

Election rules for the service committees and Joint Participatory Committee of the EUR supporting organisational units

DIVISION 1 – GENERAL PROVISIONS

DEFINITIONS

Article 1

The terms used in these regulations have the same meaning as they have in the Higher Education and Research Act and the Administrative and Management Regulations.

Article 2

In these regulations the following terms are also used with an initial capital letter. The terms in question are:

<u>Announcing:</u>	publication via the suitable channels;
<u>BBR:</u> (‘Bestuurs- and Beheersreglement EUR’);	EUR Administrative and Management Regulations
<u>CSB:</u>	Central Electoral Committee (‘Centraal Stembureau’);
<u>EUR:</u>	Erasmus University Rotterdam;
<u>GMC:</u>	Joint Participatory Committee (Gemeenschappelijke Medezeggenschapscommissie) which also means the service council as referred to in Article 9.50 of the WHW;
<u>Electoral community or Community:</u>	employees within the meaning of the CAO NU, who work in the EUR management units referred to in Article 29, paragraph 1 under a. to f. of the BBR;
<u>Electoral System:</u>	the computerised electoral programme as included on the EUR website;
<u>Ballot Paper:</u>	the Ballot Paper in digital form, as it appears in the Electoral System on the EUR website, or a hard copy thereof;
<u>Election Notice:</u>	the notification with which the CSB invites the individual voter to vote;
<u>Password:</u>	the ‘ERNA password’, which is used to access the EUR computer network, or the password that is uniquely allocated to each member of staff of Erasmus MC who is eligible to vote;
<u>WHW</u>	Higher Education and Scientific Research Act (‘Wet op het hoger onderwijs and wetenschappelijk onderzoek’).

THE ELECTORAL COMMUNITY AND THE RIGHT TO VOTE

Article 3

1. There are six (6) service committees that represent the electoral community of the following organisational units:
 - the joint central staff departments: Corporate Planning & Control, Marketing & Communication and the General Management Directorate;
 - the Shared Service Centre for Human Resources & Finance (SSC HR&F);
 - the Shared Service Centre for Erasmus Facilities Services (SSC EFB);
 - the Shared Service Centre for Information & Communication Technology (SSC ICT);
 - the Shared Service Centre for Education, Research and Student Affairs (SSC O&S);
 - the University Library (UB).
2. A service committee consists, in principle, of three (3) members elected by and from the electoral district of the staff of the organisational unit in question. At the request of a service committee, the GMC can determine that the service committee has five (5) members.

Article 4

1. With due regard for the provisions by virtue of or pursuant to the WHW, the BBR and these regulations, all members of an Electoral Community have an active and passive voting right as regards electing members of the service committee of the organisational unit to which the member is appointed.
2. A member of the Electoral Community loses the active and passive voting right in this Community when s/he leaves this Community.
3. Those eligible to vote are employees registered in the electoral register from the moment that this is determined by the CSB in accordance with the provisions in Article 11.3 of these regulations.

THE ELECTORAL SYSTEM

Article 5

The members of the service committees and the GMC are elected in accordance with the candidate system by and from the people eligible to vote named in the electoral registers.

THE CSB

Article 6

1. There is a Central Electoral Committee (CSB), comprising three members. A deputy member will be appointed for each member. The members and the deputy members are appointed for a period of four (4) years by the Executive Board after the Executive Board has heard the opinion of the Council.
2. The Executive Board appoints a chair and a deputy chair from among the members.
3. If a member or a deputy member decides to stand as a candidate in the election of the members of the University Council, a service committee, or a faculty council, his or her membership of the CSB will lapse by operation of law.
4. The work of the CSB is to be carried out by an official secretary, appointed by the Executive Board.

Article 7

1. The CSB is charged with preparing and conducting the election of the members of the service committees and with determining and announcing the result of these elections.
2. The CSB will take decisions based on the majority of the votes cast. In the event of a tie, the Chair will decide.

DIVISION 2 – THE REGULATIONS RELATING TO THE ELECTORAL PROCEDURE

ELECTION TIMES

Article 8

1. Except in exceptional circumstances, service committee member elections will be held after Easter and before Whitsun of the year in which the new term of office of the members starts. In addition, every effort will be made to hold these elections before, or at the latest during, the first half of the month of May in that same year.
2. With due regard for a term of at least twelve weeks before the last date of the elections, the

- Executive Board will stipulate the days on which voting will take place.
3. The CSB will then announce the election schedule as soon as possible to the people entitled to vote.

