

**Laborers' and Retirement Board Employees'
Annuity and Benefit Fund of Chicago
Minutes of Regular Board Meeting No. 975**

July 19, 2016

***Suite 1300 • 321 N Clark Street • Chicago Illinois 60654-4739
(312) 236-2065 • Fax (312) 236-0574***

**LABORERS' AND RETIREMENT BOARD EMPLOYEES'
ANNUITY AND BENEFIT FUND OF CHICAGO**

July 19, 2016

Report of Meeting No. 975 held on July 19, 2016, starting at 1:05 p.m. at the office of the Laborers' and Retirement Board Employees' Annuity and Benefit Fund of Chicago ("Fund").

The following were present:

Board Members:

Victor Roa, President (Local 1001)
Erin Keane, Vice President (City Comptroller, City of Chicago)
Michael LoVerde, Secretary (Active Employee Elected Member)
Carole Brown, Trustee (Chief Financial Officer, City of Chicago) (*arrived at 1:21 p.m.*)
Kurt Summers, Jr., Trustee (City Treasurer, City of Chicago) (*arrived at 2:12 p.m.*)
Carol Hamburger, Trustee (Managing Deputy Comptroller, City of Chicago)
James Capasso, Jr., Trustee (Annuitant Elected Member)
James Joiner, Trustee (Active Employee Elected Member)

Fund's Staff & Consultants:

Graham Grady – Taft Stettinius & Hollister LLP, Fund's Counsel
Cary Donham – Taft Stettinius & Hollister LLP, Fund's Counsel
Michael Cairns – NEPC, LLC, Fund's Investment Consultant
Kristin Finney-Cooke – NEPC, LLC, Fund's Investment Consultant
DeAnna Jones – NEPC, LLC, Fund's Investment Consultant
Michael Walsh – Executive Director and Chief Investment Officer
Peggy Grabowski - Comptroller
John Carroll – Compliance Administrator
Sheila Jones – Administrative Coordinator
Nadia Oumata – Manager of Accounting and Investments
Kathy Schanding – Fund Actuary
Joan Newman – Benefits Manager
Tina Rhoten – Assistant Benefits Manager
Margie Grazevich – Payment Services Manager
Irene Velasquez – Payment Services Assistant
Nicole Evangelista – Payment Services Coordinator
Dr. Terence Sullivan – Fund Physician
Armondo Ruiz – CSBI, LABF Summer Intern

Absent: None

Observers: Jason Parks – Loop Capital Markets

President Roa determined that a quorum was present.

It was moved by Trustee LoVerde, seconded by Trustee Hamburger, that the regular minutes of Meeting No. 974 held on June 21, 2016 be approved as submitted.

Roll-call: For-- Trustees Roa, Keane, LoVerde, Hamburger, Capasso and Joiner.
Against -- None.

It was moved by Trustee LoVerde, seconded by Trustee Hamburger, that the minutes of the executive sessions 1, 2, 3, 4 and 5 of meeting No. 974 held on June 21, 2016 be approved as submitted.

Roll-call: For-- Trustees Roa, Keane, LoVerde, Summers, Hamburger, Capasso and Joiner.
Against -- None.



***Laborers' and Retirement Board Employees'
Annuity and Benefit Fund of Chicago***

Board Members:

I am transmitting herewith the minutes for the meeting of the Board which was held on **July 19, 2016**. The minutes are comprised of the following:

- Approval of minutes from prior meetings
- Public Participation
- Schedule A: Applications for Refunds
 1. Refund of Contributions Due to Separation From Service
 2. Miscellaneous Refunds
- Schedule B: Applications for Annuities
 1. Employee Annuity Applications
 2. Spouse and Child Annuity Applications
- Schedule C: Adjustment Refunds to New Annuitants
- Schedule D: Applications for Duty Disability Benefits
- Schedule E: Applications for Ordinary Disability Benefits
- Schedule F: Applications for Extension of Duty Disability Benefits
- Schedule G: Applications for Extension of Ordinary Disability Benefits
- Schedule H: Payment of Uncashed Checks of Deceased Members
- Schedule I: Payment of Administrative Expenses
- Executive Session No. 1
- Investments Report
- Administrative Report
- Legal Report
- Executive Session No. 2
- Executive Session No. 3
- Executive Session No. 4
- Adjournment

All the foregoing matters were checked upon receipt into the office of the Board and were found to be hereinafter set forth.

