

# Charlotte Firefighters' Retirement System Communications Policy ~~(draft V 52022)~~

~~Adopted Month Day, 2021~~

**Commented [SMD1]:** Move to standard format at end.

The Charlotte Firefighters' Retirement System (the "System") was established pursuant to the provisions of Chapter 926 of the 1947 Sessions Laws ~~(the "Act" or "Plan")~~, as amended ~~(the "Act") from time to time~~, to provide retirement, disability, and survivor benefits for the uniformed employees of the Charlotte Fire Department ~~(aka "Members") as defined in the Act~~.

This Policy applies to all Authorized Persons who may be in a position to communicate about or provide comment on any and/or all aspects of the System's Business.

~~In addition, although the Board shall utilize this Policy concerning communications as established, it shall reserve the right to enforce the policy as deemed necessary to protect the interest of the System and its Members.~~

## I. Definitions

- a) "Authorized Persons" – include the System's Staff (including temporary help), Board Trustees, and individuals specifically approved by the Board of Trustees from time to time to for specific kinds of communications on behalf of the System.
- b) "System's Business" – includes its objectives, practices, services, systems, actions, policies, legislation, and operations.
- c) "Confidential Information" – includes anything defined as Confidential Information under ~~subject to~~ North Carolina Public Records law.
- d) "Media" – includes any channel of communication including, but not limited to, printed (newspapers, magazines), broadcast news (radio, television), and electronic communications (social media, blogs, emails) ~~(including blogs but not limited to any electronic communications), the internet (social media, blogs), and emails.~~
- e) "Participants" – as defined in the Act includes any Member, Retiree, or Beneficiary in receipt of benefits or a former Member with a deferred Accrued Benefit includes active employees as defined by the Act and retirees and beneficiaries receiving benefits from the System.
- f) "Professional" – a manner which exudes civility, respectability, and competence.

**Commented [FL2]:** We could cite specifically to NCGS 132-1.2.

## II. Purpose

The System's Board of Trustees has established ~~this~~ Communications Policy to ensure clear, accurate, factual, and effective ~~communications between the Trustees and the System's Participants and beneficiaries, management, and external parties, with the public and the System's Members, and to protect the interests of the System, its staff, trustees, and Members (active and retired).~~

~~The System is committed to the dissemination of timely, accurate, and the quality of information to and about its Members, trustees, and staff.~~

All internal and external communications should be aimed towards the communicating an accurate account of the Board's actions and policies, as well as and the applicable Act provisions achievement of the System's vision and mission. Only Authorized Persons are permitted to undertake official System's internal and external communications s in accordance with the System's Guiding Principles.

**Commented [TS3]:** The Board does not have a formal vision or mission statement that I can find. Ask Lisa if there is better verbiage for this intent.

### III. Guiding Principals

The System is committed to the dissemination of timely and accurate information. The System recognizes that timely communication with the Members, the public, and Authorized Persons are imperative. In order to fulfill this commitment, reach the overall goals for communication, the following guiding principles should always be adhered to by all Authorized Persons:

- (a) Trustee communications potentially represent a risk to the System in areas such as governance, Participant~~member~~ services, and public relations.
- (b) Communications ~~by~~ ~~between and amongst the Members and~~ Authorized Persons must be Professional at all times. Trustees shall be respectful of the Board, its policies and decisions in all communications ~~with stakeholders.~~
- (c) All information disseminated shall be accurate and transparent to the extent possible while considering the need to protect Confidential Information. A ~~C~~ommunications ~~P~~olicy must balance the need to mitigate communications risk with the need for open and free discourse.
- (a)
- (d) ~~All~~ Communications should be consistent, clear, concise, and intentional based on Committee and Board action. Official Communications will not contain opinions of action taken by the Board or Authorized Persons. ~~All information disseminated shall be accurate, transparent, and open as possible, while considering the need to protect any Confidential Information.~~
- (e) Communications should promote overall knowledge and awareness of the System.
- (f) ~~The Board should speak with a single voice in order to successfully carry out its communications function for the benefit of the System's Pparticipants and beneficiaries.~~
- (b) ~~The Board should speak with a single voice in order to successfully carry out its communications function for the benefit of the System's participants and beneficiaries.~~
- (c) All communication must be consistent, clear, concise, and intentional based on Committee and Board actions. Communications will not contain opinions of actions taken by the Board or other Authorized Persons.
- (d) ~~Communication should also promote overall knowledge and awareness of the System.~~

**Commented [SMD4]:** Or an example from another peer policy: "Trustees communicate with all stakeholders in a collective voice to represent the System as a unified entity."

### IV. Communications:

#### (a) In General

- Communications by ~~trustees~~ Trustees, acting in their capacity as ~~trustees~~ Trustees, must at all times ~~should~~ be consistent with the fiduciary duty to act solely in ~~represent~~ the interests of the Pparticipants and beneficiaries of the System ~~and all Members.~~
- ~~Communications by CFRS Board of Trustees, as well as the staff, shall refrain from disclose that any making public statements of personal opinion regarding the CFRS or Board's actions does not represent those of the Board, Trustees, or staff as factual. Such public statements may include quotes given to media, contribution on blogs and/or social media, published articles, etc. Any such public statements must be approved by authorized persons before publication. When communicating on System-related matters in a capacity other than that of an authorized spokesperson for the System, Trustees shall~~

**Commented [TS5]:** Added this section from Joey & Ryan's initial draft based on BC discussion 4/14/2022

**Commented [TS6R5]:** Lisa, please see my drafted attempt per yor suggestion

clearly establish in their communications that they are not communicating on behalf of the Board or System.

