

Joyner and Malorni V. Quinn and Kalafitidis
Complaint Received: April 12, 2020

Complainant

- Isaiah Joyner
- Eduardo Malorni

Respondent

- Patrick Quinn
- Christopher Kalafitidis

Interested Parties

- Marguerite Rolland
- Arad Andrews

Judicial Board Decision

- Majority Decision
 - Shaina Willison
 - Emily Zunti
 - Elizabeth Spinozzi
 - Guila Cohen
 - Jack Alarie
- Non-Voting Chairperson
 - Shai Navi

Statement of Facts

On April 5th, 2020, at approximately 6 PM a public Facebook note was posted on the personal accounts of CSU executives, Patrick Quinn and Christopher Kalafitidis. The cover page of the note used the “Cut the Crap” slate logo and pertained to alleged actions taken by fellow executives and slate members; Isaiah Joyner and Eduardo Malorni’s action during their mandate. On April 12th, 2020, Isaiah Joyner filed a complaint to the Judicial Board pertaining to the above events.

Majority Decision

The Judicial Board has come to the Unanimous decision that the actions taken by Patrick Quinn and Christopher Kalafitidis demonstrated a lack of professional and respectful conduct towards the Student Union.

Furthermore, after much deliberation, the board interprets the use of the note as misrepresentation of both the union’s beliefs, as well as a misrepresentation of fellow executives’ opinions who ran on the *Cut the Crap* slate.

1.6 In the capacity as a Student Representative, indicate when opinions expressed are personal opinions and not the official position of the Student Union.

The above By-Law is pertinent in understanding this notion, due to the fact the Respondents signed their note as “the current executives of CSU”. The Judicial Board finds this to be a clear misuse of the Union's position (Annex 1). In addition, the use of the Cut the Crap slates cover photo directly affiliates the Executives of the Concordia Student Union who ran during the General Elections 2019 (Annex 2).

This code applies to:

f. All conduct or communications taking place on a Student Union Representative’s computer, telephone or network, including but not limited to e-mail accounts, text messages, social media accounts or similar online platforms, whether these devices, accounts or platforms were intended for personal or professional use

The Judicial Board would like to add that all communications, whether on personal or professional platforms, are susceptible to the Code of Conduct. Executives and Councilors are considered representatives of the Student Union, and thus their social media accounts, personal included, must be treated with due diligence.

When dispersing information or opinions, Student Union representatives must maintain professional and respectful conduct. The Judicial Board finds that the misinformation (refer to Annex 12 and Annex 13) published led to rumors and inappropriate remarks on social media (Annex 10 to Annex 11)

1.5 Maintain professional and respectful relationships with other Student Union Representatives and Student Union Members.

2.1.8 Engaging in or disseminating vexatious remarks or rumours dealing with another Student Union Representative.

As per the CSU Code of Conduct Article 1.3,

1.3 Act in good faith towards the Union and the Student Union Representatives.

Due to the lack of definition of the above Article, the board used the textbook definition of Good Faith as *honesty and sincerity of intentions*. This code was not kept due to the misleading remarks made about the fellow Executives, thus lacking sincerity.

Although every Canadian has the right to *Freedom of Expression*, the Judicial Board does not consider this right to be relevant in this circumstance, as the issue is not with the note itself but with its misleading representation of the CSU executive team, which violates CSU by-laws and Standing Regulations.

In conclusion, the Judicial Board has decided on the following remedies:

1. A letter of apology to fellow Executives, Councillors and the Concordia Student Union for the wrongful representation that the note displayed
 - a. Sent to the Judicial Board prior to posting
2. A letter of apology to Eduardo Malorni and Isaiah Joyner for the lack of good faith the note represented. Posted on the same platform the original note was posted on
 - a. Sent to the Judicial Board prior to posting
3. Removal of the Facebook note from all Social Media Accounts.

Annex 1

we, current executives of the CSU, write this message to inform

Annex 2



“We Got You” Never Had Us

 PATRICK QUINN · SUNDAY, APRIL 5, 2020 · READING TIME: 4 MINUTES 

By Patrick Quinn and Chris Kalafatidis

Annex 3

“We Got You” Never Had Us

 PATRICK QUINN · SUNDAY, APRIL 5, 2020 · READING TIME: 4 MINUTES 

By Patrick Quinn and Chris Kalafatidis

Dear Concordia,

It is with great sadness that we, current executives of the CSU, write this message to inform you that we cannot vote for two of our team-mates in this election: Isaiah Joyner and Eduardo Malorni of “We Got You”.