Sincerely,

Michael R. LoVerde
Board Secretary

**LABORERS' AND RETIREMENT BOARD EMPLOYEES'
ANNUITY AND BENEFIT FUND OF CHICAGO**

July 19, 2016

PUBLIC PARTICIPATION

None.

SCHEDULE A – APPLICATIONS FOR REFUNDS

1. Refund of Contributions Due to Separation From Service

It was moved by Trustee LoVerde, seconded by Trustee Capasso, that Refunds of Contributions Due to Separation from Service be approved and ordered paid.

Roll-call: For-- Trustees Roa, Keane, LoVerde, Hamburger, Capasso and Joiner.
Against -- None.

2. Miscellaneous Refunds

It was moved by Trustee LoVerde, seconded by Trustee Hamburger, that Miscellaneous Refunds be approved and ordered paid.

Roll-call: For-- Trustees Roa, Keane, LoVerde, Hamburger, Capasso and Joiner.
Against -- None.

SCHEDULE B – APPLICATIONS FOR ANNUITIES

1. Employee Annuities

It was moved by Trustee LoVerde, seconded by Trustee Capasso, that applications presented for Employee Annuities be approved and ordered paid.

Roll-call: For-- Trustees Roa, Keane, LoVerde, Hamburger, Capasso and Joiner.
Against -- None.

2. Spouse and Child Annuities

It was moved by Trustee Hamburger, seconded by Trustee LoVerde, that applications presented for Spouse and Child Annuities be approved and ordered paid.

Roll-call: For-- Trustees Roa, Keane, LoVerde, Hamburger, Capasso and Joiner.
Against -- None.

SCHEDULE C – ADJUSTMENT REFUNDS TO NEW ANNUITANTS

It was moved by Trustee LoVerde, seconded by Trustee Joiner, that Adjustment Refunds to New Annuitants be approved and ordered paid.

Roll-call: For-- Trustees Roa, Keane, LoVerde, Hamburger, Capasso and Joiner.
Against -- None.

SCHEDULE D – APPLICATIONS FOR DUTY DISABILITY BENEFITS

It was moved by Trustee LoVerde, seconded by Trustee Keane, that the applications for Duty Disability Benefits be approved and ordered paid.

Roll-call: For-- Trustees Roa, Keane, LoVerde, Hamburger, Capasso and Joiner.
Against -- None.

**LABORERS' AND RETIREMENT BOARD EMPLOYEES'
ANNUITY AND BENEFIT FUND OF CHICAGO**

July 19, 2016

SCHEDULE E – APPLICATIONS FOR ORDINARY DISABILITY BENEFITS

It was moved by Trustee Hamburger, seconded by Trustee Capasso, that the applications for Ordinary Disability Benefits be approved and ordered paid.

Roll-call: For-- Trustees Roa, Keane, LoVerde, Hamburger, Capasso and Joiner.
Against -- None.

SCHEDULE F – EXTENSION OF DUTY DISABILITY BENEFITS

It was moved by Trustee LoVerde, seconded by Trustee Joiner, that the applications for Extension of Duty Disability Benefits be approved and ordered paid.

Roll-call: For-- Trustees Roa, Keane, LoVerde, Hamburger, Capasso and Joiner.
Against -- None.

SCHEDULE G – EXTENSION OF ORDINARY DISABILITY BENEFITS

It was moved by Trustee LoVerde, seconded by Trustee Capasso, that the applications for Extension of Ordinary Disability Benefits be approved and ordered paid.

Roll-call: For-- Trustees Roa, Keane, LoVerde, Hamburger, Capasso and Joiner.
Against -- None.

SCHEDULE H – PAYMENT OF UNCASHED CHECKS OF DECEASED MEMBERS

None

SCHEDULE I – PAYMENT OF ADMINISTRATIVE EXPENSES

Administrative Invoices and Investment Invoices

It was moved by Trustee Joiner, seconded by Trustee LoVerde, that Invoices be approved and ordered paid.

