

Employee Election of Two Board Trustees for Terms Beginning in October 2012

The employee election of two Board Trustees for terms beginning in October shall be conducted in accordance with the following procedures:

Every full-time employee, part-time employee, seasonal employee employed as of the date of the close of the election, and newly-hired employee who has actually started to work as of the date of the close of the election shall be eligible to vote in the employee election of the two Board trustees. Additionally, ballots for the employee-elected trustees shall be provided to each employee who is classified as a deferred retiree and to every employee on leave of any type as well as on vacation. This includes contributing members to the Cincinnati Retirement System employed by the City of Cincinnati, University of Cincinnati Medical, and University of Cincinnati College.

Ballots shall be sent by U.S. mail first-class. Ballots shall contain a water mark, imprinted on the ballot in a location and of a design as determined by the Administration of the Retirement Department. Official election return envelopes shall be imprinted with a series of numeric characters and sequentially numbered in a location and of a design as determined by the Administration of the Retirement Department.

Returned election ballots must be contained within a sealed, official return envelope. Copied ballots, reproduced ballots, or ballots in unsealed envelopes or unofficial return envelopes will not be deemed valid and will not be counted.

A. Nomination Notice

- 1) Notice of the opening of nominations shall be prepared and distributed by the Retirement Department.
- 2) By the second Thursday in July the notice of the opening of the nomination process shall be sent via email to all departments, boards, and commissions of employees and contributing members eligible to vote.
- 3) It shall be the responsibility of these departments, boards and commissions to ensure the distribution and posting of this notice.
- 4) The Nomination Notice shall contain the deadline for nominations, the deadline for candidates' position papers, the date for the posting of the confirmed candidates' names, the opening and closing dates of the election, and the contact person's name, telephone number and email address within the Retirement Department.

B. Nominations

- 1) Nomination Petition Forms can be obtained from the Retirement Department office or website.
- 2) Completed nomination petition forms shall contain the name of the candidate and state the position the candidate is seeking on each page.
- 3) Nomination shall require no less than 25 signatures and printed names of those meeting the qualification to vote in the active member election of a trustee.

- 4) Along with the nomination form, each candidate shall provide the Retirement Department with his or her official home address, his or her email address if applicable, his or her telephone number, and his or her personal cell phone number if applicable. If employed, each candidate shall provide his or her employer's name, address, phone number, his or her title, and years employed. If retired, each candidate shall provide the business or department retired from, official title at the time of retirement, the number of years employed, and the year of retirement.
- 5) Nomination petition forms shall be RECEIVED and date-stamped by the Retirement Department (Room 240 City Hall) no later than 4:00 p.m. on first Monday of August.
- 6) The Retirement Department shall authenticate each name on the petitions and all signatures, and shall notify the candidate within two work days if there are not enough legible or valid names on the petitions.
- 7) The list of validated candidates' names shall be posted on the Retirement Department's web page within 5 business days after the closing of the nominations.
- 8) If only two candidates are nominated by the deadline, and each nomination form contains the minimum 25 validated signatures, the election shall be declared closed and the two candidates declared the winners. The winners shall be assigned to the two 4-year terms.

C. Candidates' Position Papers

- 1) Each candidate shall provide the Retirement Department with a position paper in Microsoft WORD format or hard-copy, containing no more than 200 words, on only one (1) page, no later than 4:00 p.m. on the first Monday in August.
- 2) Each position paper can be emailed, mailed via interoffice mail, U.S. mail, or hand delivered.
- 3) Candidates' position papers sent by U.S. mail must be RECEIVED and date-stamped by the Retirement Department no later than the deadline.
- 4) Candidates' position papers shall be included with each ballot.
- 5) Candidates' position papers shall not contain any profanity or derogatory comments regarding other candidates.
- 6) A candidate's failure to submit a position paper meeting the above-listed criteria by the listed deadline shall result in invalidation of his or her candidacy.

D. Ballots

- 1) The position of the name of each candidate shall be rotated on the ballots so that no single candidate's name shall appear as the first name a greater number of times than the other candidates' to the extent feasible.
- 2) A space shall be provided for the name of a "write in" candidate who meets the eligibility criteria.
- 3) An employee may vote for up to two candidates.
- 4) Ballots shall not be reproduced nor copied.
- 5) A ballot with more than 2 votes will be deemed invalid.
- 6) Ballots shall be mailed by first-class U.S. mail by the third Monday in August.