This letter may come as a surprise to some. This year has been a test of our teams’ ability to stand strong against the forces that are institutionalized within CSU. But over the year, cracks have formed.

To understand our perspective, we will start from the beginning:

Both Eduardo and Isaiah ran with us on the slate Cut the Crap last year. Cut the Crap ran on bold, uncompromising, and principled objectives: online opt out, faculty equality, and a competitions fund.

We all ran, so we thought, to change the CSU to represent the needs of students. That is why Cut the Crap was able to win by such a majority over our two competitors.

However, throughout the year, we witnessed our team collapsing. The ones that we once thought had our back and would support us to the very end started changing:

- Eduardo came out publicly to say he does not support Online Opt-Out and Faculty Equality in November 2019
- Eduardo and Isaiah were tasked with the duty from the very beginning of their mandate to start a competitions fund. They prolonged this duty for their whole mandate, losing out on precious opportunity for engineers and business students to gain access to this important initiative;
- They are running with a teammate who signed off on holding an impeachment trial against Chris;
- Isaiah and Eduardo are now running with a team who do not care about the choices the student population made in the November by-election on online opt out and faculty equality, which both received overwhelming votes in favour.

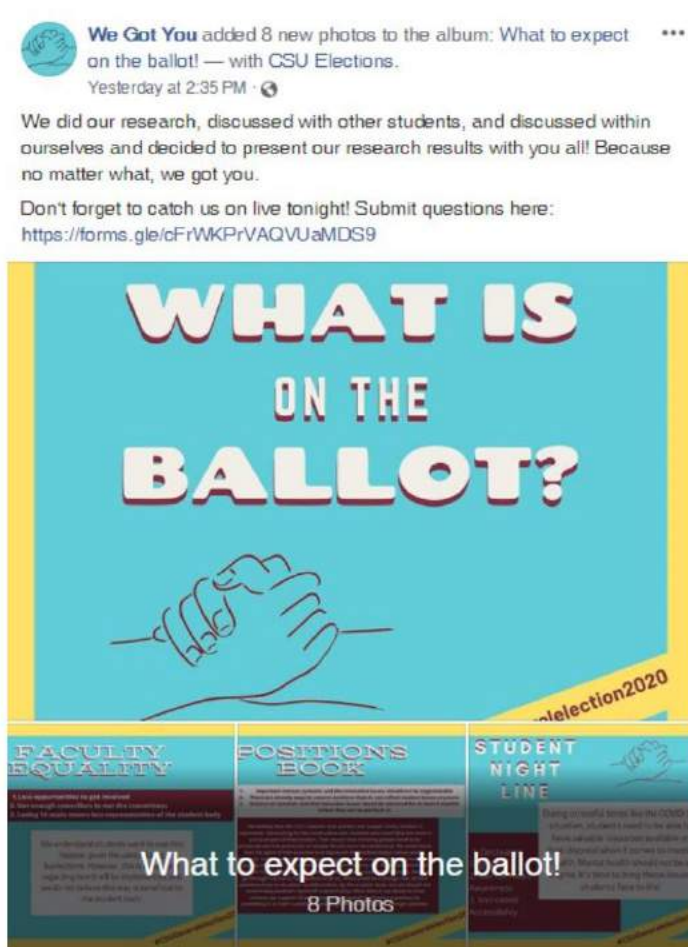
We held off on writing this message for a very long time because we value our personal relationships with Isaiah and Eduardo. However, they have crossed the line.

We are of the belief that a platform is an important promise between the voters and an elected official. Isaiah and Eduardo have disrespected that promise and thrown it into the trash can.

This week, we encourage everyone to think before they vote. With the information we are sharing, we urge you to think carefully before you vote for Isaiah and Eduardo. On our part, we'll be voting no to both candidates. They claim they "got you" but they never had us.