Roll-call: For-- Trustees Roa, Keane, LoVerde, Hamburger, Capasso and Joiner.
Against -- None.

EXECUTIVE SESSION NO. 1

At 1:14 p.m., Trustee LoVerde requested an executive session under 5 ILCS 120/2(c)(7) to discuss the sale or purchase of securities, investments or investment contracts. Trustee Joiner seconded the motion.

Roll-call: For-- Trustees Roa, Keane, LoVerde, Hamburger, Capasso and Joiner.
Against -- None.

At 3:23 p.m., Trustee Capasso made a motion, seconded by Trustee LoVerde, that the executive session be adjourned and that the Board return to open session.

Roll-call: For-- Trustees Roa, Keane, LoVerde, Summers, Brown, Hamburger, Capasso and Joiner.
Against -- None.

The Trustees took no action.

**LABORERS' AND RETIREMENT BOARD EMPLOYEES'
ANNUITY AND BENEFIT FUND OF CHICAGO**

July 19, 2016

INVESTMENT REPORT

June 30, 2016 Preliminary Flash

Ms. Finney-Cooke reviewed the Preliminary Flash Report for June 30, 2016.

Manager Review

Ms. Finney-Cooke presented a memo regarding organizational changes at PIMCO. NEPC recommended no action be taken at this time and will continue to monitor this matter.

Private Equity Direct Lending RFP

Mr. Walsh updated the Board regarding negotiations with Brightwood Capital IV, LP.

It was moved by Trustee LoVerde, seconded by Trustee Summers, to approve a \$10 million commitment to Brightwood Capital IV, LP, subject to final contract negotiation.

Roll-call: For-- Trustees Roa, Keane, LoVerde, Brown, Summers, Hamburger, Capasso and Joiner.
Against -- None.

ADMINISTRATIVE REPORT

Mesirow Real Estate Value Fund II

Mesirow Real Estate Value Fund II requested a capital call on June 6, 2016 in the amount of \$1,024,229.00.

Permal Private Equity Opportunities V

Permal Private Equity Opportunities V requested a capital call on June 10, 2016 in the amount of \$1,038,859.00.

Permal Private Equity Opportunities V

Permal Private Equity Opportunities V requested a capital call on June 29, 2016 in the amount of \$850,000.00.

Mesirow Financial Capital Partners IX

Mesirow Financial Capital Partners IX made a distribution on June 8, 2016 in the amount of \$100,000.00.

JBC Opportunity Fund III

JBC Opportunity Fund III made a distribution on June 16, 2016 in the amount of \$1,764,393.00.

Mesirow Partnership Fund II

Mesirow Partnership Fund II made a distribution on June 30, 2016 in the amount of \$131,250.00.

Mesirow Financial PE Partnership Fund IV

Mesirow Financial PE Partnership Fund IV made a distribution on June 30, 2016 in the amount of \$75,000.00.

Policy on Executive Session Minutes

Mr. Walsh presented a revised draft of a proposed policy regarding executive session minutes.

It was moved by Trustee Hamburger, seconded by Trustee LoVerde, to approve the policy on Executive Session minutes as submitted. See attached document.

Roll-call: For-- Trustees Roa, Keane, LoVerde, Brown, Summers, Hamburger, Capasso and Joiner.
Against -- None.

**LABORERS' AND RETIREMENT BOARD EMPLOYEES'
ANNUITY AND BENEFIT FUND OF CHICAGO**

July 19, 2016

2016 Active Employee Participant Election Rules

Mr. Walsh presented a draft of the revised election rules for the 2016 Active Employee Participant Election. Trustee LoVerde requested clarity regarding all who are eligible to become candidates in this election.

It was moved by Trustee Brown, seconded by Trustee Hamburger, to approve the 2016 Active Employee Election Rules subject to the discussed amendments. See attached document.

Roll-call: For-- Trustees Roa, Keane, LoVerde, Brown, Summers, Hamburger, Capasso and Joiner.
Against -- None.

