

**University of Melbourne Student Union**

**Minutes of the Students' Council  
Meeting 5/10**

***CONFIRMED***

**12.00 pm, Tuesday 30<sup>th</sup> March 2010**

**Location: Joe Nap A, Level 2, Union House**

- 1. Procedural Matters**
  - 1.1 Election of Chair
  - 1.2 Acknowledgement of Indigenous Owners
  - 1.3 Attendance
  - 1.4 Apologies
  - 1.5 Proxies
  - 1.6 Membership
  - 1.7 Adoption of Agenda
- 2. Confirmation of Previous Minutes**
- 3. Matters Arising from the Minutes**
  - 3.1 Ratification of Motion 7 (Play With Your Food Funding)
  - 3.2 Bullying, Harassment & Discrimination
  - 3.3 Burnley Students' Association
- 4. Correspondence**
- 5. Office Bearers' Reports**
- 6. Standing Committee Reports**
  - 6.1 Finance Sub-Committee
  - 6.2 Staffing Sub-Committee
- 7. Other Reports**
- 8. Motions on Notice**
  - 8.1 UMSU Financial Report 2009
  - 8.2 Indigenous Rep on Students' Council
  - 8.3 Socialist Alternative Posters
- 9. Other Business**
  - 9.1 Tuesday Beer, Band and BBQ
  - 9.2 Meeting Schedule
- 10. Next Meeting**
- 11. Close**

**Meeting declared open by Lydia Bevege at 12.10PM**

**Agenda Item 1; Procedural Matters**

**1.1 Election of Chair**

<p><b>Motion 1:</b> That Lydia Bevege chair the meeting. Moved: Lydia Bevege <b>CWD</b></p>
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**1.2 Acknowledgement of Indigenous Owners**

We acknowledge that this meeting takes place on the land of Wurundjeri people of the Kulin Nation and honour their elders past and present.

**1.3 Attendance**

Students' Council

Kate Turnbull, Jimmy Jin, Suzie Zheng, Ming Yang Chen, Kon Moisisdis, Meredith Treadwell, Louis Gregory, Max Kaiser, Chris Summers, Rachel Barrett, Karyan Ng.

2010 Office Bearers

Lydia Bevege (Secretary), Rachel Baxendale (Media Officer), Joshua Anderson (Education Public Officer), Yoni Cuikerman (Education Public Officer), Jonathan Donagan (Clubs & Societies Officer), Esther Bohmer (Womyn's Officer), Miriam Hamel-Green (Womyn's Officer) Ed Yap (Queer Officer), Jidah Clarke (Indigenous Officer), Piper O'Dowd (Clubs & Societies Officer), Claire Oppermann (Queer Officer), David Evans (Activities Officer), David Mulholland (Activities Officer), Rachael Lim (Welfare Officer)

Others

Tim Arnot, Rachel Walters, Dominique Ottobre, Mark Kettle, Noni Sproule, Elliot Wall, Dori Meron, Justin Bare, Marijana Bosnjak

**Absent**

Students' Council

Anton Anin, Paul Hosri, Frances Lewis, Elizabeth Redman, Tristan Clack, Linda Gao.

2010 Office Bearers

Jesse Overton-Skinner (President), Rudolph Hosri (Education Academic Officer), John Shipp (Education Academic Officer), Lloyd McGeary (Welfare Officer), David Haidon (Arts Officer), Nicholas Tammens (Arts Officer), Evelyn Daniel (Environment Officer), Dan Musil (Environment Officer), Sarah Laing (Media Officer), Ellie Savage (Media Officer), Lucas Smith (Media Officer), Shane Woon (VCAMSA)

**1.4 Apologies**

Jesse Overton-Skinner (President), Tristan Clack, Sarah Laing (Media Officer), Ellie Savage (Media Officer), Lucas Smith (Media Officer), Shane Woon (VCAMSA), David Haidon (Arts Officer), Linda Gao, John Shipp (Education Academic Officer), Lloyd McGeary (Welfare Officer)

**1.5 Proxies**

Elizabeth Redman to Rachel Walters  
Linda Gao to Ming Yang Chen  
Frances Lewis to Tim Arnot  
Paul Hosri to Karyan Ng  
Tristan Clack to Jimmy Jin  
Anton Anin to Kate Turnbull

## 1.6 Membership

None.