Annex 4

WE GOT YOU VS CUT THE CRAP POSITION ON FACULTY EQUALITY



Positions "We Got You" took on referendum questions.

Annex 5

The image shows a Facebook post from the page 'We Got You', dated 'Yesterday'. The post content is a graphic with a yellow border and a light blue background. At the top, the words 'FACULTY EQUALITY' are written in a large, white, serif font with a drop shadow. Below this, a dark red rectangular box contains three numbered points in white text: '1. Less opportunities to get involved', '2. Not enough councillors to run the committees', and '3. Losing 14 seats means less representation of the student body'. In the center of the graphic, a white rectangular box contains the following text: 'We understand students want to see this happen, given the votes during byelections. However, this is a question regarding how it will be implemented, and we do not believe this way is beneficial to the student body.' At the bottom right of the graphic, the hashtag '#CSUGeneralelection2020' is written in a bold, black, sans-serif font, angled upwards. The Facebook interface elements are visible on the right side of the image, including the post title 'We Got You', the text 'With CSU Elections.', and interaction buttons for 'Like', 'Comment', and 'Share'.

FACULTY EQUALITY

1. Less opportunities to get involved
2. Not enough councillors to run the committees
3. Losing 14 seats means less representation of the student body

We understand students want to see this happen, given the votes during byelections. However, this is a question regarding how it will be implemented, and we do not believe this way is beneficial to the student body.

#CSUGeneralelection2020

We Got You
Yesterday

With CSU Elections.

Like Comment Share

Write a comment...

"We Got You" opposes faculty equality

Faculty Equality

Every undergraduate in each faculty pays into the CSU every semester. However, not every faculty reaps the benefits of a 4 million dollar budget. We want to make sure that the budget is fully used, as well as fairly and equally divided between all four faculties.