- 7) Employees not receiving a ballot at the address of record may request a duplicate ballot.
- 8) Request for a duplicate ballot shall be submitted to the Retirement Department. .
- 9) A duplicate ballot shall be of a different color and marked "DUPLICATE"
- 10) A duplicate ballot shall be mailed to the employee's home address, or picked up in person at the Retirement Department, Room 240, City Hall. The person picking up the duplicate ballot must sign a Duplicate Authorization form.
- 11) The CRS Board, the Retirement Department, and the Election Committee assume no responsibility if the duplicate ballot is not returned by the deadline.
- 12) Ballots shall be returned only in the official election return envelope provided.
- 13) Ballots in the official election return envelope shall be returned by U.S. first-class mail, interdepartmental mail, or deposited directly into the locked "Ballot Box" contained within the Retirement Department, front desk area, in Room 240, City Hall.
- 14) Returned ballots in the official election return envelope shall remain secure within the locked ballot box, within the vault of the Treasurer of the City of Cincinnati, during non-business hours.
- 15) Returned ballots shall be signed for and released to the Chair of the Election Committee on the day of the counting of ballots.
- 16) The two candidates with the highest number of votes shall be declared the winners of the election.
 - a. The two candidates with the top number of votes shall each be assigned a 4-year term.

E. Election

- 1) The election shall be open by the third Monday in August and remain open for at least 21 days.
- 2) The election shall continue for at least 21 days and close on the third Monday of September at 4 P.M. All ballots must be received and date-stamped by the Retirement Department by the third Monday of September at 4PM.

F. Counting of Ballots

- 1) The ballots shall be counted within 3 business days after the close of the election.
- 2) The Retirement Department shall notify the candidates seeking election of the time and location for the counting of ballots.
- 3) Each candidate shall have the opportunity to attend and witness the counting of ballots, or, prior to the initiation of the counting process, to designate a proxy as their official representative to attend and witness the counting of the ballots.
- 4) The chair of the Election committee shall declare the Election Committee closed for the purpose of the "counting of the ballots." The Chair of the Election Committee shall brief the candidates or the proxies of a candidate on the procedure for the count, as well as the appeal process regarding the count. During the counting process the candidates or their proxies shall remain seated in their assigned seat. The counting of ballots or any other item regarding the counting shall remain confidential. If a candidate or his or her

proxy violates the rules of the election count or disrupts the proceedings, the candidate shall be declared disqualified by the Election Committee.

- 5) No other persons other than the candidates or their proxies, the Election Committee Members, and any designated assistants, shall be present during the count.
- 6) The Election Committee shall open to the public their Special Election Committee meeting after completion of the count. A report shall be submitted for the Committee's consideration and approval pertaining to the summary count of issued ballots, returned valid ballots, invalidated ballots, duplicate ballots issued, duplicate ballots returned, and write-in ballots. The Election Committee shall declare the winners of the election.

G. Tied Vote Results

If two candidates tie in the count of valid ballots received, the following process shall be used to resolve the tie.

- 1) The Chair of the Board of Trustees shall set the time and location for resolving a tie.
- 2) Both candidates involved in the tie shall be present at the meeting to resolve the tie.
- 3) A tie shall be resolved by the Board Chair flipping a coin, once.
- 4) The candidate having the greater time as a member of the CRS shall call the coin while still in the air. If one of the candidates is not a current or former employee of the City of Cincinnati, the candidate with any City service shall call the coin while still in the air.
- 5) The coin shall fall to the ground.
- 6) The candidate whose side lands face up shall be declared the elected candidate.

H. Taking of Office

- 1) The Election Committee shall declare the two candidates with the greatest number of valid votes as the winners of the election. In the instance of tied vote results among the candidates receiving the highest totals of votes, the winner of the tie shall be declared the winner.
- 2) A notary provided by the City shall administer the oath of office. The trustee may then be seated as well as vote at all board meetings.

I. Disqualification from Candidacy and as a Board Trustee

A candidate shall be disqualified from seeking election to the Board, or remaining as a Board Trustee for any of the following:

- a) Civil conviction for Dishonesty or disciplinary decision confirming dishonesty.
- b) Conviction of a felony, as an adult.
- c) Failure of compliance with these election requirements.