Legislative Update

Mr. Walsh reported that the Fund received actuarial figures from the City of Chicago related to proposed LABF funding legislation. The Board directed staff to engage LABF's actuaries to prepare an impact statement.

Miscellaneous

Mr. Walsh informed the Board of the upcoming Minority Investment Hearings to be held on August 11-12, 2016.

Mr. Walsh gave an update on the Signature Card Verification Project.

Mr. Walsh discussed the year-to-date trustee educational hours.

LEGAL REPORT

Carmichael Litigation

Mr. Donham reported the status of the Carmichael Litigation.

EXECUTIVE SESSION NO. 2

At 3:59 p.m., Trustee LoVerde requested an executive session under 5 ILCS 120/2(c)(11) to discuss potential or current litigation of the Fund. Trustee Keane seconded the motion.

Roll-call: For-- Trustees Roa, Keane, LoVerde, Brown, Summers, Hamburger, Capasso and Joiner.
Against -- None.

At 4:00 p.m., Trustee LoVerde made a motion, seconded by Trustee Hamburger, that the executive session be adjourned and that the Board return to open session.

Roll-call: For-- Trustees Roa, Keane, LoVerde, Brown, Summers, Hamburger, Capasso and Joiner.
Against -- None.

It was moved by Trustee Hamburger, seconded by Trustee LoVerde, to approve the settlement agreement as presented by Fund Counsel.

Roll-call: For-- Trustees Roa, Keane, LoVerde, Brown, Summers, Hamburger, Capasso and Joiner.
Against -- None.

**LABORERS' AND RETIREMENT BOARD EMPLOYEES'
ANNUITY AND BENEFIT FUND OF CHICAGO**

July 19, 2016

EXECUTIVE SESSION NO. 3

At 4:00 p.m., Trustee LoVerde requested an executive session under 5 ILCS 120/2(c)(11) to discuss potential or current litigation of the Fund. Trustee Brown seconded the motion.

Roll-call: For-- Trustees Roa, Keane, LoVerde, Brown, Summers, Hamburger, Capasso and Joiner.
Against -- None.

At 4:02 p.m., Trustee Brown made a motion, seconded by Trustee LoVerde, that the executive session be adjourned and that the Board return to open session.

Roll-call: For-- Trustees Roa, Keane, LoVerde, Brown, Summers, Hamburger, Capasso and Joiner.
Against -- None.

The Trustees took no action.

EXECUTIVE SESSION NO. 4

At 4:02 p.m., Trustee LoVerde requested an executive session under 5 ILCS 120/2(c)(11) to discuss potential or current litigation of the Fund. Trustee Hamburger seconded the motion.

Roll-call: For-- Trustees Roa, Keane, LoVerde, Brown, Summers, Hamburger, Capasso and Joiner.
Against -- None.

At 4:06 p.m., Trustee LoVerde made a motion, seconded by Trustee Brown, that the executive session be adjourned and that the Board return to open session.

Roll-call: For-- Trustees Roa, Keane, LoVerde, Brown, Summers, Hamburger, Capasso and Joiner.
Against -- None.

The Trustees took no action.

ADJOURNMENT

With no further business, at 4:06 p.m., Trustee Brown made a motion to adjourn. Trustee Capasso seconded the motion.

Roll-call: For-- Trustees Roa, Keane, LoVerde, Brown, Summers, Hamburger, Capasso and Joiner.
Against -- None.

Laborers' and Retirement Board Employees'
Annuity & Benefit Fund of Chicago

A Resolution Regarding Executive Session Minutes and Confidentiality

WHEREAS, the Retirement Board of the Laborers' and Retirement Board Employees' Annuity and Benefit Fund of Chicago ("LABF") acknowledges that it is a "public body" as defined in the Open Meetings Act, 5 ILCS 120/1.02;

WHEREAS, the Open Meetings Act, 5 ILCS 120/2.06, requires public bodies to keep written minutes of their meetings, whether open or closed, and the LABF has complied with that requirement;

WHEREAS, the Open Meetings Act, 5 ILCS 120/2.06(d), requires public bodies to periodically, but no less than semi-annually, meet to review minutes of all closed meetings.