**(b) At Board or Committee Meetings**

- ~~Board trustee~~ Trustees are prohibited from disclosing, other than to another ~~board-T~~ trustee, ex officio ~~member-T~~ trustee for whom they serve as designee, or CFRS staff ~~member~~ with knowledge of the information, any Confidential Information discussed in executive/closed sessions of a board meeting.

**(c) With ~~P~~participants ~~M~~embers and ~~b~~eneficiaries**

- Trustees should refrain from providing specific and technical advice with respect to a ~~member's-P~~ participant's benefits to avoid potential liability of miscommunication or misinformation.
- Trustees should refer ~~members-P~~ participants to the Administrator or other CFRS staff member for response to specific benefit questions.
- Trustees may provide generic information about CFRS to ~~Members-P~~ participants.

**(c) With Vendors**

- Trustees may, but are not obliged to, communicate with CFRS vendors.
- If a ~~trustee~~ Trustee receives a ~~proposal or written~~ communication regarding potential or existing investments, the ~~trustee~~ Trustee shall refer the matter to the CFRS Administrator. The Administrator will then respond or forward to the appropriate Authorized Person.
- A ~~trustee~~ Trustee shall not communicate, outside of the Board meeting process, with a potential vendor that which is involved in a pending procurement a finalist in a selection process.
- A ~~trustee~~ Trustee shall not intimidate or threaten the services of a current or potential vendor.

**(d) With Media and External Parties**

- The Administrator shall serve as the CFRS spokesperson unless the Board designates a spokesperson on a specific issue.
- The spokesperson will alert the Board Chair when asked to discuss sensitive, high-profile issues. If unable to do so before commenting publicly on an issue, the Chair will be notified as soon as possible. The entire Board will then be notified.
- Any written press release concerning CFRS will be issued at the discretion of the Board's legal counsel and Board Chairperson. A copy of the press release will be shared with ~~trustee~~ Trustees and staff.

**Commented [SMD7]:** Lisa: Is this accurate as to what we discussed?

## V. Enforcement

- a) ~~Any alleged~~ breaches of this ~~P~~policy shall ~~may~~ be reported to the Board Chairperson, or to the Vice Chairperson ~~-if the alleged breach is by the Chairperson-~~.
- b) At the discretion of the Board Chairperson, ~~or a majority of the Board by the request of two trustees-~~ reported breaches may be placed on an agenda for discussion and action at the next regularly scheduled board meeting. ~~The meeting minutes shall include the summary of the discussion and any action taken by the Board. In addition, the Trustee or staff member, shall be sent a formal letter from the Board Chair regarding the breach, the Board's discussion, and any action taken. The Authorized Person to have violated the policy will have the opportunity to respond at the meeting.~~
- b)c) ~~If the alleged breach needs to be addressed before the next regularly scheduled board meeting, a special meeting may be called by the Board Chairperson or at the written request of at least two Trustees as provided in the Act.~~
- e)d) ~~The Board may censure a Trustee -who is found, by six affirmative votes majority of the Board, to have violated this Ppolicy. Further, a Trustee found in violation of this policy may be removed from Ccommittee assignments and/or leadership position. If a staff member has been found by majority of the Board, to have violated this policy, a warning will be given to the staff member and a formal write up will be placed in the employee's personnel file.~~
- e)e) Any potential violations of law shall be reported to the proper authority.

**Commented [TS8]:** Lisa, since the Act has not been amended for majority of Board for a decision, I edited this section to replicate the verbiage used in the Act to call a special meeting. Paralleling a special meeting to a "special request" for the Board to address, I thought this might be better fit???

**Commented [TS9]:** Not sure if this is allowed???

**Commented [SMD10]:** "Leadership position" rather than "assignment"?

**Commented [SMD11R10]:** Sandy/Lisa: I am not sure on where we came down on whether to change this to committee "leadership" from committee "assignments".

**Commented [SMD12]:** Communications Policies are generally Board-level Communications Policies and do not address staff violations, which may be covered by contract, civil service law, etc. and could include even termination, unlike trustees.

**Commented [TS13]:** BC has asked Lisa to weigh in on what enforcement can be imposed if policy not adhered to. Sandy raised concern of imposing a harsher punishment to staff than to trustees. However, There should be a way to address issues with staff. CFRS does not have specific employee policy guidelines and has followed City policies I believe.

**Commented [TS14R13]:** Hey Lisa, I made an attempt at adding some procedures based on the May BC conversation- see what you think...

**Commented [SMD15]:** Add standard section on adoption date.

## VII. Endorsements/Statements of Support

The System does not endorse ~~products, services, or individuals, or approve individuals by name or elected, appointed, or hired positions.~~ Use of products and/or services by the System does not imply endorsement.

### Summary of Changes

Adopted 1/26/2023