

Placard on the at.....¹
Location of placard
Placard ends on the at²

Election notice regarding the election of the works council for the following company:

.....

A works council shall be elected in our company....., in compliance with the requirements of the Betriebsverfassungsgesetz (BetrVG). The necessary election process has been initiated today, the by the issue of the present election notice, in compliance with § 3 Sect. 1 Line 2 Wahlordnung (WO).

The election of the works council will be held on the from to³

The voting office/offices* is/are* in building/room*

The works council to be elected is constituted by a total of members.

Since women and men work for the company, the men/women* are a minority. According to § 15 Sect. 2 BetrVG, the gender forming the minority must be represented at least proportionately to its numbers within the works council, when it is constituted by 3 members at least. Therefore, at least seats in the works council must be occupied by women/men*.

All employees eligible to vote are hereby exhorted to submit election proposals in the form of proposal lists to the election board (address at the end of this election notice) within two weeks starting at the date on which this election notice was issued. Only proposal lists which were submitted in time can be taken into account for this election. The deadline for the submission of proposal lists is the at⁴. Please bear the following indications about the submission of election proposals in mind as well.

Further information regarding the works council election

Who is eligible to vote?

All employees of the company having reached 16 years of age on the election day, which will be the⁵ are **eligible to vote**, in compliance with § 7 BetrVG. Under § 5 Sect. 1 Line 2 BetrVG, homeworkers mainly working for our company are considered to be employees as well. Employees of another employer assigned to take up tasks within our company (temporary workers) are eligible to vote as well, provided they are assigned to us for more than 3 months (§ 7 Line 2 BetrVG). Civil servants, soldiers and employees of public services, including those assigned to our company for professional training purposes employed by companies organised under private law count as employees as well (§ 5 Sect. 1 Line 3 BetrVG).

Who is eligible to be a candidate for election?

All employees of our company who have reached 18 years of age and have been employed here for at least six months as well as all homeworkers who have reached 18 years of age and who have worked mainly for our company for at least six months **can stand as a candidate** (§ 8 Sect. 1 Line 1 BetrVG). All periods of time during which employees were employed by another firm of our company or affiliated group immediately before are included in these six months as well (§ 8 Sect. 1 Line 2 BetrVG). Temporary workers cannot stand as candidates, even if they are eligible to vote.

List of voters

The eligibility to vote and the right to stand as a candidate are conditioned by the entering of the employees into the list of voters, in compliance with § 2 Sect. 3 WO. **We therefore ask you to verify the list of voters regarding these conditions.**

The list of voters is available with the text of the Wahlordnung in the room and can be consulted on every working day from to **(Complementary, if applicable: a copy of the list of voters can be found in electronic form under (File).)**(Indication: only the paper version of the list of voters is binding, there is no binding electronic form of the list yet).

Any inconsistency noticed in the list of voters should be objected to. Objections against the validity of the list of voters must be submitted in written form to the election board within **two weeks** starting at the issue of the election notice, in compliance with § 4 WO. The deadline for objections is the at⁶

An election cannot be contested by the electorate on the basis of an objection against the validity of the list of voters, if the same objection has not previously been submitted in the proper manner to the election board. This does not apply if the contesting eligible voters were prevented from filing an objection. An election cannot be appealed by the employer on the basis of the list of voters being inaccurate if the inaccuracy is caused by the employer's information.

Election proposals/lists of proposals

Election proposals may be submitted to the election board in the form of proposal lists. All employees eligible to vote are therefore exhorted to submit proposal lists to the election board (address at the end of the present election notice) within two weeks starting on the date on which this election notice was issued. Only proposal lists submitted in time may be taken into account for the election. **The deadline for the submission of election proposals is the at**⁷

Since the casting of ballots is linked to the submitted election proposals, only employees mentioned in a valid proposal list submitted within the deadline may be elected.

Each proposal list for the election of the works council must be signed by one twentieth of all persons eligible to vote (fifty are always sufficient), **which means that in our company, at least** **employees eligible to vote must sign a proposal list** for it to be taken into account (§ 14 Sect. 4

BetrVG).

