

**RETIREMENT BOARD OF THE  
PARK EMPLOYEES' AND RETIREMENT BOARD EMPLOYEES'  
ANNUITY AND BENEFIT FUND OF CHICAGO**

**ELECTION POLICY**

**(effective April 17, 2014)**

Section 1.     Regular Elections. The Retirement Board ("Board") of the Park Employees' and Retirement Board Employees' Annuity and Benefit Fund of Chicago ("Fund") shall conduct annual regular elections for Employee Trustees in accordance with the Illinois Pension Code, 40 ILCS 5/1-101, *et seq.*, ("Pension Code") and this Election Policy. For purposes of this Policy, "Employee" shall have the same meaning as set forth in Section 12-118 of the Pension Code.

Section 2.     Election Procedures. Elections shall be conducted in the most cost-effective and secure manner possible for the purpose of obtaining certified election results. Elections shall be conducted by the Election Monitor and coordinated by the Election Coordinator.

The Election Monitor shall be an independent, neutral service provider retained by the Board. The Election Monitor, with the assistance of the Election Coordinator, shall exercise complete control over the printing, mailing and tabulation of all ballots and shall insure the security and integrity of the voting process. The Election Monitor shall certify and issue a report of findings which will detail the results of the election to the Board.

The Election Coordinator shall be appointed by the Fund's Executive Director, on or before May 1<sup>st</sup> of year in which the election is to occur, and shall be responsible for the following:

- A.     Distributing and posting the Notice of Election.
- B.     Assembling and distribution of candidate nominating packets.
- C.     Assisting the Election Monitor in validating candidate petitions.
- D.     Notifying candidates of their certification for election.
- E.     Submitting a certified list of eligible voters to the Election Monitor.
- F.     Signing the Report of Election Results.

Section 3.     Election Date. The annual election for Employee Trustees shall be held on the 4<sup>th</sup> Friday of June each year.

Section 4.     Terms of Office. Employee Trustees shall be elected for a four (4) year term and shall hold office until the expiration of their respective terms or until their respective successors are elected and have taken the oath of office.

Section 5.     Notice of Election. The notice of election shall contain the Election Date, eligibility criteria for candidates and voters, information on how to obtain a candidate nomination packet, instructions on the nomination process, and the schedule of election events. At least 10 business days prior to the last Tuesday of May of the year in which the election

## Election Policy

is to occur, the Election Coordinator shall distribute the notice of election to be posted throughout the Chicago Park District facilities and shall post the notice of election in the Fund's office and on the Fund's website.

Section 6. Nomination of Candidates. Candidates for election must be Employees who are not excluded from coverage under Article 12 of the Pension Code. The Election Coordinator shall distribute candidate nomination packets to Employees who request a packet. The nomination packet consists of a copy of the Notice of Election, a pre-printed petition form, and a copy of this Election Policy.

The Election Coordinator shall provide the official petition forms to each candidate seeking nomination. The candidate shall certify that the signatures procured on the petition are genuine and represent those of Eligible Voters. A minimum of 50 petition signatures, from Eligible Voters, are required. Along with the completed petition, candidates may submit to the Election Coordinator the following limited information on a separate form:

- A. Name (as it should appear on the ballot).
- B. Current employment position.
- C. Length of service.

The signed nomination petitions must be received by the Election Coordinator no later than the last Tuesday of May of the year in which the election is to occur. Only those petitions received by the deadline shall be accepted.

The Election Monitor, with the assistance of the Election Coordinator, shall verify the identity and eligibility of individuals who signed a candidate's nomination petition, and shall certify qualified candidates for the election. The Election Monitor shall determine by lot the position of candidate names on the ballot.

The Election Coordinator shall notify qualified candidates of their certification and the position of their names on the ballot. After distributing notification letters to the certified candidates, the Election Coordinator shall make public the names of the qualified candidates by posting on the Fund's website, in the order candidate names are to appear on the ballot, the names of candidates and any other information submitted in accordance with this Section 6.

When only one candidate has been nominated, the Election Monitor shall, upon verification of the signatures presented in the nominating petition and upon the candidate's acceptance of his or her nomination, cancel the remaining election procedures and designate the single candidate as elected.

