

- Directors shall accept full and complete accountability for their own acts and omissions, exhibiting self-discipline and the pursuit of excellence in all activities.

INCIDENT: Throughout the Summer term, Randhawa was approached many times by Board members who brought forward genuine concerns about his behavior and the workplace culture that was forming in the Board Office. Randhawa was witnessed constantly deflecting blame and overlooking the concerns of other Board members. He was reminded many times of his basic duties that he was failing to carry out, including (but not limited to):

- being transparent with the Board and sharing all known information so the Board can make informed decisions with due process;
- not creating illegitimate power over the Board and using his role as President to override other Board members;
- listening to the feedback provided by Board members and making actionable changes to improve the Board working environment;
- respecting Board members and staff in meetings and not cutting them off when their opinions oppose his own;
- being conscious of the manner in which he speaks to, and about females in the workplace;
- not leading rogue projects on his own without getting the Board's approval first;
- consulting the Board before replying to emails on behalf of the entire Board;
- respecting the authority of Committee Chairs and not independently overriding the decisions made by Committees.

4. GP-3 (2c)

- Directors shall not attempt to exercise individual authority over the Society, except as set forth explicitly in the Board Policies, and to that end:
 - i. directors shall recognize their lack of individual authority when engaging with the Chief Executive Officer, the public, and the media,
 - ii. directors shall not speak on behalf of the Board except as authorized by the Board,
 - iii. respect and apply the principle of confidentiality when dealing with issues of a sensitive nature,
 - iv. attend Board and committee meetings having adequately prepared for all deliberations,
 - v. support the legitimacy and the authority of all decisions made by the Board, irrespective of their personal position on the issue, and
 - vi. sign the acknowledgement of, and the agreement to act in accordance with this code of conduct, a copy of which has been provided as an appendix.

INCIDENT: Randhawa often had meetings with the CEO and expressed his opinions on important issues that he did not consult the Board on. These discussions included SUB space, partnerships with external organizations, internal conflicts within the Board etc. Randhawa also replied to important emails on behalf of the Board without consulting the Board on the response he provided, completely ignoring Board consensus.

INCIDENT: The Board was kept in the dark on many issues that related directly to ongoing SUB space discussions. Randhawa chose to work offline while drafting agreements between the SFSS and organizations regarding the SUB space, without getting the Board's approval on the contents of these agreements, nor the SUB Committee, which he is a part of. He then presented these agreements to groups with the false pretense that they had been endorsed by the entire Board.

INCIDENT: Randhawa did not respect the decisions made at the Board table and used his position as President to create an illegitimate "vetoing power" for himself. He incorrectly reminded Board members that as President he could override their decisions, even in cases when the majority of the rest of the Board had formally approved the decision. Randhawa lacked a basic understanding of his role as President, and the governance structure and policies all Board members must adhere to.

5. GP-14

- While the Board will record all of the decisions and topics of deliberations of Board meetings in its publicly available meeting minutes, under certain limited conditions, the Board may conduct its deliberations in-camera.
- The Board may deliberate in camera where those deliberations involve:
 - i. SFSS HR matters,
 - ii. open contract negotiations or competitive processes,
 - iii. a litigation process in which the Society is involved,
 - iv. discussions involving advice subject to solicitor-client privilege, such as legal counsel, where the Society wishes to maintain that privilege, and
 - v. subject matter that relates to, or is subject to the Personal Information Protection Act (PIPA).

INCIDENT: Randhawa refused to acknowledge that an in-camera item brought forward during a board meeting held on May 25th did not meet the guidelines set out in GP-14, and therefore should have been discussed publicly rather than in camera, even after board members bringing up this concern and stating the policy. The discussion topic was in regards to the Fall Kick-off. Randhawa's misuse of the in-camera sessions prevented the Society from being transparent with the membership.

The Board of Directors is recommending the impeachment of Jaskarn Singh Randhawa due to a build-up of these serious concerns that Randhawa has failed to address. Randhawa's general lack of competency, disregard of process and Society governance,

disrespect of fellow Board members, and inability to maintain a safe and efficient working environment for the Board have resulted in the push for Randhawa's removal.

These incidents led to a vote of non-confidence by the Board of Directors on August 14, 2018. The motion passed read as follows:

Whereas the President does not have the confidence of the Board of Directors;

Be it resolved that the Board of Directors recommend to the membership the impeachment of the President;

Be it further resolved that the Board of Directors place a resolution on the agenda of the 2018 Annual General Meeting or Special General Meeting on September 24, 2018 to impeach the President.

Randhawa's behavior and actions following the proposal of the impeachment process has also been very concerning. He is approaching various organizations and groups on campus to strike independent deals where he is promising space in the SUB and other favors in exchange for their support against his impeachment. These are all false promises as Randhawa does not have the authority to follow through on any of these deals without the Board's approval.

The behavior and actions detailed in this document are not indicative of an individual that is fit to lead the Simon Fraser Student Society. The Board of Directors urges the attendance of the SFSS membership at the Annual General Meeting taking place at the Diamond Family Auditorium on September 24th at 1pm to impeach Jaskarn Singh Randhawa, President of the Simon Fraser Student Society.

Sincerely,

SFSS Board of Directors

Should you have any questions or concerns regarding the contents of this document, or the Annual General Meeting, please contact boardmembersonly@sfss.ca or any of the following Board members directly:

Name	Position	Email
Samer Rihani	VP Student Services	vpsservices@sfss.ca
Tawanda Masawi	VP Student Life	vpstudentlife@sfss.ca
Jasdeep Gill	VP External Relations	vpexternal@sfss.ca
Matthew Chow	VP Finance	vpfinance@sfss.ca
Jackson Freedman	VP University Relations	vpuniversity@sfss.ca
Kia Mirsalehi	Applied Science Representative	appscirep@sfss.ca
Amrita Mohar	FCAT Representative	fcatrep@sfss.ca
Jessica Nguyen	Business Representative	busrep@sfss.ca
Cameron Nakatsu	Education Representative	edurep@sfss.ca
Christina Loutsik	Health Sciences Representative	healthrep@sfss.ca
Natasha Birdi	Science Representative	sciencerep@sfss.ca
Russell Dunsford	Environment Representative	envrep@sfss.ca
Mohammed Ali	At-Large Representative	atlarge1@sfss.ca