Proposal lists may also be submitted by a worker union represented within the company. They must be **signed by two representatives of said worker union** at least (§ 14 Sect. 5 BetrVG).

Each proposal list should present at least twice as many candidates as members of the works council need to be elected (§ 6 Sect. 2 WO). The individual organisation departments and the different types of occupations present within our company (§ 3 Sect. 3 WO) should be taken into account during the establishment of election proposals.

Every election proposal must contain candidates in a recognizable order under successive numbers. The following indications must be made about all candidates: family name, first names, date of birth, type of occupation within the company (§ 6 Sect. 3 WO). Every proposal list must be accompanied by the written consent of the candidates to be added to the list by a manual signature (§ 6 Sect. 3 Line 2 WO), as well as the appropriate number of supporting signatures (with clear reference to the concerned proposal list, ideally stapled together).

Each proposal list should have a Keyword (§ 7 Sect. 2 Line 1 WO). Additionally, one of the supporters should be named as a list representative on the election proposal. The list representative is the person in charge regarding questions or declarations from the election board.

Form templates for proposal lists can be requested with the election board*. Additionally, a form template for proposal lists is available in electronic form under (file)*.

If only one valid proposal list is submitted, the election will be carried out as a majority election (personal election). If more than one valid proposal list is submitted, a proportional election (list election) will be carried out.

Publication of election proposals

The valid proposal lists are put up at least one week before the beginning and until the end of the casting of votes on⁸ **(As a possible complement: moreover, they are available in electronic form under.....(File).)**

Casting of written ballots (postal vote)

Persons eligible to vote who are unable to cast their vote personally, will receive the documents necessary to cast a written ballot from the election board **upon their request** (§ 24 Sect. 1 WO). The corresponding requests need to be sent early enough before the election day to the address of the election board indicated at the end of this election notice with indication of the private postal address⁹.

For the company departments participating in the election or for small companies the election board has decided to carry out a casting of written ballots. The corresponding voting documents are sent to employees without the need for a request.*

Public vote counting

After the end of the casting of votes the public counting of votes will be carried out **on the** **beginning at** **in room**

Business address of the head of the election board

Election proposals, objections or other statements concerning the election process must be addressed to the election board. It can be reached at the following address:

Head
Company
Street
Postal code and locality
Telephone
Fax
Email

The office of the election board can be reached daily/on the following days
.....* from to

In, Date¹⁰

The election board

.....
Head of the election board Member of the election board¹¹

¹ It also makes sense to write down who carried out the placard by adding an initial.
² It also makes sense to write down who took off the placard by adding an initial.
* Please delete when inapplicable.
³ The opening times of the voting office must be chosen in order to allow all employees who are working on the election day to vote during their working hours. If the voting office is open during several days, naturally, all days and timeframes must be indicated here.
⁴ Please indicate a time, but not before the end of the usual working hours of the company. Without any indication of a time, the deadline will be set at 12 a.m.; the office of the election board would have to be staffed until that time.
⁵ In case of several election days, the last of these days is decisive.
⁶ Please indicate a time, but not before the end of the usual working hours of the company. Without any indication of a time, the deadline will be set at 12 a.m.; the office of the election board would have to be staffed until that time.
⁷ Please indicate a time, but not before the end of the usual working hours of the company. Without any indication of a time, the deadline will be set at 12 a.m.; the office of the election board would have to be staffed until that time.
⁸ Indication: The same space/spaces used for the publication of the proposal lists would be appropriate for the publication of the election notice as well.
⁹ Indication: The election board should ask all postal voters to transmit their private postal address. This would enable it to send out the documents regarding the postal vote by normal postal service, should the personal handover of the documents in the company be unsuccessful. The addresses must not be used for other purposes than the election and must be cancelled at the end of the election process.
¹⁰ Day of the resolution about the election notice = placard day.
¹¹ It is sufficient for the election notice to be signed by the head of the election board and one more member of the election board who is eligible to vote. However, all members of the election board may sign.