

# 2019 SOCIAL ELECTIONS



**Become a  
LCGB  
candidate!**



**Strengthen  
the rights of all  
employees in the  
digital era**

# INTRODUCTION

In March 2019, **YOU** can help strengthen the rights and interests of all employees. The digital era bears constant changes to our workplaces, our daily tasks as well as our working conditions. The LCGB is therefore tirelessly trying to strengthen the rights and purchasing power of all employees throughout the 21<sup>st</sup> century.

The LCGB action plan for the upcoming Chamber of Labour (“Chambre des Salariés”, CSL) elections, which will take place at the same time as the social elections within your company, includes a strategy for adapting working hours to the digital era, for turning the work 4.0 human as well as for securing professional careers.

As every individual working in Luxembourg must be affiliated with a professional chamber, the CSL represents the interests of more than 480.000 employees whilst being directly involved in the legislative procedure as an official advisory and consultation body.

In becoming a LCGB candidate, **YOU** can act to safeguard the rights and working conditions of all the employees of your company.

The following pages illustrate the details regarding social elections, candidates, delegations, a delegate’s missions and task as well as voting procedures.

Download the entire action plan via  
[www.lcgb.lu/publications](http://www.lcgb.lu/publications)



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## LCGB INFO-CENTER

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Monday through Friday

(except Wednesday afternoons)

8h30 – 12h00 & 13h00 – 17h00

✉ **infocenter@lcgb.lu**

# BECOME A CANDIDATE



In Luxembourg, all companies who contractually employ at least 15 employees are required to set up a staff delegation. Every five years, social elections are held and employees are asked to vote for their company's staff delegation.

## Who can become a candidate?

- **YOU** must be at least 18 years old on the day of the election;
- **YOU** must have worked for the company for an (uninterrupted) period of at least 1 year on the day of the election;
- **YOU** cannot be a director, manager, manager of human resources or a relative or in-law (4<sup>th</sup> degree) of the company manager.

## Why should YOU become a LCGB candidate?

- **YOU** can directly convey important information to the employees of your company;
- **YOU** can defend the best working conditions for all employees;
- **YOU** can actively take part in collective bargaining;
- **YOU** can commit to guaranteeing the equal treatment of all employees;
- **YOU** can commit to protecting the health and safety of all employees at the workplace.

If you are interested in becoming a candidate, do not hesitate to contact your social representatives. The LCGB is there to help you! The LCGB will accompany you with an entire team of experienced delegates and social representatives. Get informed before filling out the registration form on page 7.



# STAFF DELEGATION

The staff delegation represents the interests of the employees of a company. It is made up of delegates who:

- are elected amongst the salaried workforce of the company;
- act as legal representatives in terms of safeguarding and defending the interests of the company staff.

## Setting up a staff delegation

A delegation must be put into place in any company that contractually employs at least 15 employees. The composition of the delegation varies depending on the staff size.

Workforce	Number of delegates to elect
15-25	1
26-50	2
51-75	3
76-100	4
101-200	5
201-300	6
301-400	7
401-500	8
501-600	9
601-700	10
701-800	11
801-900	12
901-1.000	13
1.001-1.100	14
...	

## Paid release from work for delegates

Companies are required to grant the delegates the time they need to perform their tasks and to remunerate this time as work time. In companies with < 250 employees, the total time granted as paid leave is proportional to the number of employees the delegates represent. Companies with ≥ 250 employees must grant paid release from work to one or more staff delegates. The number of delegates with paid release is determined by the number of employees that they represent:

Workforce	Delegates with paid release
250-500	1
501-1.000	2
1.001-2.000	3
2.001-3.500	4

*In companies with > 3.500 employees: 1 additional delegate per group of 1.500 employees.*

The previously existing joint committee of an equal number of both employer and employee representatives was abolished by the law of the 23<sup>th</sup> July 2015, amending the social dialogue within companies. Its remits have consequently been transferred to the workforce delegation.

## Missions and tasks of the staff delegation

- improve working conditions and safety;
- increase training possibilities;
- create a better balance between work and family life;
- promote employment within the company;
- obtain better salaries;
- promote gender equality;
- secure the work and status of the employees within the company.

## The delegation carries these tasks out by

- presenting any individual or collective complaints to the employer;
- ensuring that laws, regulations and collective bargaining agreements (CCT) are correctly applied;
- preventing and placating any individual or collective disputes between the employer and employees;
- suggesting changes to the in-house rules and regulations of the company.

# STAFF DELEGATE

## As a delegate, YOU can

- voice opinions and make proposals about the working conditions and employment;
- present individual or collective complaints to the employer;
- prevent and smooth out any individual or collective disputes between the employer and the staff;
- voice opinions about the production of or changes to the in-house rules and regulations;
- promote the integration of handicapped employees;
- contribute to the management of company projects;
- receive information about the economic and financial situation of the company on a yearly basis;
- receive information about the health and safety of employees and statistics on the situation of the staff;
- display and convey information and publications issued by the delegation and the social;
- assist employees, if necessary, during the consultation of his/her personal file;
- etc.