## 1.7 Adoption of Agenda

**Procedural Motion:** That standing orders be suspended to accept Anton Anin's proxy via telephone to Kate Turnbull  
Moved: Chair  
**CWD**

**Procedural Motion:** That standing orders be suspended to bring Item 9.1 Tuesday Beer, Band & BBQ to Agenda Item 3.1 and to table Ed Yap's Leave Approval as Agenda Item 3.2

- 3.1 Tuesday Beer, Band & BBQ
- 3.2 Leave of Absence
- 3.3 Ratification of Motion 7 (Play With Your Food Funding)
- 3.4 Bullying, Harassment & Discrimination
- 3.5 Burnley Students' Association

Moved: Chair  
**CWD**

**Procedural Motion:** That standing orders be suspended to bring forward Agenda Item 9.2 Regular Meeting Schedule forward to Agenda Item 3.1

- 3.1 Regular Meeting Schedule
- 3.2 Tuesday Beer, Band & BBQ
- 3.3 Leave of Absence
- 3.4 Ratification of Motion 7 (Play With Your Food Funding)
- 3.5 Bullying, Harassment & Discrimination
- 3.6 Burnley Students' Association

Moved: Kate Turnbull  
**CWD**

**Motion 2:** That Students' Council adopt the agenda.

Moved: Chair  
**CWD**

### Agenda Item 2: Confirmation of Previous Minutes

**Motion 3:** That the minutes from meeting 04/10 held on Thursday 16<sup>th</sup> March be confirmed as a true and accurate record of the meeting.

Moved: Chair  
**CWD**

### Agenda Item 3: Matters Arising from the Minutes

#### 3.1 Meeting Schedule

Lydia explained that based on the availability of council members; the two days where quorum is met are Tuesday at 12pm and Thursdays at 4.15pm. Lydia proposed that regular meetings be held fortnightly alternating between Tuesdays and Thursdays.

**Motion 4:** That Students' Councils meet fortnightly alternating between Tuesdays 12pm and Thursdays 4.15pm.  
Moved: Chair  
**CWD**

Lydia will provide Students' Council with the Regular Meeting Schedule for 2010 in the next meeting.

### 3.2 Leave of Absence

**Motion 5:** That Students' Councils approves Ed Yap's leave of absence from 1<sup>st</sup> April to 14<sup>th</sup> April.  
Moved: Chair  
**CWD**

### 3.3 Ratification of Motion 7 (Play With Your Food Funding)

Max Kaiser briefed Students' Council that Play With Your food is a free vegetarian dinner for students on Monday nights. Due to budget cuts, the future of Play With Your food was uncertain and it was hoped that funding could be restored for the project via Students' Council. Welfare has provided \$200 that will enable Play With Your Food to run till the end of April. As a result of funding from Welfare, Max proposed an amendment to motion changing the amount requested from \$750 to \$550.

Jim Jin requested further information regarding food handling safety, which officer bearers will be overseeing the projects, the role of Welfare officers and whether the event encourages union membership.

Rachael Barrett responded that office bearers, who have volunteered in the past, will continue to do so, having both Food Handling Certificates and experience behind them. Promotion of the event has been limited due to the unstable future of Play With Your Food but intend to make use of the communication Department to promote the event.

**David Mulholland and David Evans arrive at 12.25PM**

**Noni Sproule departs at 12.25pm**

**Procedural Motion:** That standing orders be suspended so that Agenda Item 9.1 be discussed and debated.  
Moved: Chair  
**CWD**

### 3.4 Tuesday Beer, Band & BBQ

Activities Officers David Mulholland and David Evans informed Students' Council of recent changes to the regular Tuesday Beer, Band and BBQ event. The issue of non-members having free access to the BBQ was raised by union members and MUSUL. Discussions with Entertainment have resulted in the event now asking non-union members to pay \$1 for the BBQ. Last week \$36 was made.

