**OBJECTIVE**

Have a procedure that allows workers to know their rights to form or join organizations with total freedom.

**INTRODUCTION**

Freedom of association, trade-union freedom and freedom to collective bargain, is a right that allows workers to unite to better protect not only their own economic interests, but also their civil liberties, such as the right to life, security, integrity, and personal and collective freedom.

There are two main figures, the trade union committee and the staff representative. Both constitute the representation of employees, but in the case of committees more than 50 workers are required, delegates may be elected for companies under this figure. In the case of companies of between 6 and 49 workers, they may choose from one to three delegates. There may also be a staff delegate in those companies or centres with between 6 and 10 workers, if they so choose by a majority.

**RESPONSIBILITY**

The controller must ensure that all provisions are complied with and respected, so that workers feel confident and free for the association.

**PROCEDURE**

**Steps to take to choose a staff representative.**

1. **Election.**
2. Staff delegates are elected directly by workers, by personal, direct, free, and secret ballot.
3. All workers of the undertaking or workplace over the age of sixteen and who have at least one month of employment in the company can be elected, workers who are eighteen years of age and older in the company six months or more may also be eligible, unless the collective agreement indicates a lower age.

1. **Vote for delegates.**
2. The act of voting shall be carried out in the centre or workplace and during the working day.
3. The employer shall provide the precise means for the normal development of the vote and the entire electoral process.
4. The vote will be free, secret, personal, and direct, depositing the ballots, which in size, color, printing, and paper quality will be of equal characteristics.
5. Immediately after the vote, ballot votes will be counted publicly, aloud.
6. The result will be recorded which will include the incidents and protests that have taken place where appropriate. Once the minutes have been drawn up, they shall be signed by the interveners and the representative of the employer, if any.
7. A copy of the minutes will be provided to the employer and the elected representative.
8. The result of the vote will be published on the bulletin boards.

**Steps to be taken to** form a workers' union (If employees decide to set up a trade union, they must go to the competent authorities to manage their application).

1. Workers who want to form a union will look for workers willing to join the union.
2. Determine the type of union.
3. They must elect a representative by means of a constituent assembly.
4. Official registration of the union.
5. Once the union is constituted, it shall meet with the administration to determine:

* The process for the election of representatives that is fair, free, and voluntary.
* Forms of communication and collective bargaining (% of covered staff).
* Responsibilities of the union.
* Whether the company will make deductions for membership fees and determine the terms and conditions.

**FREQUENCY**

* At the time of the workers' association.

**RELATED DOCUMENTS**

* Free Choice Policy.
* Document attesting to the election of the workers' representative.

**Reviewed:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Approved:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Head of HR General Manager**