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# LAW NR. 21,235: TEMPORALLY SUSPENDS THE ELECTORAL PROCESSES IN LABOR UNIONS, AND EXTENDS THE TERM OF UNION DIRECTORS AND DELEGATES' OFFICE IN SPECIFIC CASES

**Introduction**

On May 29th, 2020, Law No. 21,235 was published in the Official Gazette, which temporarily suspends electoral processes in labor unions, extending the term of union directors and delegates' office (hereinafter, the "Law").

**Relevant Content**

**1. Suspension of electoral processes in labor unions:** The following electoral processes will be deemed as legally suspended, in the state they currently are:

a) Electoral processes of union directors and delegates ruled by the Labor Code; and

b) Electoral processes of leaders of associations of public employees regulated by Law No. 19,296.

**2. Applicability:** Electoral processes of labor unions will be legally suspended if:

a) They began before the declaration of state of constitutional exception due to catastrophe (March 18th, 2020); or

b) They should have begun during the term of said exception.

**3. Extension of the union directors and delegates' office:** In these cases, union directors and delegates' office will be extended for at least 15 business days, or for the number of remaining days in office by March 18th. This extension term will be counted as of the cease of the state of exception or its extensions.

**4. Suspension's term:** The office term will be suspended as long as

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there are employees affiliated to the relevant union, rendering services in any region of the country where the state of exception is still effective. However, if the union deems possible to complete the election process, it may be conducted in accordance with applicable bylaws and legal regulations.

**5. Dismissal privileges:** In order to determine the number of union leaders' enjoying dismissal privileges, the number of employees affiliated to the union by March 18th, 2020 shall be taken into consideration. This number will be adjusted on the next electoral process.

**6. Exception:** The suspension of electoral processes will not apply to the formation of new unions.

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