Section 7. Eligible Voters. All Employees who are not excluded from coverage under Article 12 of the Pension Code shall be eligible to vote. The list of Eligible Voters shall be those Employees who, as of May 1<sup>st</sup> of the year in which the election is to occur, are: on the Chicago Park District's payroll; on the Fund's payroll; or receiving disability benefits from the Fund. The Election Coordinator shall provide the list of Eligible Voters to the Election Monitor.

## Election Policy

Section 8. Form of Ballot. Voting shall be by secret ballot. Ballots shall be in a form approved by the Board. Names of all qualified candidates for each election shall be printed in a column. In the front of the name of each candidate shall be a printed square, in which the Eligible Voter shall insert a mark (e.g., an “x”, “+” or “✓”) indicating their choice of candidate.

Section 9. Mailing of Ballots. The Election Monitor, with the assistance of the Election Coordinator, shall ensure that every Eligible Voter receives a ballot and voting instructions. The Election Monitor shall use reasonable procedures to ensure that the blank ballots and voting instructions are delivered in a manner consistent with commonly accepted election practices. The Election Monitor shall ensure that the blank ballots and voting instructions are mailed no later than 12:30 P.M. on the Wednesday of the week immediately preceding the week in which the Election Date occurs.

All ballots must be received by the Election Monitor by 10:00 A.M. on the Election Date.

Any Eligible Voter who does not receive a ballot from the Election Monitor may obtain a replacement ballot from the Election Monitor at the office of the Board during the hours of 9:00 A.M. to 5:00 P.M. on the following two days: the Monday preceding the Election Date and the Tuesday preceding the Election Date. In order to receive a replacement ballot, an Eligible Voter must complete an affidavit stating that they never received the original ballot. Replacement ballots must be received by the Election Monitor in accordance with the time period established under this Section.

Section 10. Marking of Ballots. The following rules regarding the marking of ballots are hereby prescribed:

- A. Eligible Voters shall indicate their choice of a candidate by inserting a mark (e.g., an “x”, “+” or “✓”) in the printed square in front of the name of the candidate of their choice. The mark must be within or must intersect the square.
- B. Eligible Voters may vote for a person whose name does not appear on the ballot by writing the name in, with a pen or pencil, below the names of the other candidates and putting a square before it if one is not provided, and inserting a mark (e.g., an “x”, “+” or “✓”) in the square.
- C. Any questions regarding an Eligible Voter’s intent to elect shall be determined by the Election Monitor.

Section 11. Counting of Ballots. The Election Monitor shall use reasonable procedures to ensure that ballots are accounted for and secured in a manner consistent with commonly accepted election practices. Only those ballots received by the Election Monitor in the manner provided herein shall be considered in the counting of the votes cast. The following rules are prescribed for the counting of ballots:

- A. Only one ballot per Eligible Voter shall be permitted.
- B. Ballots received by a person who is not an Eligible Voter shall not be valid.

## Election Policy

- C. Ballots with votes cast in excess of the number allowed shall not be valid.
- D. Ballots cast for persons who are not eligible to be elected shall not be valid.
- E. Ballots not received in accordance with the time period established under Section 9 shall not be valid.
- F. Ballots not received in accordance with the voting instructions shall not be valid.

The Election Monitor shall certify and report to the Board the winning candidate(s) who receive the highest number of votes. In case of a tie, the winning lot shall be drawn by the Election Monitor.

Section 12. Notice of Election Results. Upon completion of the counting of ballots, or after verification of the nominating signatures pursuant to Section 6, in which only one qualified candidate has been nominated, the Election Monitor shall certify the election results. The Election Monitor shall notify all candidates, the Board, and the Executive Director of the certified results and shall provide a report to the Board at the Board's next regular meeting. Notification to the newly elected Employee Trustee(s) shall include a copy of the Oath of Office, Article 12 of the Pension Code, the Board's Rules and Regulations, and other such materials as determined by the Board or the Executive Director.

Section 13. Seating of Elected Trustees. The Board shall examine such report and certification at the next regular meeting following the election and declare the candidate(s) who received the highest number of votes to be the duly elected Employee Trustee(s) of the Board for the ensuing term of office. The newly elected trustees shall subscribe to the Oath of Office.

Section 14. Disposition of Ballots. The ballots shall remain in the custody of the Election Monitor, under seal, for a period of 6 months from the Election Date, at the end of which time said ballots may be destroyed if there is no challenge to the election pending.

