

## **PROCEDURES FOR THE ELECTION OF A TRUSTEE EMPLOYEES' RETIREMENT SYSTEM**

Under Article 22, Sections 5 (b)(2), (b)(4) and 21(a) of the Baltimore City Code, the Board of Trustees ("Board") of the Employees' Retirement System of the City of Baltimore ("ERS") has the responsibility to adopt rules and regulations to govern the election of active member trustees and retiree trustees. The following Trustee Election Procedures were originally adopted at the February 16, 1990, Joint Meeting of the Boards of Trustees. Subsequent amendments were made every 4 years thereafter or when elections became necessary. The last amendment to these procedures was **September 21, 2023 (page 3)**.

Active members and retiree trustees of the Board are elected to serve four year terms. If a vacancy occurs in the office of an elected trustee, an election shall be held to fill that particular vacancy according to the guidelines established. If less than one year is remaining for that term, the election will be deferred until the following year.

### **I. ELECTION SCHEDULE**

- A. The Board will give approval to begin the election process and adopt a schedule to conduct the election.
- B. The Election Schedule will include:
  - Election Announcements distributed City wide, posted on ERS and City websites, and eblasted
  - Last day for filing petitions with ERS
  - Petitions & bios verified & electronic pictures of candidates obtained
  - Candidates' names sent to outside election company, if any
  - Ballots mailed
  - Tabulate ballots
  - Executive Director presents election results to Board for confirmation
  - Confirmed election results distributed accordingly

### **II. PUBLICATION OF ELECTION NOTICE**

Announcements of all trustee elections will be posted on the ERS and City websites, and will be Eblasted periodically until the Petition filing deadline. The Announcement will include the term of office, duties of the trustee, election procedures and schedule, the number of valid signatures required to petition a candidate to the ballot and procedure for eligible voters to obtain a replacement ballot if the original ballot was not received.

Additionally, for retiree trustee elections, information will be sent to retired members' home addresses on file with the Benefits Administration System, referring interested retired members to the notice on the ERS and City websites.

### **III. CANDIDATE ELIGIBILITY**

- A. Employees' Retirement System
  - 1. Active Member Trustee

A candidate for active member trustee must be an active member in either the A, C or D ("Hybrid") Plan of the ERS.

2. Retiree Trustee

A candidate for retiree trustee must be a retired member from either the A, C or D ("Hybrid") Plan of the ERS and must be on the ERS retirement payroll. Beneficiaries of retired members are not eligible to run for the office of retiree trustee.

3. Retirement Savings Plan (RSP) – Restriction

No members of the Non-Hybrid Plan under the Retirement Savings Plan are eligible for candidacy, as they are members of the RSP and not members in any ERS Plan.

IV. VOTER ELIGIBILITY

A. Active Member Trustee Election

Only active members in either the A, C or D ("Hybrid") Plan of the ERS are eligible to vote in the election for the active member trustee.

B. Retiree Trustee Election

1. Only retired members in either the A, C or D ("Hybrid") Plan of the ERS who are on the ERS retirement payroll as of a relevant date determined by the Board are eligible to participate in voting for the retiree trustee.

2. Beneficiaries of retired members may not participate in the voting for the retiree trustee.

3. Retirement Savings Plan (RSP) – Restriction

No members of the Non-Hybrid Plan under the Retirement Savings Plan are eligible to vote in the election, as they are members of the RSP and not members in any ERS Plan.

V. PETITION FOR CANDIDACY

A. Application for Petition

All active and retired members will come to the ERS office and see Donna Bowen to file an Official Application for Petition. Days to apply will be Mondays, Wednesdays and Thursdays between 9:00 a.m. and 3:00 p.m. This application must contain the applicant's full name, last 4 digits of their social security number, current (if active) or former (if retired) City job title or classification, business and home address, phone number, and e-mail address. Upon the completion of this application, a candidate is given an authorized petition.

B. Filing of a Petition

A candidate's name will be placed on the ballot after submitting to the ERS Executive Director a petition with the following number of valid signatures:

For an ERS Active Member Trustee: ~~200~~ 100 signatures

For an ERS Retiree Trustee: 5 signatures

C. Information Required on the Petition

The petition will require the candidate's name, job title or position, department or agency, last 4 digits of the social security number and signature. Also required are the printed name, signature, last four digits of the social security number, job title or position, and department or agency of those active members or retirees signing the petition, as described in Sections III and IV above.

In order to be valid, completed petitions must be submitted to the ERS via email as a pdf attachment to [election@bcers.org](mailto:election@bcers.org) on or before the filing date established by the Board. The email will date & time stamp the submission.

