

SERS Board Governance Policy Manual

Policy Name: SERS Board Communication Policy
Policy Number: 2018 POL-BD-09
Effective Date: September 12, 2018; as amended May 2, 2023.
Reviewed Date: April 25, 2023
Applies To: SERS Board Members and Board Member Designees
Contact Person: Thomas Derr, Director of Communications and Policy

I. Purpose

To facilitate effective communication between and among the State Employees' Retirement System board ("Board") members, agency staff, system members, and other stakeholders and external parties.

II. Communication among Board Members and Board Member Designees

- A. The Board shall carry out its activities in the spirit of open governance and in accordance with relevant law. The Board may conduct certain business in executive (closed) session in accordance with relevant law.
- B. Board members and Board member designees shall communicate in an open, constructive, straightforward, and timely manner during meetings of the Board and committees.

III. Board Communication with System Members

- A. Board members and Board member designees shall be aware of the risk of communicating inaccurate information to members and the potential exposure to liability and possible harm to a participant that may result from such miscommunications. Board members and Board member designees shall mitigate this risk by refraining from providing specific advice, counsel or education with respect to the rights or benefits a member may be entitled to under the State Employees' Retirement Code ("SERC").
- B. In the event a member requests that a Board member or Board member designee provide explicit advice with respect to system policy on benefits, the Board member or Board member designee should refer the member to the Executive Director or his or her designee, or have the Executive Director or his or her designee contact the member. The Board member or the Board Member designee shall be informed of the outcome.

SERS Board Governance Policy Manual

IV. Board Communication with System Management

- A. Board members and Board member designees shall direct questions regarding specific aspects of the system's administrative operations to the Executive Director or appropriate senior staff member.
- B. Board members and Board member designees may direct questions to agency staff for information; however, Board members and Board member designees shall clearly indicate that the request is being made in their capacity as Board members.
- C. Requests for information that require a significant expenditure of staff time or the use of external resources should be:
 - 1. Formally requested and approved at a Board or committee meeting;
 - 2. Directed to the Executive Director; and
 - 3. Consistent with the policy role of the Board.
- D. In the spirit of open communication, individual Board members and Board member designees shall share any information pertinent to the agency with the Executive Director in a timely manner. The Executive Director shall similarly share with the Board any information pertinent to the Board in a timely manner.
- E. The Executive Director shall ensure that information that has been requested by the Board or by a Board member is made available to all Board members and Board member designees as appropriate.

V. Board Member and Board member designees Communication with External Parties

- A. The Executive Director, the Chair or their designee shall serve as the spokesperson for the system, unless the Board designates the Chair or another member of the Board to serve as spokesperson on a specific issue. The following guidelines shall apply with respect to the spokesperson:
 - 1. If time permits, and to the extent permitted by relevant State law, the spokesperson shall address sensitive, high-profile issues with as many members of the Board as possible, prior to engaging in external communications. At a minimum, the Chair and Executive Director shall be contacted.
 - 2. To the extent possible, in situations where Board policy concerning an issue has not been established, the Board or an appropriate committee shall meet to discuss the issue prior to the spokesperson's engaging in external communications.

SERS Board Governance Policy Manual

- B. When asked to be interviewed or otherwise approached by the media for substantive information concerning the affairs of the system, the Board member should generally refer the matter to the Executive Director or spokesperson, and shall make no commitments on behalf of the Board or the system.
- C. In their external communications, the Board member and the Board member designee shall:
 - 1. Speak on behalf of the Board only when explicitly authorized to do so by the Chair;
 - 2. Respectfully indicate
 - a) when they are representing a personal position, opinion, or analysis, whether the same or different from a Board-approved position,
 - b) when their position, opinion, or analysis does not represent the official position of the Board, and
 - c) when their position is in opposition to the position of the Board;
 - 3. Indicate if they are speaking in a capacity other than that of a member of the Board; and
 - 4. Make known to the Executive Director in a timely fashion if a personal position, opinion, or analysis was publicly communicated, such that it could receive media coverage. The Board member shall advise as to whom the communication was made and what was discussed.
- D. Board members and board member designees may indicate publicly that they disagree with a policy or decision of the Board, but shall abide by the policy or decision to the extent this is consistent with their fiduciary duties.
- E. Communications by Board members and Board member designees, when acting in their capacity as a Board member, should be consistent with their fiduciary duty to represent the interests of all system participants.
- F. Written press releases concerning the business of the system shall be the responsibility of the Executive Director and shall clearly and accurately reflect the provisions of the SERC and the policies of the Board. The Executive Director shall submit to the Chair for approval all press releases of a sensitive or high profile nature, or pertaining to Board policy.

SERS Board Governance Policy Manual

- G. To ensure the accuracy of any Board-prepared materials for publication or general distribution, which are related to the affairs of the system, and to ensure that the system is not inadvertently placed at risk, Board members and Board member designees agree to provide such material in a timely manner to the Executive Director, or his or her designee, for review prior to distribution or publication.

Document Properties

- a. **Document Owner:** Executive Office
- b. **Document Author:** Thomas Derr
Director of Communications and Policy
- c. **Document Appendices:** *SERS Communications Plan; SERS Crisis Communications Plan*
- d. **Summary of Changes:**

Date	Version	Author	Summary
January 9, 2018	2018 POL-BD-09	Jay Pagni	The policy established by the Board to facilitate effective communication between and among the Board members, agency staff, system members, and other stakeholders and external parties.
May 2, 2023	2018 POL-BD-09 (Rev. 05/02/2023)	Thomas Derr	Biannual review. Updated to reflect Board member designees.