WHEREAS, as part of these semi-annual reviews of the closed executive session minutes, a determination will be made, and reported in open session, one of the following for each of the closed session minutes under review:


1. The need for confidentiality still exists for all or parts of the minutes under review; or
2. The minutes or portions thereof no longer require confidential treatment and are available for public inspection;

WHEREAS, the information contained in the minutes of a closed meeting executive session closed pursuant to 5 ILCS 120/2(c)(1) may contain personal and personnel information, as well as other sensitive information, that could be harmful to the career or career prospects of an individual; and

WHEREAS, the Retirement Board makes the determination of whether or not the need for confidentiality exists as noted above for all executive session minutes, and this determination can be a time consuming process;

NOW, THEREFORE, BE IT RESOLVED that it shall be the policy of this Retirement Board in connection with its semi-annual review of closed session minutes to treat all meeting minutes which are closed pursuant to 5 ILCS 120/2(c)(1) and that refer to the performance or potential performance of an LABF employee (past or present, full-time or part-time, permanent or temporary), or an applicant to be employed with the LABF, as confidential minutes for a period of time of no less than ten years or until such time as the Retirement Board determines the need for confidentiality no longer exists.

I HEREBY CERTIFY that this is a true copy of the Resolution as adopted by the Retirement Board of the Laborers' and Retirement Board Employees' Annuity and Benefit Fund of Chicago, at a meeting held on July 19, 2016.


Secretary
The Retirement Board

Election Rules:

1. Victor Roa, Carol Hamburger and James Joiner, Trustees of the Laborers' and Retirement Board Employees' Annuity and Benefit Fund of Chicago ("LABF"), shall constitute the Election Committee for the election of an employee Board member to be held on October 27, 2016 and shall decide the form of ballot to be used.
2. All disputes shall be referred to the Election Committee and the findings of such Committee shall be final and conclusive.
3. The Election Committee is hereby empowered to adopt procedures or make and enforce such further rule or rules as the said Committee may deem advisable for the proper and orderly administration of said election. They may establish expedited voting procedures to declare a winner whenever there is only one (1) candidate for a position.
4. At any point during the election process, the Election Committee hereby reserves the right to terminate the candidacy of any potential or active candidate that does not meet the eligibility requirements. The Election Committee also reserves the right to revoke the nomination of any active candidate who does not adhere to the rules, regulations and code of conduct established within this document.
5. Up to four (4) Judges of Election, who shall be both staff members of the Fund office and employee participants of the Fund, may be selected by the Election Committee to be Judges of Election in order to assist with the administration of the election.
6. Notice of this election shall be published in the legal notice section of the Chicago Sun-Times and/or such other newspapers of general publication published in Chicago, once during the week of August 14, 2016 and once during the week of August 21, 2016. Notice of the election shall also be posted on the LABF's website no later than August 14, 2016.
7. Per 40 ILCS 11-182, any active employee participant who holds or will have held a position by virtue of certification and appointment as a result of a competitive civil service examination, as distinguished from temporary appointment, or so hold a position which is not exempt from the classified service or the personnel ordinance of a city that has adopted a career service ordinance, for a period of not less than five (5) years prior to the date of election is eligible to become a candidate for this trustee position.

In general, an active employee participant is an employee whose pension deductions are going to the LABF. However, in the following situations, members will be allowed to become candidates despite the LABF not receiving pension deductions on the most recent payroll:

- a. Member is not working due to a seasonal termination but is eligible to be recalled
 - b. Member is on duty disability
 - c. Member is on ordinary disability
 - d. Member is an approved leave of absence
8. For an active employee participant to have his/her name placed upon the printed ballot as a candidate in this election, he/she must submit a nominating petition to the LABF by the date specified below in paragraph 9. The nominating petition must contain a signed statement by the active employee participant that he/she desires to have his/her name placed on the ballot for trustee at the election to be held on Thursday, October 27, 2016. The petition must also contain the signatures of at least ten (10) other active employee participants in support of his/her candidacy for trustee, along with their addresses and job titles.

