

Procedure for election of the Brussels Local Staff Committee

(“Electoral rules”)

Adopted by the general meeting of officials on 22 February 2006

Amended by the general assembly of civil servants on September 24, 2021

The general meeting of officials and other servants of the European Commission represented by the Local Section in Brussels,

- Having regard to Article 1 of Annex II to the Staff Regulations,
- Having regard to the rules relating to the institution of a Staff Committee, adopted by the Commission on 9 April 1968 and last amended on 22 October 1997, Has adopted the following provisions:

Article 1

The procedure laid down hereinafter for the election of full members and alternates of the Staff Committee shall apply to all subsequent elections unless amended by decision of the general meeting of officials or by referendum in accordance with Article 1 of Annex II to the Staff Regulations.

Article 2

An electoral office, comprising a president, at least three vice-presidents, a secretary and assessors, shall be established.

The president and the vice-presidents shall be designated by a general meeting of the staff who come under the aegis of the Brussels Staff Committee.

The secretary and the assessors shall be designated by the Director-General for Personnel and Administration.

The members of the electoral office may not be chosen from among candidates in the election for which the office is constituted. Any official designated as an assessor shall be automatically relieved of his or her obligations on becoming a candidate in the election.

Those who submit lists of candidates shall be entitled to appoint observers.

Article 3

The electoral roll shall be published at least five weeks before polling day.

Officials and other servants whose contract is for more than one year or for an indefinite period and those whose contract is for less than one year but who have been employed for at least six months (Article 7 of the Conditions of Employment of Other Servants), and who are employed in the following places shall be entitled to vote:

- Commission departments in Brussels,

- Commission Representations and Delegations within the European Union (except in France and Luxembourg),
- the Veterinary Office in Grange (DG SANCO).

Article 4

Objections concerning the electoral roll shall be lodged in writing with the Director-General for Personnel and Administration no later than eight working days after the electoral roll is published.

Decisions taken by the Director-General for Personnel and Administration regarding these objections shall be forwarded in writing to the parties concerned no later than three working days after the objection is lodged. Any decision dismissing an objection as being unfounded shall give the reasons for such dismissal.

Any decision upholding the grounds of an objection shall be published in the manner laid down for publication of the electoral roll. Such publication shall take place at least one day before the expiry date of the period specified in the second paragraph of Article 5.

Article 5

Twenty-seven working days before the poll, the electoral office shall publish an election notice containing the following details:

- the places, dates and times of the election,
- the possible detailed arrangements for the election, covering both a paper ballot and an electronic ballot,
- the notice calling for nominations, showing the form in which they are to be presented.

Nominations shall be submitted in writing to the president of the electoral office no later than the sixth working day following the day on which the election notice is published.

Article 6

There are 27 seats to be filled.

Nominations shall be submitted in the form of lists, each list to contain no more than 27 full members and alternates arranged in pairs.

No candidate may be nominated more than once.

Each nomination shall carry the signature of both the candidate for full membership and the candidate for alternate membership. Where only one signature appears a declaration by the other candidate that he or she has accepted nomination shall be attached.

Where lists of candidates are submitted, the signature of the candidate whose name appears first on the list shall be sufficient.

Lists of candidates may be submitted by trade unions and staff associations. In such cases these organisations shall establish, to the satisfaction of the electoral office, and no later than the time for checking the nominations, that the persons concerned have accepted nomination. The fact

of a particular nomination having been declared invalid shall not serve to invalidate the remaining nominations on the same list.

Each list shall be submitted in the order selected by the trade union or staff association concerned.

Nominations of staff other than officials shall be accepted only in the case of those whose contracts are for an indefinite period or for more than one year (Article 7 of the Conditions of Employment of Other Servants).

Where pre-existing electoral agreements were signed between several trade unions and/or staff associations concerning the share of representativeness, as governed by the agreement(s) on relations between the European Commission and the Trade Unions and Staff Associations, such information has to clearly and visibly be indicated on all electoral materials as well as on the ballot paper and electronic ballot.

Article 7

The electoral office shall check the nominations; it shall reject those which fail to satisfy the conditions laid down in the second paragraph of Article 5 and Article 6 above.

Once accepted by the electoral office, nominations may not be withdrawn.

Article 8

Should there be fewer than 27 candidates or should the nominations submitted preclude the representation of certain function groups or other servants, the president shall notify the electors to this effect and grant them an extension of time of at least one working day.

Article 9

The list of approved candidates shall be published at least three working days before the election.

The order in which the names appear in each list shall be the same as that on the list submitted by the trade union or staff association concerned.

The lists of candidates shall indicate the administrative status of each candidate (official or other servant) and the function group in the case of officials.

Article 10

Voting: votes shall be cast as follows; failure to comply shall result in the vote being declared void:

- (a) Vote for a list. A cross should be placed in the box beneath the number and the abbreviation of the list chosen (a list vote);
- (b) Vote for a maximum of 27 pairs of candidates (full members and alternates), chosen from one or more lists. A cross should be placed in the box opposite the name of each candidate chosen, up to a maximum of 27 candidates (preference vote).