THE ELECTORAL REGISTERS

Article 9

1. The CSB will ensure that the electoral registers for each Electoral Community are drawn up in good time for every election, based on the registers of staff members for which the Executive Board provides the necessary data.
2. At least eight weeks before the first day of voting, the electoral registers will be made available for perusal at a location determined and announced by the CSB.

Article 10

1. Up to four (4) weeks before the first day of voting, a person who is entitled to vote can submit a written request to the CSB for improvement of an electoral register, if s/he believes that s/he or another person has not been included accurately, or has been included incorrectly, in an electoral register.
2. The CSB will decide as quickly as possible with regard to the request submitted, will improve the electoral register in question as necessary and will announce its decision in writing to the person entitled to vote who requested the improvement.

Article 11

1. The CSB is authorised to improve the electoral registers officially up to and including the last day of voting. The CSB notifies the person or persons involved, where possible in writing, about the official improvement.
2. The details regarding a member of an Electoral Community who leaves that Community after the electoral registers have been drawn up will be officially deleted by the CSB under Article 4.2 of these regulations.
3. Three (3) weeks before the first day of voting, the CSB will adopt the electoral register, without prejudice to the provisions of Article 11.1.

NOMINATING CANDIDATES

Article 12

1. The CSB will announce the deadline for submitting the names and details of candidates to the CSB no later than eight (8) weeks before the first day of voting.
2. Every member of staff entitled to vote can put themselves forward as a candidate for the elections up to seven (7) weeks before the first day of the elections for the organisational unit in which the candidate is employed. This nomination also applies as a nomination for the GMC, unless the nomination form indicates that he/she does not want to sit on the GMC.
3. Candidates must be nominated using a form that can be obtained from the CSB secretariat or online. In any event, the information given on the form must include the name, the initials and the work address in capital letters. Candidates must be nominated personally. The CSB will provide the person submitting the nomination with a signed proof of receipt, bearing the date and time of submission.
4. A candidate's name may not appear on more than one (1) candidate nomination.
5. A candidate nomination form submitted by the candidate will serve as a declaration that s/he consents to the candidacy. This consent can only be withdrawn if there has been a breach of the provisions of Article 12.4 of these regulations.

Article 13

1. The candidate nomination must be signed in writing by at least five (5) employees who work at the same organisational unit as the candidate, as a mark of support. Besides the signatures of the supporters, the candidate nomination form must also bear their names and initials written in capital letters.
2. The supporters as referred to in Article 13.1 are not allowed to support more than one candidate.
3. A candidate must not be supported by other candidates.
4. Support can only be withdrawn if there has been a breach of the provisions of Article 13.2.

Article 14

1. As soon as possible after the end of the candidate nomination period, the CSB will assess whether the candidate nominations comply with the provisions in these regulations.
2. If the CSB does not observe any discrepancies with regard to a candidate nomination, this nomination will be declared valid.
3. If the CSB observes an omission or discrepancy with regard to a candidate nomination, the candidate will be notified in writing as to how the omission or discrepancy can be rectified. Candidates must rectify omissions or discrepancies within one (1) week of having been informed.
4. If the CSB establishes that a candidate nomination has not been submitted on time, the candidate nomination in question will be declared invalid.
5. As soon as possible after the investigation referred to in Article 14.1 of these regulations, the rectification of the observed discrepancies, or the end of the period within which the omission should have been rectified, the CSB will decide regarding the validity of the candidate nomination. The CSB will inform candidates in writing.

NO ELECTIONS

Article 15

1. If there are no more valid candidate nominations than there are seats to be filled in a service committee, no voting will take place for the list of candidates of the service committee in question and the candidates will be regarded as having been elected.
2. The appointment of the members of the service committee in question, who are also members of the GMC is to be determined by drawing lots. This drawing of lots will exclude candidates who do not wish to sit on the GMC, as indicated on the candidate nomination form.

THE ELECTORAL SYSTEM

Article 16

1. As soon as the candidate nominations have become irrevocable, the CSB will open a page in the EUR Electoral System.
2. On this page in the Electoral System the candidates will be listed in alphabetical, lexicographical order according to their name and initials. Candidates are to be given an opportunity to also submit the name by which they are known, a short text and/or a photo, which the CSB will post on this Electoral System page.

