

Election of delegates employees

Definition of the election operation employee delegates

This is an operation that takes place once every six years for the election of delegates from employees in establishments employing usually 10 permanent employees and more.

The employees' delegates for mission :

-to present to the employer all the individual claims that would not have been directly satisfied and who are relating to the working conditions arising from the application of labor legislation, of the employment contract, the convention collective agreement or regulation inside;

- to refer the officer responsible for the inspection of the work of these claims, in case the disagreement remains.

-Exercise the various missions within the institution or of the company

Objectives of the operation:

*Promotion of social dialogue (at company and sector level);

*Designation of the unions most representative;

*employee representation at levels of tripartite regional and national.

*employee representation at levels of the council chamber and the regional councils;

Institutions subject to:

Institutions subject to the code of work and usually employing 10 permanent employees have to proceed to the elections of the delegates of employees.

In addition, there is the possibility of adopting a system of employee delegates in the establishments employing less than 10 employees by common agreement in writing.

Number of the establishment	Number ofdelegationholders	NumberofdelegationSubstitutes
From 10 to 25	1	1
From 26 to 50	2	2
From 51 to 100	3	3
From 101 to 250	5	5
From 251 to 500	7	7
From 501 to 1000	9	9

Number of seats to be filled by establishment (number of delegates to elect)

The number of employee delegates to be elected is determined according to the number of employees in the establishment according to the table below (Article 433).

In addition, a titular delegate and a delegatesubstitute for each installmentadditional 500 employees beyond1000 employees.

Conditions to be a voter

The conditions to be a voter are the following (Article 438):

- *to be 16 years old on the date of election;
- *working at least 6 months in permanent establishments or 156 days of intermittent work carried out during previous campaigns in establishments whose activity is seasonal;
- *not to have incurred, subject to rehabilitation, any final conviction, that is to say, of imprisonment firm pronounced for crime or offense, with the exception of unintentional infractions.

Conditions to be a candidate

To be eligible, the employee must complete the

following conditions (Article 439):

- * Being of Moroccan nationality;

*To be 20 years old at the polling date;

*have worked at least one year without interruption in activity establishments permanent or 104 days of work discontinuous accomplished during the previous campaign in seasonal establishments.

*not to be ascendant descendant, brother, sister, or direct ally of the employer;

*not to have incurred, subject to rehabilitation no definitive sentence, either to a fixed term of imprisonment for crime or offense other than non-intentional.

Obligations and rights of employers:

*Elaboration of electoral rolls and their display according to the terms and dates determined by the labor authority;

*Signing of the list of electors jointly with the labor inspector;

*Providing employees with a register relating to the complaints relating to the list electoral

*Obligation to follow up on the said claims within 10 days from the date of posting of the list of electors;

*Establishment of the application lists in the manner and within the time limits the governmental authority responsible for the work;

*Posting of candidate lists to functions of titular delegates and delegates substitutes at the locations provided for in 455

*Constitution of the electoral commission;

*Organization of elections on dates and in accordance with the procedures laid down by the Government responsible for labor;

*delivery of a copy of the minutes of the election results to the representative of each application list and sending a copy to the agent responsible for labor inspection within a maximum of twenty four hours following the proclamation of results

*organization of a second round if the quorum is not reached in the first round (the number of voters should be equal to at least half of the registered voters).

Salaried workers' rights:

*droit de demander son inscription dans ledélai de huit jours qui suit l'affichage des listesélectorales ;

*droit de réclamer dans le même délai, soitl'inscription d'un électeur omis, soit la radiationd'une personne indûment inscrite ;

*être électeur ou candidat sous réserve deremplir les conditions précitées ;

*right to appeal byfiled and registered free of charge atregistry of the court of first instance inthe spring of which is the place ofelections, against the decisions ofthe employer regarding the claimsthe list of electors within the time limiteight days after the expiry of the10 days reserved for the employer to givefollowing the said claims;

*right to appeal byfiled and registered free of charge atregistry of the court of first instance inthe spring of which is the place ofelections, against the electoral operation and this,within eight days ofproclamation of election results;

Electoral Commission:

*instituted in eachestablishment;

*composed of

*the employer or hisrepresentative in the capacity of chairman;

*a representative from each oflists in presence.

His role is to:

*Check application lists;

*Designate the members of the office (s)vote and give them the list of electors.

Vote place:

It is constituted, for each college,one or more polling stations. Whencollege has several polling stations,it is designated a centralizing office.

*The presidency of the polling station is entrusted to the oldest employee in the school can read and write;

*The president of the polling station is assisted by the head of the establishment or his representative and the oldest employee in the establishment and the youngest employee in the school able to read and write.

*The most voting member of the polling station young person assumes the secretariat of the office;

*The number of members present during the operation of the vote can not under any circumstances be less than three.