

Posted on: 15.02.2022

# **Election notice for the 2022 works council election**

According to the Works Constitution Act, a works council is to be elected at the Max Born Institute for Nonlinear Optics and Short Pulse Spectroscopy.

To carry out the election, the election committee issued this election notice on February 15, 2022.

**The works council election will take place on 30.03.2022**

**in the time from 09:00 o'clock to 15:00 o'clock**

**in the foyer of house A.**

The works council to be elected shall consist of 7 members.

The gender that is in the minority in the workforce must be represented in the works council at least in accordance with its numerical ratio if the works council consists of at least three members, Section 15 (2) BetrVG.

As there are currently 50 women and 109 men employed in the company, at least 2 women must be members of the works council.

**The employees entitled to vote are requested to submit the following documents before the expiry of 2 weeks since the issuance of this election notice, i.e. at the latest by**

**28.02.2022 at 3pm,**

**to submit nominations in the form of lists of candidates in writing to the election committee.**

Voting is bound to the election proposals. The election proposals can only be taken into account if they have been submitted in due time.

**Notes:**

1. Only employees who are entered on the electoral roll are eligible to vote and to be elected, § 2 (3) WO.
2. All employees of the company who have reached the age of 16 on the day of voting are **entitled to vote**. Employees working from home who mainly work for the company are also entitled to vote. The employees entitled to vote also include employees of another employer who are leased out to perform work if they are deployed in the company for longer than three months (§ 7 BetrVG).
3. All employees entitled to vote who have belonged to the company for six months or who have mainly worked for the company as homeworkers and who have completed their 18th year of life are **eligible for election**. Periods during which the employee has belonged to another company of the same enterprise or group (Section 18 para. 1 of the German Stock Corporation Act) shall be counted towards the six-month period of service. Anyone who, as a result of a criminal conviction, does not have the ability to obtain rights from public elections is not eligible for election (Section 8 BetrVG). Employees who are leased out to perform work in accordance with the German Temporary Employment Act are not eligible for election, Section 14 (2) sentence 1 AÜG. Only persons nominated on a valid list of candidates may be elected.
4. The **electoral list** and the **election regulations** are available for inspection by anyone on the bulletin boards at the following locations
  - Building A Foyer
  - House B North Entrance
  - House C Ground floor corridor south
  - Workshop

*In addition, the election regulations and the voter list can be viewed on the intranet at [Working at the MBI → Works Council → Election 2022](#).*

5. **Objections** to the correctness of the electoral list can only be lodged in writing with the electoral board before the expiry of 2 weeks from the issue of this election notice; the last day of the deadline is therefore 28.02.2022. Every employee of the company is entitled to lodge an objection. If no objection to the correctness of the electoral list has been duly lodged beforehand on the same grounds, the eligible voters shall not be entitled to contest the election on the grounds that the electoral list is incorrect, unless the eligible voters contesting the election were prevented from lodging an objection.
6. The election shall be conducted as a list election in accordance with the principles of proportional representation (list election) if several valid lists of candidates are submitted. If only one list of candidates is submitted, the election shall be conducted as a majority election (personal election).
7. Each list of candidates shall have at least twice as many candidates as there are works council members to be elected. In addition to the consideration of the genders, employees

of the individual organizational areas in the company and the different types of employment should be considered if possible (§ 15 BetrVG). However, this does not affect the validity of the list of candidates. Each person entitled to vote may only support one nomination list with his/her signature.

8. The individual applicants shall be listed in a **recognizable order** under consecutive numbers and stating surname, first name, date of birth and type of employment in the company. The written consent of the candidates to their inclusion in the list shall be enclosed (§ 6 para. 3 WO). Each employee may only stand as a candidate for one nomination list.
9. Each nomination list must be signed by at least 8 employees entitled to vote (Section 14 (4) BetrVG). Unless another signatory is expressly designated as such, the person who signed the list in first place shall be deemed to be the list representative.
10. A proposal list may be provided with a password. If the list is not provided with a password, the election committee shall designate the submitted lists of candidates with the surnames and first names of the two persons named in the list in the first place, Section 7 para. 2 sentence 1 WO.
11. The election committee shall check the validity of the submitted nomination lists and shall post the valid nomination lists after the expiry of the submission deadline and any additional deadline until the end of voting, in the same place as the election notice and the list of electors.

*In addition, the valid proposal lists will be published on the intranet at the address [Working at the MBI → Works Council → Election 2022](#).*

12. Employees entitled to vote who are prevented from voting in person due to absence from the company may request the electoral board to send them the documents for casting their vote in writing, Section 24 (1) of the WO. Employees entitled to vote who are known to the election committee to be absent from the establishment at/up to the time of the election shall receive the documents without an express request, section 24(2) WO.

13. The opening of the postal voting envelopes and the counting of the votes shall be public. It shall take place on:

**30.03.2022 from 3:30 p.m. in the foyer of House A**

14. All declarations made to the election committee on the occasion of the preparation and conduct of the works council election shall be sent to the company address of the election committee.

**Electoral Board MBI**

*Building B, Secretariat B, Room 3.11  
Max-Born-Str. 2a  
12489 Berlin*

The electoral board

Janett Feickert

.....  
(Member electoral board)

Daniel Schick

.....  
(Chairman electoral board)

Johann Frank

.....  
(Member electoral board)