VOTING

Article 17

1. The CSB will ensure that voters receive an invitation to vote at least one (1) week before the first day of voting. The Election Notice will be accompanied by instructions on how to use the Electoral System.
2. Voters will cast their votes electronically. They will indicate the candidate of their choice by selecting this candidate on the relevant page in the Electoral System. The voter casts his vote by confirming his/her choice using the Password.

COUNTING THE VOTES

Article 18

As soon as possible after the last day of voting, the CSB will use functionality in the Electoral System that is exclusively accessible to the CSB in order to issue an instruction (per register of electors) to count the votes for each candidate. Any blank votes will also be counted.

DECLARING VOTES TO BE INVALID

Article 19

1. The CSB will declare the voting within an electoral register to be invalid if it is judged that irregularities have occurred during the voting which are of such a nature that the outcome has been fundamentally affected.
2. If the CSB declares the votes to be invalid in this way, the CSB will organise a new vote for the electoral register in question. Additional rules may then be imposed.
3. The CSB will notify the Electoral Community and the Executive Board, in writing and at the earliest opportunity, about the decision to declare the votes to be invalid, the grounds on which this decision is based and any additional rules.

ASCERTAINING AND ANNOUNCING THE RESULT

Article 20

The CSB will ascertain the result of an election per service committee as follows:

- a. the number of valid, non-blank votes will be determined;
- b. the CSB will divide the ascertained number of votes by the number of available seats per service committee; the resulting number will be rounded off to two (2) decimal places and will be referred to as the 'electoral quota';
- c. candidates who have obtained a number of votes which is greater than, or equal to, the electoral quota will be declared elected and will be awarded one seat each on the relevant service committee;
- d. if, after application of the provisions under (c), it transpires that not all seats have been awarded, the remaining seats will be regarded as residual seats;
- e. in the event of residual seats, of the candidates who did not reach the electoral quota, the candidate with the largest number of votes remaining will be declared elected and will be awarded one (1) of the residual seats; in the event of an equal number of votes, lots will be drawn to decide which candidate is to be declared elected;
- f. as long as residual seats are available, the result will continue to be ascertained in accordance with the provisions under (e); candidates who have already been declared elected will be ignored;
- g. the two (2) candidates with the largest number of votes will also be allocated a seat in the GMC and, in the event of an equal number of votes, lots will be drawn to decide which candidate is to be allocated a seat in the GMC. Candidates who are not prepared to accept membership of the GMC are excluded, with the assumption being the choice as indicated on the candidate nomination form (see 12.2 of these regulations).

Article 21

1. The CSB will draw up an official report detailing how the result was ascertained, will make this report available for general perusal as soon as possible and will publish it on the election website.
2. The CSB will send a copy of this official report to the candidates to have been declared elected, the candidates who have not been declared elected, the EUR Executive Board, the Secretary of the Executive Board, the directors of the SSC HR & Finance, the SSC EFB, the SSC ICT, the SSC OO&S and the University Librarian.

Article 22

The members of the service committees and the members of the GMC are to be elected for a maximum period of three (3) years.

OBJECTION

Article 23

1. Each member of the Electoral Community can submit written, substantiated objections to the CSB decisions to the Executive Board, within seven (7) working days after the disputed decision has been announced.
2. A decision as referred to in the first paragraph is also equated with the failure to take such a decision within a reasonable period of time.
3. The submitter of an objection will be given an opportunity to explain his or her objection to the Advisory Committee on Appeals and Objections (ACB) as referred to in Article 51 of the BBR.
4. The Executive Board will decide on the objection within seven (7) working days of receipt of the recommendation from the ACB and will announce its decision.

FILLING VACANCIES

Article 24

1. The CSB will fill a vacancy in the GMC and/or a service committee by declaring as elected the unseated candidate placed highest on the list of election results. Candidates will be ignored if they turn out to be unprepared to accept membership of the GMC and/or the service committee when the vacancy occurs.
2. If a vacancy cannot be filled through the appointment of a candidate, the result of the election was determined more than three (3) months ago, and the remaining term of office is longer than six (6) months, an interim election can be held.

3. The CSB will set additional rules to govern this election and will publish these rules at the earliest opportunity.

FINAL PROVISIONS

Article 25

In all cases not provided for by these regulations, the CSB will implement regulations which correspond as closely as possible to the provisions of the Elections Act ('Kieswet').

Article 26

Regulations are adopted by the Executive Board after approval has been obtained from the University Council, the service committees and the GMC and will come into effect on 1 December 2012.