A ballot paper or electronic ballot form bearing both a cross against a list and further crosses against the names of candidates on the same list shall be treated as a preference vote.

A ballot paper or form bearing both a cross against a list and further crosses against the names of candidates on other lists shall be declared void.

A ballot paper or form bearing any other writing, signature, erasure or mark whatsoever shall be declared void.

Article 11

Only the lists, which obtain at least 5% of the number of votes cast and weighted, will be eligible for the distribution of seats. The votes will be cast and weighted as follows: the list votes are multiplied by the number of seats to be filled and the result is added to the balance of the preference votes.

- a. *The distribution of seats* between list votes and preference votes, shall be made in proportion to the number of ballot papers and electronic ballot forms returning :
 - ♦ a list vote,
 - ♦ a preference vote.
- b. *The distribution of list seats* between the lists shall be made in proportion to the number of list votes cast for each list. *In each list*, the list seats shall be *allotted* to the candidates in the order in which the list has been submitted and in the same numbers as the number of list seats allotted to the list.
- c. *The distribution of preference seats* shall be made in proportion to the total number of votes cast for the candidates on each list. *In each list*, the preference seats shall be *allotted* to those candidates who failed to be elected by the list votes but who obtained the greatest number of votes.

Article 12

- a. A provisional classification of elected candidates on each list shall be made in this way. If no representative of a function group of officials or no representative of other servants appears in this list, the candidate for the function group or the candidate for the other servants lacking representation who won the largest number of preference votes shall replace the person whose name appears last on the provisional classification on the list for which he or she stood.
- b. However, if the person whose name appears last on the provisional classification is the only representative of a function group or of other servants, then the person whose name appears second last on the provisional classification shall automatically be required to stand down, and so on.

Article 13

Where the same number of votes is cast for two or more candidates, the successful candidate shall be chosen by lot.

Article 14

Voting procedure

The date of the election shall be determined by the general meeting.

- a. For three working days, voting will be possible in accordance with the procedure set out in the election notice, either at the polling stations or electronically.
- b. Electors who are unable to vote (because, for example, they are on mission or on leave, etc.) on polling days shall be entitled to vote by post.
- c. In the case of a paper ballot, electors not serving in Brussels but who come under the aegis of the Brussels Staff Committee shall be entitled to vote by post.
- d. The electoral office shall lay down the procedure to be followed with respect to postal votes; this procedure shall be described in the election notice. For postal votes, the ballot paper must reach the president of the electoral office before the poll closes.
- e. If the quorum has not been reached by the end of those three days, the electoral period shall be automatically extended by ten working days. In the case of a paper ballot, during this time three fixed and one mobile polling station shall remain open.

Article 15

- a. In the case of an electronic ballot: the name of each voter shall be identified and verified electronically when the vote is cast and his or her name shall be recorded in an electors file; votes shall be recorded in another file. There shall be no link between the two files so as to ensure that the ballot is secret. Only postal votes shall be cast by means of a ballot paper and these shall be counted using a method laid down by the electoral office.
- b. In the case of a paper ballot: the name of each voter shall be checked off upon presentation of identification when the ballot paper is lodged or on completion of the identity check laid down for postal votes. The ballot boxes shall be closed and sealed by the president of the electoral office before voting begins.

Article 16

Count

The count shall be public.

- (a) In the case of an electronic ballot: when the polls close, the access of electors to the electronic voting system shall be closed; the electoral office shall meet in a place equipped for that purpose and count the votes.
- (b) In the case of a paper ballot: when the polls close, the ballot boxes shall be assembled in the place specified and shall be opened by the president in the presence of the members of the electoral office. The votes shall be counted by the members of the electoral office.

Postal votes shall be counted by the electoral office after the polls have closed.

Article 17

The election shall be declared valid provided two thirds of those on the electoral roll have voted.

If this quorum is not reached, the electoral office shall without delay organise a second ballot.

Article 18

The electoral office, acting by a majority decision, shall settle any disputes which may arise during the election.

Article 19

The result of the election shall be published immediately by the electoral office and transmitted to the European Commission.

Article 20

The validity of the election may be disputed during the three days following the day on which the results are published. Any such objection shall be made in writing to the electoral office. It shall be sent by the electoral office without delay to the European Commission. No such objection shall suspend the constitution of the elected Staff Committee.

Article 21

A record of the electoral procedure used and of the result of the election shall be drawn up and signed by the president and members of the electoral office as soon as the period stipulated for lodging objections has expired.

The electoral office shall without delay send the Institution a copy of the record together with the list of Staff Committee members. The list of full members and alternates shall be published on the Commission intranet site and displayed for the information of staff in all Commission buildings.

Article 22

The electoral office is hereby made responsible for applying these rules.

Article 23

Appointment of Central Committee members

At its inaugural meeting the Committee shall appoint from among its members and by a two-thirds majority:

- 19 full members of the Central Staff Committee, and
- 19 alternates.