

Revised and Adopted August 20, 2020
**RULES OF ELECTION FOR TRUSTEE OF THE RETIREMENT BOARD OF THE
MUNICIPAL EMPLOYEES', OFFICERS' AND OFFICIALS'
ANNUITY AND BENEFIT FUND OF CHICAGO**

Under provision of Section 8-193 Chapter 40, Act 5, of the Illinois Compiled Statutes, an election will be held **October 26, 2020** through **6:00 p.m., October 30, 2020** to fill the office of elected Trustee of the Retirement Board which becomes vacant **December 1, 2020**, by reason of the expiration of the term of a present incumbent.

An employee participant meeting the qualifications defined by the Illinois Pension Code, Chapter 40, Act 5, Section 8-193 at the time this election is held, is eligible to be a Candidate in this election. A Candidate whose employment is terminated for any reason prior to **October 26, 2020**, however, shall no longer be deemed to be an eligible Candidate. Any votes cast for any such terminated Candidate shall be voided.

Any active employee participant receiving a ballot is eligible to vote in this election.

In an ongoing effort to increase participation in the annual Trustee Election by the Fund's active membership, the 2020 Trustee Election will be conducted via an online election website and via a telephone election line hosted by an **Independent Election Administrator** (the "IEA") .

RULES GOVERNING THE ELECTION

1. A notice of Election stating the purpose of the election, the manner of voting, including information on the manner of voting, the day of voting and the hours of voting will be distributed to all active employee participants, City Departments and the Board of Education by **September 10, 2020**. Notice of Election will also be advertised in the Chicago Sun-Times and on the MEABF's website (www.meabf.org).

The posted notice shall also include the day petitions for nomination are available, the location where they may be obtained, and when and where to file petitions.

2. There shall be an Election Committee which shall consist of the Trustee Jeffrey J. Johnson Recording Secretary, Trustee Conyears-Ervin, the Treasurer and Trustee Thomas J. McMahon, Elected Trustee of the Retirement Board. The Election Committee shall determine eligibility of Candidates in accordance with 40 ILCS 5/8-193, and shall certify the results of the election to the Retirement Board at the next regular meeting thereof following the counting of the votes. The Election Committee is empowered to make, alter, and enforce these rules as they deem appropriate to ensure a proper and orderly election. All matters pertaining to the election will be governed by these rules adopted by the Retirement Board. Any dispute shall be referred to the Election Committee and the findings of such Committee shall be final and conclusive.

3. **Any person who desires to run as a Candidate** for the office to be filled in this election may obtain the Rules of Election, Candidate Affidavits, and Nominating Petitions (“Election Packet”) between the hours of **8:00 a.m. – 4:30 p.m., beginning September 18, 2020** from the Fund Office at 321 North Clark Street, Suite 700, Chicago, Illinois 60654. Completed Election Packets must be filed at the Fund Office between the hours of **8:00 a.m. – 4:30 p.m., September 21, 2020 - September 25, 2020**. Incomplete packets will not be considered. **Any Election Packets received after 4:30 p.m. on September 25, 2020, will be invalid.** All Election Packets will be date and time-stamped upon receipt by a Fund representative at the Fund Office.

In the event that only one qualified active employee participant, as defined by 40 ILCS 40/5-8-193, declares their candidacy in the election for Elected Trustee, the Election Committee shall declare that Candidate the winner and no election will be held. All Fund participants will be notified of the decision via notice on the Fund’s website.

In the event that no active employee participant properly declare their candidacy within the aforementioned time frame, all participants will be notified and a new election timetable will be established, including an extended time for Candidate registration to be determined by the Election Committee.

4. **Number of Signatures and Validity of Signatures** – In light of the current COVID-19 pandemic and in accordance with Executive Orders from both Governor Pritzker and Mayor Lightfoot, the number of required signatures has been lowered for the 2020 Trustee Election.

Each Trustee Candidate shall file a petition containing the signatures of **twenty-five (25)** different active employee participants of the Fund (the “Nominating Petitions”). In order to be valid, each employee participant must sign the petition in their own proper person, print their name alongside their signature and provide their current work title, department, and provide the last four digits of their social security number on the petition. No employee may validly sign more than one Candidate’s petition. Signatures which appear on two or more separate Candidate petitions, illegible signatures or forged signatures will be declared invalid. Any incorrect information regarding the employee’s work title, work location and last four digits of his social security shall also make the signature invalid. Signatures will be validated by the Fund staff or election personnel by matching each signature and accompanying information to existing, signed documents in the possession of the Fund. If the Fund is not in possession of existing, signed documents, signatures will be considered invalid.

5. **Candidates** will be listed on the ballot in the order in which completed Election Packets are received. In the event that two or more Election Packets are filed at the same time, a lottery will be held on **September 29, 2020 at 2:00 p.m.** at the Fund Offices to determine the order in which the names of the Candidates, whose eligibility to run has been confirmed by the Election Committee, shall appear on the ballot. The lottery shall be conducted under the supervision of the Election Committee, a member of the Committee,

or, per their direction, a representative of the Fund. Each Candidate shall be entitled to be present themselves, or through a representative designated by the Candidate.