**Motion 6:** That Students' Council endorses the new \$1 charge for non-student union members for BBQ at the Tuesday Beer, Band and BBQ event.  
Moved: Chair  
For: 13                  Against: 0                  Abstentions: 3  
**CARRIED**

Clarification was sought regarding the motion and the reason for bringing the issue to Students' Council, and whether the issue should have gone before the Activities Committee. Lydia responds that MUSUL were concerned with non-union members accessing the BBQ for free and wanted the issue brought before Students' Council to be addressed. Max Kaiser responds that Students' Council should not cater to all of MUSUL demands, particularly in pursuing a 'user pay' student union model, and is in favour of providing free sausages to non-union members

**Procedural Motion:** That Students' Council re-open the debate on changes to Tuesday Beer, Band & BBQ  
Moved: Dominique Ottobre  
For: 10                  Against: 5  
**CARRIED**

Dominique Ottobre requested information regarding where the money raised from charging non-union members goes. Justin Bare responds that as Tuesday BBQ and Band event is organised by Entertainment, the money goes back to them.

### Karyan Ng arrives at 12:30

Chris Summers states that paying \$1 for a sausage is not an incentive to pay \$99 for union membership. Kon Moisisdis responds that equal access to the BBQs is also a non-incentive in taking out student union. Ming Yang Chen supports the motion, but acknowledges it is not an ideal reason for joining the student union but it is important to distinguish member benefits.

**Procedural Motion:** That the motion 'that Students' Council repeals the decision to endorse \$1 charge to non union members for Tuesday Beer, Band and BBQ' be put.

Moved: Mark Kettle

For: 6                      Against: 10

**Failed**

Motion 5 stands.

### 3.3 Ratification of Motion 7 (Play With Your Food Funding) - continued

Esther Bohmer informs Council that promotion of student union membership is actively promoted with those attending being aware of how critical student union support of the project is. Esther encouraged Students' Council members to attend Play With Your Food and see for themselves the wide diversity of students catered for and how it provides healthy food to 40-50 people each week for as little as \$40.

Rachael Lim, Welfare Officer, stated that both welfare officers who run weekly Free Breakfasts are able to assist. The \$200 allocated from Welfare was to keep the project afloat until the 26<sup>th</sup> April.

**Procedural Motion:** That the motion be put 'that \$550 be authorised for expenditure by UMSU OBs to be spent on gas hire and groceries for Play With Your Food from the whole of union line'.

Moved: Yoni Cuikerman

**CWD**

**Motion 7:** That \$550 be authorised for expenditure by UMSU OBs to be spent on gas hire and groceries for Play With Your Food from the whole of union line.

Moved: Max Kaiser                      Seconded: Tim Forster

**CWD**

### 3.5 Bullying, Harassment & Discrimination

Two amendments to the substantive motion were moved by Dominique Ottobre and circulated in the meeting. Lydia accepted the first amendment, with the second amendment to read as a separate motion.

Ming Yang Chen requested clarification on the events that catalysed the need for the motion. Esther Bohmer responds that some OBs had experienced intimidating behaviour and the motion was put forth to prevent further escalation of this behaviour. Ed Yap stated that some OBs have been the recipients of unwanted attention from guests of other OBs, and OBs not monitoring the behaviour of their guests.

Lydia commended the motions and acknowledged that her own guests have been contributors to this issue which she has addressed with them directly. She regards this as a serious issue and would like OBs to feel that despite differences in politics, that they can approach each other and raise concerns about inappropriate behaviour.

Chris Summers stated that the motion does not address the consequences of such behaviour, and that 'recommend' needs to be replaced with a stronger terms such as 'compels'.

Justin Bare informs Council that there will be a series of upcoming information sessions for OBs regarding bullying and harassment, covering university policy and avenues of recourse for victims of bullying and harassment.

