

**SOUTH DAKOTA DEPARTMENT OF LABOR
EMPLOYEE'S RETIREMENT BOARD
YYYY ELECTION PROCEDURES**

The South Dakota Department of Labor Employee's Retirement Board was created during the 1987 session of the South Dakota Legislature. The purpose of the board is to administer the Principal Financial Group retirement plan and to report annually to the State Retirement Laws Committee on the financial and actuarial status of the retirement program.

As mandated by statute, the board consists of five members, two of whom are elected by the participants of the plan. Elected members serve four-year terms.

The following procedures will govern the YYYY election of the two members of the board:

NOTIFICATION OF ELECTION:

All Department of Labor Principal Financial Group retirement plan members, including all eligible Department of Labor employees, retirees, and vested non-employee members, will be notified of the election and the procedures for nominations.

Election notification and nomination forms will be mailed on MM DD, YYYY, to plan members.

PROCEDURE FOR NOMINATIONS:

Each member will receive a nominating ballot along with the notification of election whereby the member may nominate up to two plan members for election to the board.

The member must enter the names of the two individuals being nominated and current address (if known), sign the nominating ballot, and return the ballot to the Department of Labor. Nominating ballots must be postmarked on or before Saturday, MM DD, YYYY, and received by the Department of Labor by 5:00 p.m. on MM DD, YYYY.

Nominees will be notified by the Department of Labor and will be requested to submit biographical information to be included with the election ballot.

PROCEDURE FOR ELECTION:

A ballot will be printed listing all interested candidates nominated in random order, last name first. Biographical information received on or before 5:00 p.m., MM DD, YYYY, will be included.

Ballots will include instructions on how to use the ballot and the deadline for when the ballot must be returned.

Ballots will have an identifying number or unique appearance to ensure the ballots have not been duplicated.

A self-addressed, stamped return envelope will be included with each ballot.

Ballots will be mailed on **MM DD, YYYY**, to all plan participants at their home addresses listed with the Principal Financial Group or the Department of Labor personnel files.

Each plan member receiving an election ballot may vote for up to two candidates.

No write-in candidates will be allowed on the ballot.

Ballots must be returned in the election envelope supplied with the ballot.

Election envelopes must be received by the Department of Labor by 5:00 p.m. on **MM DD, YYYY**, or postmarked on or before that date.

Ballots will be placed unopened in a secure file in the Department of Labor until Election Day.

COUNTING THE BALLOTS:

Election Day will be .

Ballots will be validated and counted by the Retirement Plan Sponsor/DOL Plan Administrator. At least one witness will be present during the ballot count.

Any ballot received without the election envelope will be considered spoiled and not counted.

Any ballot received on or after Election Day will be considered spoiled and not counted.

Any ballot containing a mark for more than two candidates will be considered spoiled and not counted.

Any ballot containing a write-in candidate will be considered spoiled and not counted.

Any ballot containing a mark not clearly indicating the candidate for whom the ballot is cast will be considered spoiled and not counted.

Any ballot containing a mark for only one candidate will be counted as a single vote for that candidate.

The two candidates receiving a plurality of the votes cast will be considered winners of the election.

In the event more than two candidates tie with the highest vote totals, the DOL Plan Sponsor/ Administrator will make a blind drawing and the name(s) drawn shall be declared the winner(s).

Plan members will be notified by mail of the election results. The results will also be posted to the ERB website.

CONTEST OF ELECTION:

The election will be considered valid unless a written notice of contest is filed, received, and postmarked with the Department Secretary within five (5) working days after the notification of election results have been mailed.

In the event of a contest, it will be the responsibility of the person contesting the election to prove the above procedures were not followed.

Based on the evidence submitted, the Department Secretary will provide a ruling as to the validity of the election within thirty (30) days of receipt of the notice of contest.