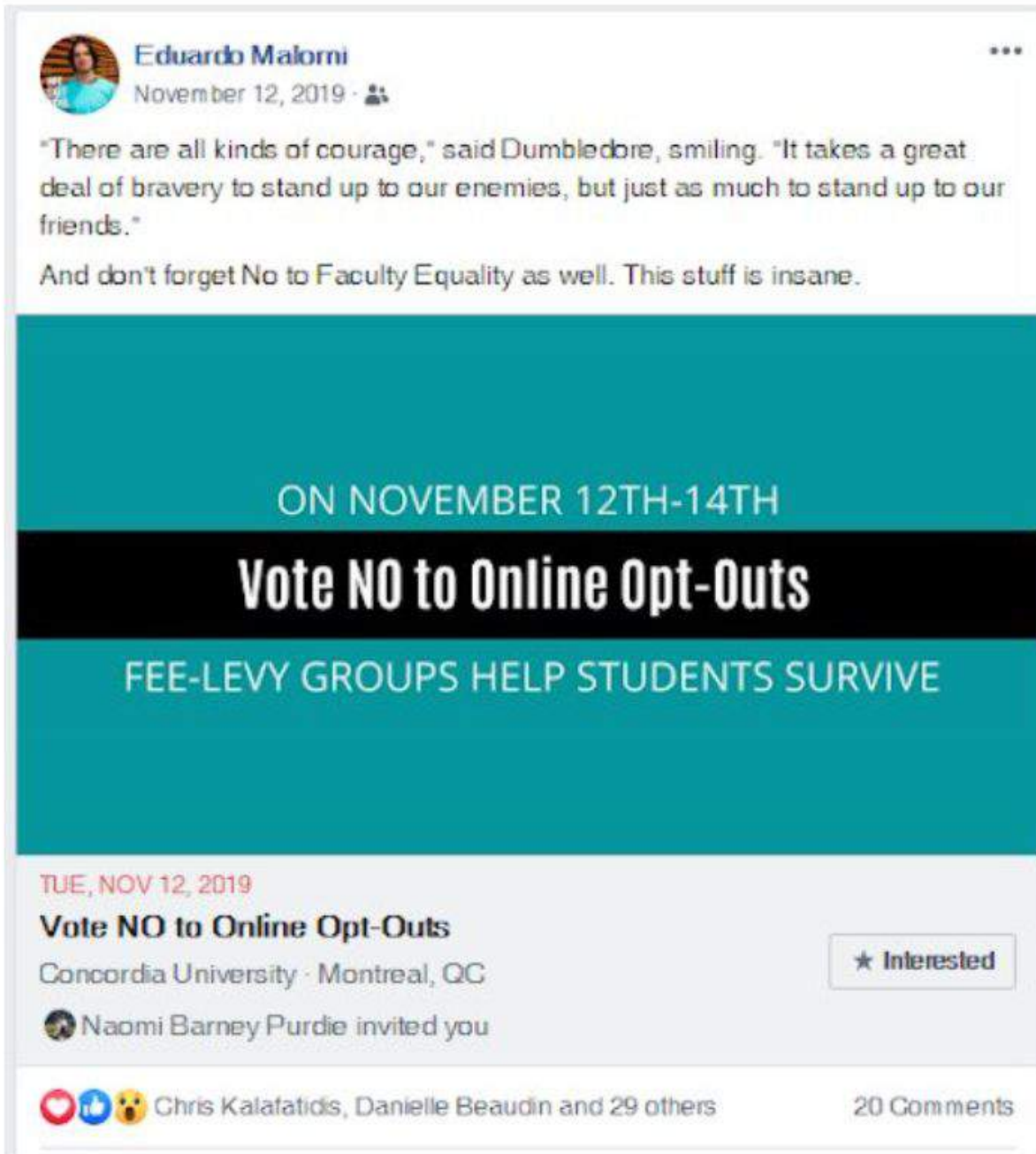
Annex 6



Currently, the CSU council is composed of 14 Arts and Science representatives, 6 JMSB representatives, 4 Engineering representatives, and 3 Fine Arts representatives. The goal of the CSU is unity, with all four faculties engaged and contributing to the decisions made. This unfortunately is not currently the case due to the overwhelming majority of Arts and Science representatives, who create a voting bloc. We propose giving each faculty four seats on Council, in order to allow for more informative discussions in which every faculty has a voice. The CSU will be a union of the four faculties, as it is meant to be.

Cut the Crap's Position on Faculty Equality

Annex 7



A screenshot of a Facebook post by Eduardo Malorni. The post features a quote from J.K. Rowling's Harry Potter series, a call to action for a vote, and a promotional graphic. The graphic has a teal background with a black band in the center containing the text 'Vote NO to Online Opt-Outs'. Below the graphic, the post is dated Tuesday, November 12, 2019, and includes the title 'Vote NO to Online Opt-Outs', the location 'Concordia University · Montreal, QC', and the text 'Naomi Barney Purdie invited you'. At the bottom, it shows three reaction icons (love, like, wow) and the text 'Chris Kalafatidis, Danielle Beaudin and 29 others' along with '20 Comments'.

Eduardo Malorni
November 12, 2019 · 🧑🏻‍🦱

"There are all kinds of courage," said Dumbledore, smiling. "It takes a great deal of bravery to stand up to our enemies, but just as much to stand up to our friends."

And don't forget No to Faculty Equality as well. This stuff is insane.

ON NOVEMBER 12TH-14TH

Vote NO to Online Opt-Outs

FEE-LEVY GROUPS HELP STUDENTS SURVIVE

TUE, NOV 12, 2019

Vote NO to Online Opt-Outs

Concordia University · Montreal, QC

★ Interested

👤 Naomi Barney Purdie invited you

❤️👍😲 Chris Kalafatidis, Danielle Beaudin and 29 others

20 Comments

Eduardo Malorni takes position against online opt out and faculty equality in November 2019 on eve of by-election.

COMPETITIONS FUND

CSU Financing Initiatives

Competition and Conference Fund

One of the great things about Concordia is the large amount of students who participate in enhancing student life on campus by taking part in conferences and competitions. Competitions and Conferences are not only excellent ways to apply the knowledge we learn in our classes but also to explore and challenge ourselves in ways that we can not in class. Like all great initiatives



WE GOT YOU 13

started by students, oftentimes the one limiting factor is money. We plan on creating and expanding a Competition and Conference Fund to help groups financially hold these events and benefit our University experience.

"We Got You" promises to bring competitions fund

Annex 9

Competition's Fund

Every year, JMSB and Engineering student associations spend over \$200 000 sending students to competitions across the globe to represent Concordia. Unfortunately, finding the funding to do this has always been a struggle for theses associations.