Active employee participants who desire to become candidates at this election may obtain the Request for Petition Form by visiting the office at Suite 1300, 321 North Clark St, Chicago, Illinois

60654 during office hours, by downloading the "Request for Petition" form from the LABF website at: www.LABFChicago.org, or by phoning the Fund at 312-236-2065 to request that a form be mailed to them. The Request for Petition form will be available from 8:30 a.m. on August 14, 2016 until 3 p.m. on September 2, 2016.

9. After eligibility for candidacy is determined by the Election Committee/Judges of Election, potential candidates will receive a "Nominating Petition" which must be completed and submitted to the LABF office. Nominating petitions will be available starting at 8:30 a.m. on August 16, 2016 until 3 p.m. on September 2, 2016.

Completed nominating petitions must be hand delivered to the LABF office, Suite 1300, 321 North Clark St, Chicago, Illinois 60654 during regular office hours prior to 3 p.m. on Monday, September 5, 2016. Candidates must bring a valid picture I.D. when filing nominating petitions.

10. The names of the candidates shall be printed on the ballot in the order of their filing of the nominating petition in the office of the Fund. In the event nominating petitions for two (2) or more active employee participants are received at the same time, their position on the ballot shall be determined by lottery. This procedure shall take place as soon as conveniently possible after the simultaneous filing of said nominating petitions but no later than Tuesday, September 13, 2016. Those individuals who have filed said petitions are entitled to observe this procedure. The final ballot order will be determined by Tuesday, September 13, 2016.
11. Any Candidate, who has filed a nominating petition, may withdraw by filing written notice of withdrawal with the Executive Director of the LABF before 4:00 p.m. on Monday, September 12, 2016.
12. In the event that only one qualified candidate submits nominating petitions containing the requisite number of valid signatures by the due date, he/she shall automatically be declared the winner and the election process shall end. Otherwise, the names of all active employee participants that have filed valid nominating petitions shall be printed on the ballot.
13. The said election shall be held in the designated area of the building, 321 N Clark St, Chicago, Illinois 60654 on Thursday, October 27, 2016 between the hours of 6:00 a.m. and 6:00 p.m. The polls shall close for the receipt of such ballots promptly at 6:00 p.m., except for the receipt of ballots as may be cast by persons who shall be in the polling place at such hour for the purpose of casting such ballots.
14. Beginning at 6:00 a.m. on the day of the election, candidates, or their designated Watcher, may be present at designated areas of the polling station in order to observe the election process. Each candidate may appoint one (1) LABF active employee participant to act as a Watcher during the election process. In order for a candidate to have a Watcher, the Watcher's name must be submitted to the Executive Director at least one week prior to the day of the election. Watchers are required to conduct themselves in an orderly manner.
15. Only LABF members who are active employee participants in the LABF at the time this election is held are eligible to vote. In general, an active employee participant is an employee whose pension deductions are going to the LABF. However, in the following situations, members will be allowed to vote despite the LABF not receiving pension deductions on the most recent payroll:

- a. Member is not working due to a seasonal termination but is eligible to be recalled
- b. Member is on duty disability
- c. Member is on ordinary disability
- d. Member is an approved leave of absence
- e. Member's deductions erroneously went to another City of Chicago pension fund
- f. Member's deductions appear on a later eligible payroll than the one available to LABF

| *Note: Members who are retired or in "Withdraw and Wait" status may not vote.*

In the event that active employee participant status cannot be verified by the election clerks and/or judges, the employee may elect to cast a vote via a provisional ballot. The Election Committee will make a final determination regarding the eligibility of any voter required to vote via a provisional ballot as specified in paragraph 20.