## Tasks assigned by law

- assist employees, if necessary, during a pre-dismissal interview;
- be informed on any changes of the legal situation of the employer;
- be informed and consulted if any part-time positions are created or if temporary work is introduced;
- receive details and breakdowns of flexible work schedules;
- voice your opinion on any overtime requests.

## Protection of the staff delegates

In order to ensure that staff delegates (effective or substitute delegates) can express themselves freely within the company and perform social-related tasks, they are protected by the law and employers cannot fire delegates. Delegates must, however, adhere to the in-house rules and regulations of the company.

Being a delegate cannot prevent any advancement or promotions within the company. Protection against dismissal also exists for election candidates during the 3 months following their application as well as for former members of the delegation during the 6 months following the expiration of their mandate.

In case of gross misconduct, the company manager can, with respect to the existing legal provisions, fire a delegate. His decision must then clearly indicate the misconduct for which the delegate is responsible and the circumstances under which it is deemed to be “gross”.

## Paid delegation work

All activities necessary for the exercise of the delegate’s mandate are assimilated to working hours. The delegation usually meets once a month (but at least 6 times a year); at least 3 meetings must involve the management. The time spent at meetings is considered work time and thus remunerated accordingly.

A delegate is also entitled to weekly paid leave needed to organise consultation hours for the company staff. These hours are added to the time spent at meetings and are also considered work time.

Staff representatives may also attend training related to the exercise of their mandate during work hours. It can always be possible that the delegate’s help will be needed outside of working hours: a telephone call to ask a question or get advice for example.



# SOCIAL ELECTIONS

Employees vote by secret ballot. Staff representatives are elected for 5 years.

## Who can vote?

All employees:

- aged 18 and over;
- employed at the company for at least 6 months.

## Voting procedures

The voting method varies according to the number of employees.

### ≤ 100 employees

Elections take place according to a simple majority, meaning that candidates present themselves individually and not on an electoral list. The candidates with the highest number of votes are elected.

### > 100 employees

Elections take place according to the rules of proportional representation, which distributes the mandates between the presented lists of candidates in proportion to the number of votes they received.



# THE LCGB'S MISSION

The LCGB is a social which strives to:

- modernise collective bargaining agreements and to ensure that they offer the same opportunities for all;
- improve the information of employees and their share in the results of the company;
- increase the employability by giving access to quality training, starting at school and right throughout the professional lives;
- defend the purchasing power of employees working in Luxembourg;
- guarantee the sustainable and stable quality of life of all employees and their families.

## LCGB support

The LCGB supports all its delegates in their daily tasks.

### Supervision

The social secretary helps you in the daily exercise of your mandate and:

- keeps regular contact with delegates;
- is available and can attend meetings of the company division;
- mediates in ongoing disputes;
- establishes regular contact with other delegates of the same sector;
- supports you in analysing company files.

### Information and services

The LCGB provides you with all the information you will need about collective bargaining committees, employment legislation, etc. You can benefit from all the services the LCGB offers in order to reinforce your role as a delegate.

### Training

The LCGB provides special training to help you exercise your mandate and guides you through the twists and turns of employment legislation, etc. Training courses are generally organised as part of the leave granted to delegates for training purposes. Therefore, there is no loss of pay.

### Participation

You are also entitled to speak at social meetings and you can help us develop a catalogue of demands for collective work agreements at a sectoral level or within your company.

# REGISTRATION FORM

Become an LCGB candidate for the social elections in March 2019 and help us strengthen the rights of the employees of your company! Simply return the following registration form:

by mail: LCGB / 11, rue du Commerce / L-1351 Luxembourg  
by fax: +352 49 94 24 49  
by e-mail: elections2019@lcgb.lu

You can also register online: [www.lcgb.lu](http://www.lcgb.lu)

## I want to be a LCGB candidate for the social elections in March 2019

Name + first name: .....

Private address: .....

Tel. : ..... Mobile : ..... E-mail : .....

Social security extension: .....

Company: .....

Company's address: .....

Size of the workforce: ..... I work for this company since .....

Date : ..... Signature : .....



I am a  
**LCGB member !**

**Together we  
can be heard!**



## SERVICES

### **Social & labour law**

Free help, assistance and consultations

### **Free legal assistance**

**Professional help for all private life procedures or in dealing with government agencies**

### **Help with private matters**

- Tax returns
- Pensions
- Legal assistance in private matter

### **Complementary services**

## STRENGTH & COMMITMENT

### **At your workplace, the LCGB**

- negotiates better work conditions;
- fights all types of discrimination.

### **With regards to social security, the LCGB ensures**

- steady and fair pensions;
- a good health insurance coverage.

### **With regards to the social and labour law, the LCGB**

participates in the legislative process through its representatives in the “Chambre des Salariés” (CSL).

### **On the economic and employment level, the LCGB**

is a nationally representative trade social, and a member of the “Tripartite”, the permanent employment committee, the conjuncture committee, the economic and social committee, etc.