**Procedural Motion:** That the amended motion be put.

Moved: Chair

**CWD**

**Motion 8:** That the UMSU Constitution exists to:

'promote and defend the rights of Students to education on the basis of equality without regard to race, colour, sex, sexuality, gender identity, age, physical disability, mental illness, economic circumstances, political, religious or ideological conviction, or national or social origin'

As such, the office bearers of UMSU are reminded that they, as holders of office, have a duty to operate under these values.

In this we recognise that:

- all UMSU Office-Bearers have a right to a workspace in which they are not subjected to bullying, discrimination, harassment;
- the UMSU Office should be a safe space for Office-Bearers and their guests, free from intimidation;
- UMSU Office-Bearers are responsible for the behaviour of their guests while in the UMSU Office;

*Students' Council compels that UMSU Office-Bearers:*

- treat each other with respect and courtesy at all times;
- undertake to ensure that the UMSU Office is a space that is free of bullying, discrimination and harassment, and uphold the values of UMSU as outlined above;
- ensure that any guests to their Offices behave in a way that does not compromise the above;
- make every possible effort to resolve any issues that arise due to incidents in the UMSU Office by opening a dialogue with the other Office-Bearer(s) involved in the matter.

**Moved:** Lydia Bevege

**Seconded:** Jesse Overton-Skinner

**CWD**

Lydia Bevege spoke to the 2<sup>nd</sup> amendment stating that both she and Justin Bare had begun having discussion regarding setting up a Grievance Tribunal. As the process is already in motion, the second amendment to the substantive motion will not be accepted. Meredith Treadwell expressed concern regarding the implementation of this process without Student Council awareness, insisting that Students' Council be kept aware.

Max Kaiser supports the establishment of a Grievance Tribunal but questions its appropriateness in dealing with bullying, harassment and discrimination, and therefore supports alternative disciplinary measures for repeat offenders. Lydia states that a motion for alternative disciplinary measures for repeat offenders requires further investigation into its constitutionality and whether Students' Council have authority to over-write existing disciplinary procedures.

Dominique Ottobre moves that the proposed second amendment be amended replacing references to 'UMSU President' with 'UMSU President and UMSU Secretary'

**Procedural Motion:** That the motion be put.

Moved: Chair

**CWD**

**Motion 9:**

In light of recent incidents, there is an urgent need for UMSU to establish the Grievance Tribunal as enshrined within the UMSU Constitution.

The UMSU constitution defines the powers of the Grievance tribunal to be as follows:

- '(a) to make regulations governing the determination of disputes which may be referred to the Grievance Tribunal under this Constitution;
- (b) to give directions in relation to the process and resolution of disputes referred to the Grievance Tribunal under this Constitution ;
- (c) to determine all disputes referred to the Grievance Tribunal under this Constitution as provided for under this constitution; and
- (d) to do such additional things relating to disputes as are determined by Students' Council by Regulation.'

As such, Students' Council directs the UMSU President and UMSU Secretary to contact immediately both the office of the VC, and the office of the Dean of the Law School, with regards to their appointment to the UMSU Grievance Tribunal.

Students' Council also directs the UMSU president and UMSU Secretary to discuss with the Manager of UMSU, Justin Bare, the manner of which Students' Council should go about making final appointment to the Grievance Tribunal. The UMSU president and UMSU Secretary should then report back to Students' Council at the next meeting as to the status of these discussions, and movement forward.

Moved: Dominique Ottobre

Seconded: Meredith Treadwell

**CWD**

**Procedural Motion:** That the motion be put 'that Students' Council prohibit people from entering the OB space who repeatedly engage in discriminatory, bullying or harassing behaviour, as to be determined by Students' Council, with the Secretary to investigate the constitutional validity of this and report back by next students' council.'

Moved: Max Kaiser

For: 6                      Against: 10

**Failed**

Motion to be re-addressed in Other Business.

### **3.6 Burnley Students' Association**

**Motion 10:** That discussion pertaining to Burnley Students' Association take place at the next Students' Council meeting when the President of the Burnley Students' Association is present.

Moved: Chair

**CWD**

### **Agenda Item 4: Correspondence**

No Correspondence.