We want to create a new fund of \$50 000 specifically set aside to allow students and associations to continue attending these competitions and representing our school! This will be accomplished by decreasing several budgets that went unused this year and allocating them to this new fund.



Cut the Crap promises to implement competitions fund

Annex 10



Chris Kalafatidis

April 5 at 6:27 PM ·



Patrick Quinn published a note.

April 5 at 6:00 PM

“We Got You” Never Had Us

By Patrick Quinn and Chris Kalafatidis

Dear Concordia,

It is with great sadness that we, current executives of the CSU, write this message to inform you that we cannot vote for two of our team-mates in this election: Isaiah Joyner and Eduardo Malorni of “We Got You”.

[See More](#)

Désirée Blizzard, Oussama Boudaa and 6 others

11 Comments

Like

Comment

Share



Sohaib Panwala This drama never ends eh

Like · Reply · 5d

1



Arad Andrew Banis-Khatchadourian There's a bold and false claim in there. As a member of the Finance Committee, I was the one who was spearheading the redistribution of funds from the competition fund to other projects.

If it wasn't for Isaiah's multiple efforts to stop me, that fund... [See More](#)

Like · Reply · 5d

5



Patrick Quinn Within your statement is exactly what I was pointing to: the money was never used. The two executives were delegated the responsibility by the Executive to establish the guidelines and how it would work. That never happened. It's a shame that the money had to be redistributed by the finance committee instead of going to the people who needed the money to afford some of these often unaffordable conferences.

Like · Reply · 5d



Arad Andrew Banis-Khatchadourian But the money wasn't redistributed. He saved the money for the next year. It will still be used.

Like · Reply · 5d

Annex 10.1



Patrick Quinn My point is Cut The Crap promised to do it. It was never done.

Like · Reply · 5d



Alex Stojda Speaking only to this point, I wanted to use that fund for a big event I hosted this year. Despite reaching out multiple times to people, I never got a grant from the fund since no guidelines were ever put in place

Like · Reply · 5d

1



Arad Andrew Banis-Khatchadourian I understand that it's frustrating, but you also have to understand that Eduardo and Isaiah had Bill 31 on their hands to deal with which they couldn't have predicted during campaigns.

Like · Reply · 5d



Patrick Quinn Cut the Crap got into office on June 1. It is now April 6.

Like · Reply · 5d

Annex 10.2

month? No, because you had more important and pressing matters to deal with during the COVID19 issues. We respect that a lot, so please give the same respect back and stop slandering pointlessly.

All it does is create pointless chaos

[Like](#) · [Reply](#) · 5d

3



Patrick Quinn We got extra money on the next bathroom contract

[Like](#) · [Reply](#) · 5d

1



Arad Andrew Banis-Khatchadourian Anywho, have fun with the chaos, happy voting! I'm out folks

[Like](#) · [Reply](#) · 5d

Annex 11



Vee Bee
April 6 at 10:39 AM · 🌐

For a part time job, CSU exec comes with a very cushy salary and allows for their elected officials to be considered full time students while on a part time schedule. No wonder some Folks are willing to say anything just to get (re)elected.

