

The Workers' statute only allows personal and direct voting

Dear colleagues,

Whilst we will always focus our energies in fighting for the rights of us all, we feel the need to express the following regarding the 21st and 23rd of May BCN Works Council partial elections.

These elections are taking place as a result of withdrawals that could not be replaced automatically with substitutes, due to a **failure of the company**, when it completed improperly the original list of candidates, 2 years ago.

Last 18th of March, USOC started the electoral process, presenting the corresponding documentation to the authorities, not without some deficiencies. Since then, they decided when the electoral process would kick off. They also presented **their own electoral calendar with their unilaterally chosen dates**.

This calendar, whilst being tight in time, as it was done using the less possible amount of time between the dates, and left no margin for modification, was compliant with the law, and so it was accepted by SITCPLA and SEPLA.

Democracy has its established rules and **we must all be compliant with them**.

The rules are clearly defined in the Spanish Estatuto de los Trabajadores **Art.69* and Art. 75.2****. As well as in the Spanish electoral law, accessible to everyone and controlled by the Central Electoral Board

Doing anything outside the law would only mean that the whole process would be challenged and, most certainly, would be **declared null**.

USOC **acknowledged the deficiencies in their petition**, but even so tried to impose to the rest of the unions their own ways last 13th of May.

USOC showed their concerns that the postal vote would be something difficult to comply with, which we do agree with, but it is good to remember **that it was USOC who had previously chosen the dates**.

We believe that if there is someone who should explain the outcome and organization of these elections is the same people that called for them, not anybody else; it is the same people that have tried unsuccessfully to discredit us with lies and propaganda.

- ***Art.69 ETT:** *“Los delegados de personal y los miembros del comité de empresa se elegirán por todos los trabajadores mediante **sufragio personal, directo, libre y secreto**, que podrá emitirse por correo en la forma que establezcan las disposiciones de desarrollo de esta Ley”*
- ****Art 75.2 ETT:** *“ El voto será libre, secreto, **personal y directo**, depositándose las papeletas, que en tamaño, color, impresión y calidad del papel serán de iguales características, en urnas cerradas”.*
- **Sufragio directo:** El sufragio o elección directos es un proceso en el cual los votantes de unas elecciones eligen directamente entre candidatos a un cargo público, **sin ninguna intermediación por parte de otra persona u órgano**. Se trata de un sistema opuesto al **sufragio** indirecto.
- **Sufragio personal:** *Está vinculado con el principio del sufragio directo. **Sólo la persona que es titular de tal derecho puede ejercerlo.***

Safe flights

Your SITCPLA reps.