### **Agenda Item 5: Office Bearer Reports**

None

### **Agenda Item 6: Standing Committee Reports**

#### **6.1 Finance Sub-Committee**

The Chair alerts the meeting to the attached FSC minutes. No questions regarding the meeting were raised.

#### **6.2 Staffing Sub-Committee**

The Chair informs the Council of the Staffing Sub-Committee meeting scheduled for today at 4.15pm.

### **Agenda Item 7: Other Reports**

None

### **Agenda Item 8: Motions on Notice**

**Ed Yap leaves at 1.05pm**

### 8.1 UMSU Financial Report 2009

Justin Bare speaks to the motion, informing Council of UMSU's funding obligations that require Students' Council approval of audited accounts before ratification during the AGM.

Justin alerts the mover of the motion that "UMSU Manager" should be replaced by 'UMSU Secretary'. Lydia accepts the amendment.

**Procedural Motion:** That the amended motion be put 'that Students' Council approves the audited UMSU Financial Report for the calendar year of 2009, and directs the UMSU President and UMSU Secretary to sign off on the draft accounts.'

Moved: Chair

For: 15      Against: 0      Abstention: 1

**CARRIED**

**Motion 11:** That Students' Council approves the audited UMSU Financial Report for the calendar year of 2009, and directs the UMSU President and UMSU Secretary to sign off on the draft accounts.

Moved: Lydia Bevege

Seconded: Jesse Overton-Skinner

**CWD**

**Justin Bare leaves at 1.11pm**

### 8.2 Indigenous Rep on Students' Council

Lydia spoke to the motion referring the Council to the excerpt from the 2009 meeting minutes where Students' Council-elect established a Constitutional and Regulatory Review Working Group (CRRWG).

#### **MOTION FROM STUDENTS' COUNCIL ELECT MEETING 2/09:**

That Students' Council-elect establishes a Constitutional and Regulatory Review Working Group (CRRWG) to operate in 2010.

That the CRRWG will have the following membership:

1. President and Secretary.
2. Seven (7) Voting Representatives of Students' Council.

That this membership comprise at least one position from each ticket.

That Notification and distribution of its papers shall be to its members, any interested UMSU representative and any Student who is invited to participate by the Working Group.

That the CRRWG has the task of:

1. Reviewing the UMSU Constitution and Regulations.
2. Reporting on inconsistencies within and between rules and practice.
3. Investigating possibilities for reform and amendment.
4. Making recommendations to Students' Council to resolve inconsistencies or produce other worthy reforms.
5. Carrying out such activities that fulfil these aims, such as consulting with relevant individuals, groups and experts, research, discussion and consultation with Students.

That the CRRWG be obliged to report to Students' Council on or before May 31.

That the CRRWG be fully publicised and open to all students.

That minority and autonomous departments be particularly encouraged to make submissions, including queer, wom\*n, indigenous, differently-abled, international and any other such group.

That election of the 7 voting representatives of Students' Council occur at the first Staffing Sub-Committee (elect) meeting, should this motion pass



The new Indigenous Representative on Students' Council ran as an independent and as such should have a place on the Constitutional and Regulatory Review Working Group.

Tim Arnot sought clarification regarding the powers of the Working Group. Lydia responded that the working group have no powers other than to report back to Students' Council with recommendations on constitutional changes. The Indigenous Representative on Students' Council will formally assume their position on 31<sup>st</sup> March 2010.

**Procedural Motion:** That Students' Council postpone voting on this motion until the Indigenous Representative on Students' Council has formally assumed their position on Students' Council.

Moved: Tim Arnot

For: 4                      Against: 12

**LOST**

Lydia amends the motion to address concerns that one ticket may have two representatives on the Constitutional and Regulatory Review Working Group if the Indigenous Representative happens to be elected on a ticket already represented on Students' Council.

**Procedural Motion:** That the motion be put 'that an additional voting representative be added to the Constitutional and Regulatory Review Working Group, and that the additional voting representative be the Indigenous Representative elected at the by-election called by Students' Council at Meeting 3/10, so long as the Indigenous Representative is not elected on a ticket already represented on Students' Council.