Also #DismantleStudentUnions #DismantleTheCSU

Patrick Quinn published a note.
April 5 at 6:00 PM · 🌐

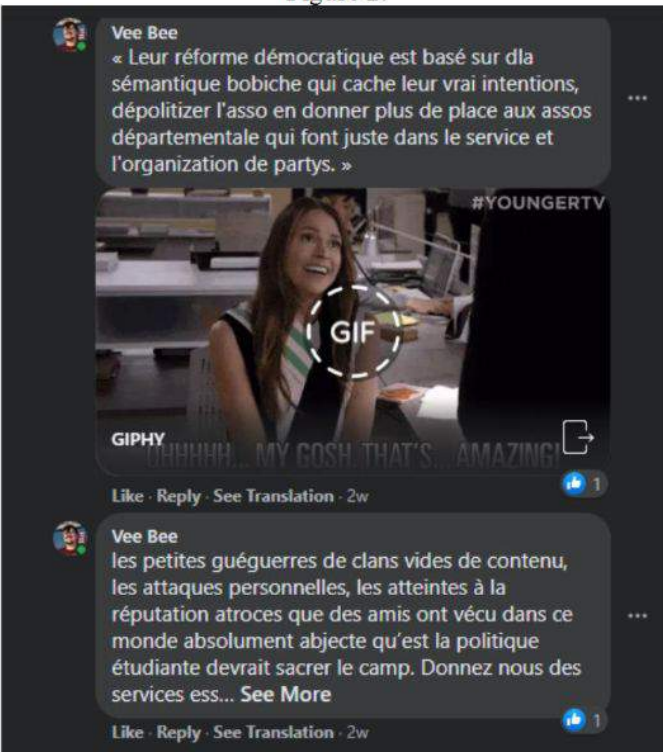
CUT the CRAP
Students First

"We Got You" Never Had Us
By Patrick Quinn and Chris Kalafatidis Dear Concordia, It is with great sadness that we, current executives of the CSU, write this message to inform you that we cannot vote for two of our team-mates in this election: Isaia...

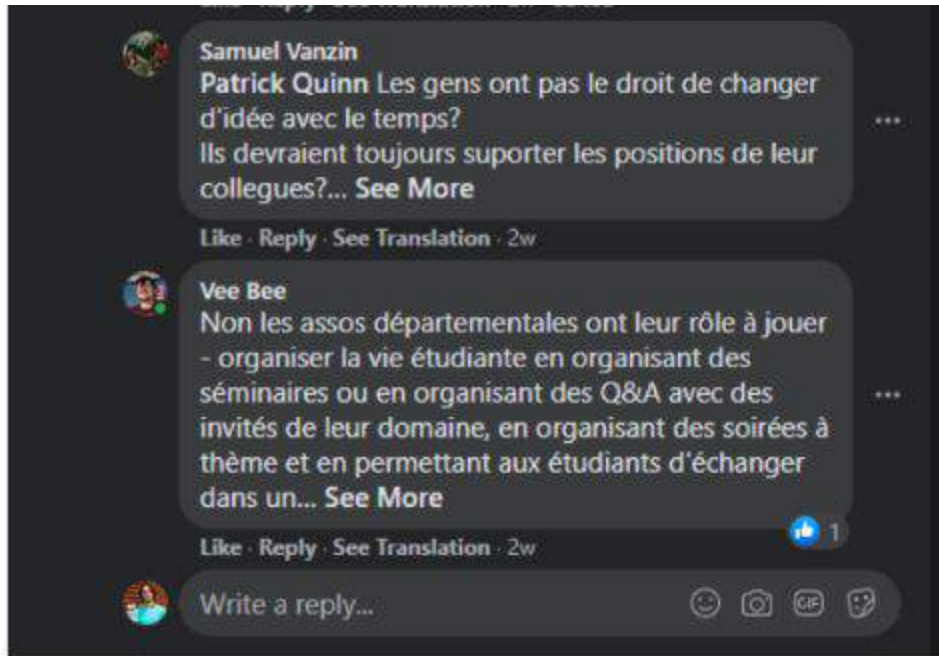
Annex 11.1



Figure 2.



Annex 11.3



Annex 12

Dear Judicial Board,

I'm glad to hear that you are all well and still operational. I will gladly support you in any way I can, but would like to strongly emphasize that I hold no affiliations or preference to either party involved. I pride myself in being independent, and will keep that oath with my testimony of events. Any criticism I bring forward relates to these specific events, and not the general character of the parties involved.

As presented, Chris and Patrick presented this note to the student public. For uninvolved students external to the CSU who trust Chris and Patrick, it's obvious that they will tend to form a negative opinion on the We Got You team and their members, solely based on this heavily biased and conveniently "part-truth" note. To stir up that form of negative impression with the level of malicious intent employed by Chris and Patrick is, for me, negative campaigning, and again for me, very much in bad faith. While I suspected many points to be half-true based on my knowledge, I could comment very well on one specifically--the Competitions and Conferences Fund.

What actually happened with the Competitions and Conferences Fund?