6. **Candidate Statements** – In an effort to offer more information to active employee participants, the Board may, at its discretion, make available to active employee participants Candidate Statements containing candidate information submitted by the candidates. Each candidate is urged to submit a Candidate Statement at the time he or she files his or her Election Packet. A candidate may amend his or her Candidate Statement, but not his or her Election Packet, up until the time that the Candidate Statement is posted on the Fund website and Facebook page on **October 7, 2020**. The Election Committee and/or Board reserve the sole right to reject any Candidate Statement for publication on the Fund’s website and Facebook page.

Candidate Statements should include the following:

- a. Name
- b. Work Experience
- c. Other memberships and experience
- d. Candidate’s Statement
- e. A recent photo in color

7. **Withdraw.** A Candidate may withdraw his or her candidacy any time prior to **October 5, 2020** by submitting a signed, written statement to the Election Committee.
8. **Ballots.** On **October 8, 2019**, the Election Committee, a member of the Committee, or, per their direction, a representative of the Fund, will set the ballot form in the order received or as determined by the aforementioned lottery, as applicable. Candidates will be listed on the ballots by their formal names and no nicknames will be allowed.
9. **Online and Telephone Election.** The 2020 Election shall be an online and telephone election. The Board shall hire an **Independent Election Administrator** (“IEA”). The IEA will be responsible for all duties concerning the running of the online and telephone election. The IEA’s fees and duties will be determined by contract with the MEABF. The IEA shall ensure that every active employee participant receives voting instructions for voting online. The IEA shall use reasonable procedures to ensure that the online and telephone voting instructions are mailed in a manner consistent with commonly accepted practices no later than **October 23, 2020**. The IEA shall ensure that online and telephone voting shall occur beginning **12:00 a.m., Monday, October 26, 2020 and continue through 6:00 p.m., Friday, October 30, 2020**.
10. **Voting:** Only active employee participants of the Fund are eligible to vote. Each active employee participant shall be allowed one vote online or via telephone. Voting occurs when an active employee participant accesses the Fund’s election website or phone line between **12:00 a.m., Monday, October 26, 2020 though 6:00 p.m., Friday, October 30, 2020**.
 - a. Active employee participants may only cast a vote for one candidate.

- b. All votes cast are final and cannot be changed or recast.
 - c. The IEA will staff a phone number to assist active employee members who are having difficulty accessing the Fund's election website and/or telephone line. This number will be staffed between the hours of 8:00 AM – 4:00 PM beginning **Monday, October 26, 2020** through **Friday, October 30, 2020**.
 - d. The Fund requests that active employee participants, who choose to vote from computers, tablets, smart phones or any other electronic devices capable of accessing the internet and provided by their employer, do so in accordance with the rules governing the use of such devices. The Fund takes no responsibility for resolving issues related to utilizing such devices.
11. **Proxy voting.** Active employee participants cannot delegate their vote to another person or organization. Votes cast via proxy will not count toward the final vote.
12. **Spoiled votes.** Online or telephone votes cannot be spoiled. One candidate must be chosen.
13. **Tabulation.** Online and telephone vote totals shall be transmitted to the Fund immediately following the closing of the polls at **6:00 p.m., October 30, 2020**.
14. **Winner:** The Candidate receiving the highest number of eligible votes shall be declared the winner. An unofficial notice of the winner will be advertised on the Fund's website.
15. **Tie:** In the event there is a tie vote for elected trustee, there shall be a coin flip conducted by Fund Counsel as soon as practicably possible, and the winner thereof shall be declared the Elected Trustee.
17. **Contest.** Any person wishing to contest the results of the 2020 Election may do so by filing a petition for an election contest hearing to the Election Committee at the Fund's Office not later than six (6) calendar days after the conclusion of the 2020 Election. The petition must be verified and set out the reasons why the declared result was incorrect. The petition must be dated and time stamped at the Fund's Office by **8:30 a.m. November 5, 2020**. **An election contest shall be limited to the correctness of the tabulation issued by the IEA, and shall not permit relief by means of a new election.**
- All voting materials will be kept until disputes are resolved.
18. **Final Decision.** The decision of the Election Committee shall be transmitted to the Board for final resolution thereon at the Retirement Board's next regular meeting or special meeting. The Board may accept the Election Committee's decision, reject it or remand it for further hearing.
19. **Equipment failure.** In the event of widespread equipment failure by the online and/or telephone election vendor or other agencies out of the control of the Fund that result in an

inability of active employee participants to access the Fund's online and/or telephone voting location, a new date of the online and/or telephone election will be determined and advertised as soon is practically possible.

The Fund is not responsible for the U.S. Postal Service's ability to deliver voting instructions in a timely manner.

The Fund is not responsible for the correctness of the final tabulation by the IEA and reserves the right to declare the election void should anomalies to online and/or telephone tabulation be verified.

20. **Fraud.** Should it be determined that either a Candidate for election or an agent acting on their behalf engaged in activities that affect the number of votes cast for that Candidate, the Fund has the right to declare the election void.

Any Candidate who has been found to have engaged in fraudulent activities with respect to the Election for Trustee may be barred from running for Trustee in future Trustee Elections for the Retirement Board of the MEABF of Chicago.