Moved: Chair

For: 14                      Against: 2

**CARRIED**

**Motion 12:** That an additional voting representative be added to the Constitutional and Regulatory Review Working Group, and that the additional voting representative be the Indigenous Representative elected at the by-election called by Students' Council at Meeting 3/10, so long as the Indigenous Representative is not elected on a ticket already represented on Students' Council.

Moved: Lydia Bevege

Seconded: Jesse Overton-Skinner

For: 11                      Against: 3                      Abstentions: 2

**CARRIED**

### 8.3 Socialist Alternative Posters

Lydia informed Council that the motion was put and failed at the previous meeting but it has come to her attention that the 'supported by UMSU' logo is still located on the Socialist Alternative Conference webpage. Students' Council has not endorsed this conference and it is appropriate for this issue to come before Students' Council as it is the body that endorses such events.

Tim Arnot responds that he has spoken to the web administrator and the logo has been taken down. Tim Arnot questions why their club is being specifically hunted down, as it appears that no other club has experienced this level of attention. Lydia Bevege states that this is not a partisan issue and these decisions apply to all groups and parties. Jimmy Jin defines for Students' Council the dictionary meanings for 'support' and 'affiliation'.

**Procedural Motion:** That the motion be put 'that both the Socialist Alternative Club affiliated to UMSU and the Socialist Alternative Organisation be informed that they may not put up posters or distribute material that states that they are supported or in anyway endorsed by UMSU without following due process of seeking approval of Students' Council or relevant departmental committees.'

Moved: Max Kaiser

For: 6                      Against: 10

**Failed**

Esther Bohmer states that C&S should be responsible for responding to this issue and requests that Students' Council makes a general statement that no club are to use the word 'support'. Lydia responds that the matter is here before Students' Council because Socialist Alternative has breached Students' Council procedures. Kon Moisisdis states that this breach has occurred again despite Tim Arnot's statement in the last meeting that Socialist Alternative would not allow this to happen again.

Lydia names Tim Arnot for insults to Kon Moisisdis and Jimmy Jin. Tim responds to clarify his comments.

**Procedural Motion:** That the motion be put 'that both the Socialist Alternative Club affiliated to UMSU and the Socialist Alternative Organisation be informed that they may not put up posters or distribute material that states that they are supported or in anyway endorsed by UMSU without following due process of seeking approval of Students' Council or relevant departmental committees.'

Moved: Max Kaiser

**CWD**

**Motion 13:** That both the Socialist Alternative Club affiliated to UMSU and the Socialist Alternative Organisation be informed that they may not put up posters or distribute material that states that they are supported or in anyway endorsed by UMSU without following due process of seeking approval of Students' Council or relevant departmental committees.

Moved: Shaun Khoo

Seconded: Kon Moisisdis

For: 11                  Against: 5

**CWD**

**Procedural Motion:** That the foreshadowed motion be put 'that no club or group or society should ever say 'supported by UMSU' if not supported via due process.'

Moved: Chair

**CWD**

**Foreshadowed Motion:** That no club or group or society should ever say 'supported by UMSU' if not supported via due process.

Moved: Esther Bohmer

Seconded: Joshua Anderson

**CWD**

## **Agenda Item 9: Other Business**

### **9.3      Disciplinary Process for Bullying and Harassment**

**Motion 14:** That further discussion of alternative disciplinary procedures relating to bullying and harassment be deferred to the next meeting under 'Matters Arising' for which the Secretary will have investigated the constitutional validity of alternative disciplinary procedures.

Moved: Chair

For: 12                  Against: 4                  Abstentions: 0

**CARRIED**

## **Agenda Item 10: Next Meeting**

Next meeting is scheduled for: Thursday 15<sup>th</sup> April at 4.15pm.

## **Agenda Item 11: Close**

**Meeting closed at: 1.35pm**

**Certified by Chair:**

**Signed:**

**Dated:**