As a member of the Finance Committee, I was the one who continuously questioned the necessity of this fund, and proposed redistributing the budgeted amounts. Unfortunately, the meeting minutes I can present are incomplete, as most of the relevant discussion was held either informally (off-minutes), or was unrecorded due to being distracted by heated discussions.

I first brought up a complaint (found in attached "2019-10-08_Finance_Committee") on how the funds were not utilized, and that they could be reallocated to more resource-intensive budget lines. The meeting minutes are overly summarized and do not reflect the level of persuasion I applied in reallocating these funds, which the Finance Committee agreed with me upon.

Soon thereafter, I brought this up again upon revising the actual expenditures (found in attached "2019-11-05_Finance_Committee_Minutes"). The meeting minutes are incomplete, as it excludes the discussion I had with Desiree, our Finance Coordinator. When I asked her if we can immediately initiate the reallocation of funds, she explained that, since the last meeting, she spoke with Isaiah about this. Her understanding was that no plans to use it were finalized, but that Isaiah stressed to "please not touch this fund" and that "the money will be used". This is the first count in which Isaiah prevented this fund from being abolished. From that point onward, I would consistently bring this up, and Desiree would consistently shut it down because every time she asked Isaiah, he consistently promised her the funds would be used. None of these events are recorded in the minutes, as all discussions were purely informal.

Finally, around the midyear budget revision time, I was convinced that this fund will never be utilized, and informally pressured to abolish and redistribute it. The room was energized by my comments and looking forward to redistribute this fund. It was around this time that Isaiah dropped all the work he was doing at the time, and quickly joined in on the meeting to once again change our minds. He explained that while the funds could not be used this year, he had plans to institutionalize the fund. In other words, any funds not used this year can be carried over to the following. Upon explaining his complete plan for this fund, myself and the room agreed to not touch it. After many attempts to dissuade us, this final attempt finally worked.

So why is Chris & Patrick's claim a half-truth?

From my perspective, not only is it marginally half-true to claim that Isaiah had no intention to use the fund (it was going to carry over and be used for bigger projects the following year), but it also completely ignores that Isaiah and Eduardo's responsibilities expanded beyond what was initially planned at the beginning of the year. With the Quebec government's proposed Bill 31, my understanding from conversations with them was that they were spearheading the CSU's efforts against it. These efforts were of higher importance than the Competitions and Conferences Fund, and were highly time-sensitive, unlike the competitions fund. They couldn't just carry-over their legal efforts to the following year in the same way they could carry-over the Fund. Beyond this, I am unaware of any conflicts within Executives--I can only comment on how I interpreted events and context.

Annex 13

References

Reference: 2019-10-08 Finance Committee relevant snippet

Competition Fund: (20K space) There were promises made in elections campaigns, but no work has been done at all. Maybe we can cut from here?

Reference: 2019-11-05 Finance Committee Minutes relevant snippet

3	Informational	Actuals	Find (1/1) Competition Previous Next
		<ul style="list-style-type: none"> • Less students than expected, so -23K variance in revenues will repeat winter semester too • Salaries -6K variance, doesn't predict future, budget based on last year, Also hired an IT employee now • Office expense -6K variance, no good, but we plan to have 4K go through SSAELC to fix this. Not sure why this would still leave 2K variance • IT under 7K, last year many IT difficulties so overbudgeted, we should keep having space here • Legal fees -3.5K var is a contingency, needed space • Dish project -39K var is offset by SSAELC revenues expected • Student life -2K, sustainability -5.5K, speakers series -4.5K, all should see more activity later on • Campaigns -5.5K, timing issue, will be fixed • CGA mapping -5.8K, will be paid soon! • Competition -2K, work expected in Winter? • Promotions -1.5K, no idea if predictable • Loyola Luncheon -22K, missing reports will be paid • Orientation -40K might be used for winter orientation <p>ACTION ITEM: Ask Viken how this is budgeted -> Intention: Knowing if this is timing issue or not</p>	

Reference: 2020-01-15 Finance Committee relevant snippet

Present: Désirée, Arad, Mitchell, Elias, Aman, Isaiah for a little bit, Marin for a little bit
Regrets:

2	Introducing Mitchell to FinCom	Overview of Budget, Actuals, Balance Sheet	10
		casual thing while we wait for the other committee members	