16. Active employee participants requesting a ballot must identify themselves at the voter identification check-in station by means of a City of Chicago identification card, a valid driver's license, a valid State ID, or a valid Passport. Any form of Identification that is expired is not considered valid and shall not be accepted.
17. Beginning at 6:00 a.m. on the day of the election, candidates, or their designated Watcher, may be present at designated areas of the polling station in order to observe the election process. In order for a candidate to have a Watcher, the Watcher's name must be submitted to the Executive Director at least one week prior to the day of the election. Each candidate may appoint one (1) LABF active employee participant to act as a Watcher during the election process. Watchers are required to conduct themselves in an orderly manner.
18. Each ballot shall be initialed by a judge of election before such ballot is given to the voter and no ballot shall be counted which has not been so initialed.
19. The Judges of Election shall count the ballots on Thursday October 27, 2016 starting shortly after 6:00 p.m. at the LABF offices. Any candidate or Watcher may observe the counting of the ballots.
20. At times, questions may arise regarding who is or is not eligible to vote in an Active Participant Employee Election at the LABF. When eligibility is unclear, these employees may receive a "Provisional Ballot" if there is a possibility that they are eligible active employee members of the LABF. The following are the rules and procedures established for employees who will be casting votes via a Provisional Ballot:
 - a. To cast a Provisional Ballot, a valid driver's license, State ID, Passport or City Employee ID Card must be presented to the election judge.
 - b. Provisional ballots are sealed in an envelope bearing the voter's name, address and the last 4 digits of the voter's Social Security Number as provided by the voter.
 - c. Provisional ballot envelopes are deposited into the locked election box with all other ballots.
 - d. After voting has ended, only Regular Ballots will be removed from the ballot box and counted. The ballot box, still containing the Provisional ballots, will be relocked.
 - e. In the event that the number of votes separating the leading and second place candidates is greater than the number of total Provisional ballots cast, no Provisional ballots will be opened, and the leading candidate will be declared the winner.
 - f. In the event that the number of votes separating the leading and second place candidates is less than or equal to the number of total Provisional Ballots cast, all Provisional Ballot Envelopes will be removed from the ballot box and separated into the following three (3) categories by the election judges:
 - i. "Denied," defined as individuals for whom non-member status has been confirmed.
 - ii. "Approved," defined as individuals for whom active employment and LABF membership has been confirmed.
 - iii. "Undetermined," defined as individuals for whom active employment and LABF membership could not be determined before closing of the polls.

- g. The Election Committee will verify that all Provisional ballots are classified correctly.
 - h. Provisional Ballot envelopes deemed "Denied" will be set aside. They will not be opened.
 - i. Provisional Ballot envelopes deemed "Approved" will be counted.
 - j. Provisional Ballot envelopes deemed "Undetermined" will be set aside. They will not be opened on the day of election.
 - k. In the event that the number of votes separating the leading and second place candidates is less than or equal to the number of remaining Provisional ballots ("Approved" and "Undetermined"), the "Approved" Provisional Ballots will be separated from their envelopes (as to protect the anonymity of the voting member) and re-deposited into the locked ballot box.
 - l. Approved Provisional Ballots may only be opened by an election judge in the presence of at least one other election judge and at least one member of the Election Committee. Election Watchers may also be present.
 - m. Once all Approved Provisional Ballots have been separated from their envelopes and returned to the ballot box, the ballot counting process will proceed in the same manner as with the regular ballots.
 - n. In the event that the number of votes separating the leading and second place candidates is greater than the number of total "Undetermined" Provisional Ballots cast, no "Undetermined" Provisional Ballots will be opened, and the leading candidate will be declared the winner.
 - o. In the event that the number of votes separating the leading and second place candidates is less than or equal to the number of total "Undetermined" Provisional Ballots cast, counting of ballots will be paused until eligibility is determined for the remaining ballots in question.
 - p. In the event of a tie, refer to paragraph 21 of these Election Rules.
21. The candidate receiving the highest number of votes shall be declared elected. In the event of a tie, a coin toss administered by the Election Committee will determine the winner.
22. No electioneering shall be allowed on the premises or within 200 feet of the 321 North Clark building on the day of the election. This includes the wearing of any badge or other insignia in support, or in opposition, of any candidate.
23. Candidates and their campaigners must remain respectful of their opponents, the LABF and the Election Committee. This includes but is not limited to attacks, bullying and manipulation whether they be physical, written, verbal and cyber.
24. Per 40 ILCS 11-224, no member of the Board shall receive any moneys from the fund as salary for service performed as a member or as an employee of the Board