Section 15. Election Recount. A candidate may request a recount of an election only if the difference in the number of votes cast for the candidate requesting the recount and the unofficial winner is less than three percent (3%). The candidate in the affected election must file a written request with the Election Monitor for a recount within three (3) business days following the notice of the election results by the Election Monitor. The Election Monitor shall notify the Board of the request for a recount and shall set a date for the recount upon receipt of the written request. The Election Monitor shall certify the results of the recount.

Section 16. Protest of an Election. A valid protest must be based on evidence that the Board adopted election procedures were not substantially followed and that such errors would have materially affected the outcome of the election. A candidate must file a written protest with the Election Monitor no later than three (3) business days following the notice of the election results by the Election Monitor. The written protest shall state the specific grounds of the protest and provide any evidence (including witnesses) in support of such protest.

## Election Policy

Upon receipt of a valid and timely protest, the Election Monitor shall mail a copy of the protest to all candidates in the election and shall notify the Board that a protest has been filed. The Board shall investigate the protest and determine what remedy, if any, shall be granted to the candidate filing the protest. No Trustee who is a candidate in the election under protest may participate in the investigation or determination.

Section 17. Use of Fund Vendors. No candidate for trustee shall be permitted to engage the services of Fund vendors or service providers for the purpose of printing, distributing or mailing campaign materials, or to secure monetary assistance for the candidate's campaign. Upon request, the Fund shall provide certified candidates with a list of Fund vendors and service providers.

Section 18. Mailing of Campaign Materials. Upon request, a candidate may mail campaign materials to Eligible Voters, subject to the following rules:

- A. Campaign materials may be mailed at any time after a candidate has been certified by the Election Monitor as a qualified candidate pursuant to Section 6, but all campaign materials shall be mailed on or before the Wednesday of the week immediately preceding the week in which the Election Date occurs.
- B. Candidates shall be responsible for all expenses and costs of mailing campaign materials.
- C. All campaign materials shall contain the following disclaimer: "The Park Employees' and Retirement Board Employees' Annuity and Benefit Fund of Chicago is not responsible for, and has not verified, the content of this campaign material."
- D. The Election Monitor shall provide labels pre-printed with the names and addresses of Eligible Voters for the sole purpose of sending out candidate campaign materials. The labels shall not leave the office of the Election Monitor. Candidates shall be responsible for affixing the labels to the campaign materials while in the office of the Election Monitor, during the hours of 9:00 A.M. to 4:00 P.M. Candidates may bring individuals to assist with affixing the labels to the campaign materials. Candidates shall ensure that all campaign materials contain proper postage prior to arriving at the office of the Election Monitor. The Election Monitor shall deliver the campaign materials to a United States Post Office before 5:00 P.M. on the day the labels are affixed to the campaign materials. If candidates do not complete affixing all the labels to their campaign materials in a single day, then the Election Monitor shall deliver to the United State Post Office those campaign materials with labels and such candidates may, at the Election Monitor's sole discretion, have the opportunity to return and affix the labels on another day, provided that such election materials must be mailed in accordance with the time limits set forth in Paragraph A of this Section.
- E. Candidates requesting labels, and any individuals assisting with affixing the labels to the campaign materials, shall sign an Agreement of Confidentiality agreeing to: keep the labels in the office of the Election Monitor; refrain from copying any of the Eligible Voters' names and addresses; and use the Eligible Voters' names and addresses for the sole purpose of sending campaign materials.

## Election Policy

- F. Candidates shall notify the Election Monitor that they intend to send campaign materials before 5:00 p.m. on the second business day prior to the day they intend to affix labels to their campaign materials, to allow the Election Monitor to arrange for the printing of labels and to ensure that the Election Monitor has adequate space to facilitate, and adequate staff to oversee, the affixing of the labels to the campaign materials. The Election Monitor shall attempt to accommodate all candidates in the mailing of campaign materials and shall have the sole discretion to allow candidates who have not complied with the two (2) business day notice required by this Paragraph F to affix labels to their campaign materials. Notwithstanding the foregoing, nothing shall require the Election Monitor to accommodate any candidate who has not complied with the two (2) business day notice required by this Paragraph F.