A member or retiree can sign one candidate's petition where there is one position open for election and more than one where there are two or more positions open for election. All signatures will be verified.

Where a member or retiree signs more than one petition, only the signature on the first petition received by the ERS will be counted.

D. Form of the Petition

The petition should contain the following statement:

To the Board of Trustees of the Employees' Retirement System:

We, the undersigned (active/retired) employees/members in either the A, C or D ("Hybrid") Plan of the Employees' Retirement System present, \_\_\_\_\_ (name) as a candidate for the office of trustee to serve on the Board of Trustees of the Employees' Retirement System for the four year term beginning \_\_\_\_(Date) and ending \_\_\_\_(Date)

I, \_\_\_\_\_ (Name) \_\_\_\_\_, declare that I am (currently employed as a [Job title] with the [Department]/a retired member of the Employees' Retirement System) and consent to serve as the ERS (active member/retiree) trustee, if elected. I further declare that I am an active member/retiree in either the A, C or D ("Hybrid") Plan of the ERS, and not a Non-Hybrid member of the Retirement Savings Plan (RSP).

(Nominee's Signature)

We, the undersigned, individually certify that we are (active/retired) members in either the A, C or D ("Hybrid") Plan of the Employees' Retirement System as of (date), and are not Non-Hybrid members of the Retirement Savings Plan (RSP).

Printed Name

Signature

Last 4 of SSN

Job Title

Department

NOTE: Only the last four digits of the social security number are required so that member/retiree confidentiality can be maintained while still allowing ERS staff to validate that those signing the petitions are active members or retirees, as applicable, of the ERS.

E. Validation of Petition Signatures

The staff of the ERS will verify that the signators of the submitted petitions are members or retirees, as applicable, of the ERS and that the petition contains the requisite number of signatures.

F. Notification to Candidates

Upon completion of the validation process, the Executive Director will notify each candidate whether or not he/she qualified for entry on the ballot.

VI. NUMBER OF CANDIDATES SAME AS POSITION(S) OPEN

A. In an election to fill one trustee position if only one eligible candidate is petitioned to the ballot, the ERS Executive Director is not required to print and distribute ballots. The Executive Director shall notify the Board at the meeting immediately following the last day for submission of petitions that only one candidate qualified for the election. The Board shall declare that candidate as the trustee elected to the Board.

B. In an election where two trustee positions are to be filled concurrently, if only two eligible candidates are petitioned to the ballot, the ERS Executive Director is not required to print and distribute ballots. The Executive Director shall notify the Board at the meeting immediately following the last day for submission of petitions that only two candidates qualified for the election. The Board shall declare the two candidates as the trustees elected to the Board.

VII. CONDUCT OF THE ELECTION, THE BALLOT AND INSTRUCTIONS, MAILING AND COUNTING OF BALLOTS

A. Election Methods

1. Active members and retirees may have one or more forms of voting options available to them, as determined by the Board. If multiple methods of voting are utilized, only the first vote cast by a member will be counted.
2. The Board, in its discretion, will determine whether the election will be conducted by mail, by telephone, or online, or by one or more methods.
3. The Board will select a firm experienced in conducting elections. The responsibilities of the firm may include:
  - Preparing the ballot format and content for approval by the ERS;
  - Arranging for election by mail, by telephone or online;
  - Ensuring the confidentiality and privacy of votes;
  - Preparing a report detailing the election results;
  - Tabulating and providing the certification of results within twenty-four hours of the elections; and

- Retaining all ballots and related files for a one-year period.

B. Contents of the Ballot

The ballot shall contain:

1. the candidates' names listed in alphabetical order.
2. a biographical statement in 250 words or less, subject to review by the ERS Administration, and a passport electronic photograph of each candidate. The biography shall include name, city/county of residence, education, current/past job titles and experience, and community affiliation. The statement will be published with the ballot. The biographical statement and photograph should be emailed to the ERS along with the completed petition.
3. Voting instructions.

C. Form of the Ballot

The official ballot shall include instructions and candidate biographies in a format similar to the following:

Employees' Retirement System  
of the City of Baltimore  
Election for (Active Member/Retiree) Trustee

**VOTING INSTRUCTIONS FOR MAIL-IN BALLOT**

Below is your ballot for selection of (active member/retiree) trustee to serve on the Board of Trustees of the Employees' Retirement System. Your ballot package consists of one (1) Official Ballot and one (1) Return Envelope. If any of these items are not included, please contact \_\_\_\_\_ for help.

Mark your selection by placing an ( **X** ) or ( **✓** ) in the box to the left of the candidate of your choice. Vote for only one (1) candidate.

