



SAN FRANCISCO RETIREE HEALTH CARE TRUST FUND (FUNDRHCTF)
4.2 - RHCTF BOARD COMMUNICATIONS POLICY

Introduction & Objectives

- 1) This policy establishes guidelines for Retiree Health Care Trust Fund Board (Board) member communications. The guidelines are intended to:
 - a) Ensure efficient and effective communications among Board members, staff, service providers, and stakeholders;
 - b) Serve and protect the interests of the City and County of San Francisco, the other Retiree Health Care Trust Fund (Fund) Participating Employers, and Health Service System members and beneficiaries through consistent and accurate communication; and
 - c) Maintain the credibility of the Fund and its reputation for professionalism and integrity.
- 2) Nothing in this policy is to be construed in such manner as to prevent Board members from respectfully expressing personal opinions about matters relating to the Fund or otherwise exercising their right of free expression. When Board members communicate personal opinions about matters pertaining to the Fund, they are expected to disclose to their audience that they are expressing a personal opinion.

Definitions

- 3) Throughout this policy, the term *communication* shall refer to all forms of communication including written, oral, or electronic communication.

Guidelines

Communication with Board Members and Staff

- 4) Board members shall communicate in a respectful, honest, and constructive manner during all Board and committee meetings, and in all interactions with staff.

External Communications – Spokesperson

- 5) Only a spokesperson designated by the Board may communicate on behalf of the Board. The President shall serve as the spokesperson for the Board, although the Board President may designate other Board members, Board staff or Board consultants to serve as a spokesperson in specific instances.
- 6) In carrying out their duties, spokespersons shall:
 - a) Confer with the Board, the City Attorney and/or Board staff as appropriate prior to engaging in official communications;
 - b) Communicate only official positions of the Board, and not make unilateral commitments on the part of the Board; and

- c) Promptly inform the Board and Board staff of any sensitive or high profile issues discussed with the media or other stakeholders.

External Communications – Supporting Board Decisions

- 7) All attempts by Board members to create, change, or influence policies of the Board should be carried out in their capacity as Board members, and in meetings of the Board or its committees.
- 8) The Board recognizes the right of Board members to express publicly their disagreement with pending or actual policies or decisions of the Board. The Board expects, however, that Board members will do so in an open, constructive, and professional manner, and that Board members shall ~~nevertheless~~ abide by such policies or decisions to the extent they believe they are consistent with their fiduciary duties.

External Communications – To ~~Stakeholders and Members of T~~the Public

- 9) The Board does not intend to unduly restrain communication by Board members with ~~stakeholders~~Health Service System members and ~~beneficiaries~~members of the public. However, the Board also recognizes that Board members are generally not qualified to communicate technical details concerning the Fund and its investments, and that providing inaccurate or incomplete information ~~to Health Service System members~~ may cause confusion or harm to the Fund, and may lead to litigation against the Board and the Fund.

Accordingly, Board members shall exercise judgment and discretion whenever communicating with ~~stakeholders~~Health Service System members and beneficiaries or members of the public, and shall be aware of, and comply with, the following guidelines intended to protect the City, the Fund, Board members, and other stakeholders, ~~most importantly, Health Service System members and beneficiaries~~:

- a) Board members may communicate general information or simple, factual, information to stakeholders or members of the public~~Health Service System members and beneficiaries~~ only where there is no risk of detrimental reliance or a risk of communicating inaccurate or conflicting information ~~to Health Service System members and beneficiaries~~;
- b) Board members who, in their capacity as members of the Board, wish to meet with groups of two or more stakeholders or members of the public~~Health Service System members, beneficiaries, or stakeholders~~ for the purposes of conducting a meeting, presentation, or similar exchange shall:
 - i. Inform the Board and, when possible, arrange for Board staff or consultants to be present at the meeting to help ensure all communications accurately reflect the policies, positions, or benefit provisions of the Board;
 - ii. Provide the Board with copies of any written materials the Board member intends to distribute at the meeting; and
 - iii. Disclose to the meeting participants that the Board member is not authorized nor qualified to provide advice on matters related to current or prospective benefit provisions of the Health Service System, or the funding of such benefit provisions.
- c) To help ensure the accuracy of material prepared by Board members for oral, electronic, or written communication or publication purposes and thereby preserve

the credibility of Fund, and its reputation for integrity and professionalism, Board members shall submit all such materials to the Board prior to communicating them or submitting them for publication.

External Communications – Service Providers

- 10) Board members agree to abide by ~~any~~the “no contact” provisions adopted by the Board pertaining to potential service providers, as specified in the relevant contracting procedures, Request for Proposals (RFP) or Board resolutions.
- 11) In addition to abiding by the no contact provisions referenced above, where the communication has not been offered to all Board members, Board members agree to inform the Board in a timely fashion of any significant communications they have had pertaining to the business of the Fund with any service providers, investment consultants, investment managers, and/or other consultants or advisors retained by the Fund.⁺

Board Member Referrals to Board Staff Management

- 12) It is understood that Board members ~~are often~~ may be contacted by external parties, ~~(e.g., Health Service System plan members, investment managers, labor groups, and the media.)~~ in connection with benefit issues, investment products, or other retirement-related matters; and that such contact can occur in any number of social, professional, or educational settings, including conferences and symposiums. In cases where an external party requests information or action from a Board member that is material in nature, the Board member shall refer the matter in writing to the Board President for consideration or action. Alternatively, the Board member may verbally refer such matters to Board staff, and staff shall provide the referring Board member with an email or other written confirmation of the referral. ~~Staff shall provide the Board with a semi-annual report indicating the status of material Board member referrals, if such referrals have occurred.~~

External Communications – Conferences

- 13) When speaking at a conference, seminar, panel discussion or similar event that has been authorized by the Board, Board members are expected to:
 - a) Communicate honestly, professionally, and with decorum;
 - b) Accurately reflect the practices, policies, and positions of the Fund;
 - c) Refrain from stating or implying any position or policy on the part of the Fund that has not been officially adopted by the Board; and
 - d) Clearly disclose when stating a personal opinion or position.

External Communications – Other Capacities

- 14) The Board recognizes that Board members may from time-to-time need to communicate with stakeholders of the Fund in a capacity other than as a Board member (for example, in their capacity as a member of an employee group, or a member of a retiree association). Nothing in this policy shall prevent such communication. In such situations, however, Board members shall clearly indicate that they are not operating in

~~⁺An example of significant communications would be discussions with a service provider about any products and services offered by the service provider.~~

their capacity as Board members. Written communications by Board members, in a capacity other than as a Board member, shall state that the Board member is speaking in his personal capacity and not on behalf of the Board.

Non-Public Information

- 15) Board members agree not to disclose ~~any~~ non-public information concerning the property, operations, policies, affairs, or interests of the Board or the Fund to which Board members are privy by virtue of their position.

Policy Review

- 16) This policy shall be reviewed by the Board at least every two (2) years.

History

- ~~17) This policy was adopted by the Board on April 22, 2013.~~