Do not write your name or otherwise identify yourself on the ballot. Do not put any other materials in the envelope. Do not make any marks on the return envelope. Detach ballot and place in the enclosed postage paid return envelope. **NO ADDITIONAL POSTAGE IS NECESSARY ON THE ENVELOPE.**

You must mail this ballot in time to arrive no later than Monday, December 18, 2023. Ballots hand delivered to the ERS office or ballots received after the aforementioned date will **NOT** be accepted.

While you may vote by multiple methods, only the first you cast will count toward the election results.

David A. Randall, Executive Director  
Employees' Retirement System

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## SAMPLE MAIL-IN BALLOT

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CITY OF BALTIMORE  
EMPLOYEES' RETIREMENT SYSTEM  
OFFICIAL 2023 ELECTION BALLOT  
BOARD OF TRUSTEES

Term: January 2024 – December 2027 Vote for only one / two candidate(s).

*Place an ( X ) or ( ✓ ) in the box to the left/right of the candidate of your choice*

☐

John Doe

☐

Peter Johns

☐

Mary Smith

Biographies and photographs of the candidates are provided.  
Your reply envelope must be received no later than \_\_\_\_.

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**City of Baltimore Employees' Retirement System**  
Candidate(s) Biographical Information

John Doe  
John Peters  
Mary Smith

**YOU MAY CHOOSE ONLY ONE VOTING METHOD.**  
**TO VOTE BY TELEPHONE OR ONLINE, PLEASE SEE ENCLOSED INSTRUCTIONS.**

CITY OF BALTIMORE EMPLOYEES' RETIREMENT SYSTEM

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SAMPLE INSTRUCTIONS FOR VOTING BY TELEPHONE

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1. Call ----- from a touch-tone phone.
2. Enter your individual Personal Identification Number (PIN) printed above your number and address below.
3. Enter the last 4 digits of your Social Security number.
4. Vote (follow instructions given).

**YOU MAY CHOOSE ONLY ONE VOTING METHOD. IF YOU VOTE BY TELEPHONE, YOU MAY NOT VOTE BY MAIL OR ONLINE.**

*For voting by mail or online, see enclosed Instructions.*

Telephone voting system is in operation 24 hours a day, 7 days a week.

***The deadline for voting is 12 Noon EDT, \_\_\_\_\_.***

If you experience any problem with the system or need to request a duplicate instruction sheet, please call ----- (Monday to Friday, 9 a.m. to 5 p.m., EDT)

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CITY OF BALTIMORE EMPLOYEES' RETIREMENT SYSTEM

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SAMPLE INSTRUCTIONS FOR VOTING ONLINE

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1. Visit [www.-----.com](http://www.-----.com).
2. Enter your individual Personal Identification Number (PIN) printed above your number and address below.
3. Enter the last 4 digits of your Social Security number.
4. Vote (follow instructions given).

**YOU MAY CHOOSE ONLY ONE VOTING METHOD. IF YOU VOTE ONLINE, YOU MAY NOT VOTE BY MAIL OR TELEPHONE.**

*For voting by mail or telephone, see enclosed Instructions.*

Online voting system is in operation 24 hours a day, 7 days a week.

***The deadline for voting is 12 Noon EDT, \_\_\_\_\_.***

If you experience any problem with the website or need to request a duplicate instruction sheet, please call ----- (Monday to Friday, 9 a.m. to 5 p.m., EDT)

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*(End of sample ballot & instructions)*

D.     Numbering the Ballots

The ballots shall be numbered for internal control purposes as well as to maintain anonymity.

E.     Address for Mailing of Ballot

Ballots will be mailed directly to the home address of all members eligible to vote in the election. The home address used will be the address on file with the Benefits Administration System.

F.     Ballots returned as undeliverable will not be forwarded.

G.     Ballot not Received by Member

Anyone eligible to vote who does not receive the mail ballot must call the number established to address election problems.

VIII.         PRESENTATION OF RESULTS TO BOARD OF TRUSTEES

In an election for one trustee, the candidate receiving the highest number of votes shall be reported to the Board at the meeting immediately following the election. The Board shall declare this candidate as the trustee to serve on the Board.

In an election held concurrently for two trustees, the eligible candidates receiving the first and second highest number of votes shall be reported to the Board at the meeting immediately following the election. The Board shall declare these candidates as the trustees to serve on the Board.

IX.         PUBLICATION OF RESULTS

After the trustee election results are determined, the ERS Executive Director will publicize the election results by posting the results on the ERS and City websites and via Elbast.

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