

Holding the suit “lacked any legal basis”, Palma's number three court for contentious administrative proceedings threw out a case filed in 2018 by Unión General de Trabajadores (UGT, General Workers' Union) regarding the selection process that the Consell de Formentera uses to vet non-permanent employees.

The ruling by Judge Pedro Antonio Mas Cladera upholds the Formentera government's temporary staff selection process, which it qualified as “reactive, in tune with the principles of the constitution and adapted to local needs”.

In response to a series of claims alleged over the last two years by UGT, the court ruled out any question of irregularities, confirming that the Formentera government's procedure for selecting staff is “perfectly legal”.

The plaintiffs had taken issue with two procedures in particular employed in the selection of new personnel, although the ruling is generally applicable to all employee contracts with comparable terms signed over the previous legislative term.

UGT had argued that rules for career public servants should apply to temporary hires as well, which would have meant selection panels must be staffed exclusively by career public servants.

The Consell's legal service warned of grave consequences had the plaintiffs' suit proved successful, since the scarcity of career public servants would have made Formentera dependent on other islands to fill employee selection panels. That would mean losing autonomy, added travel costs and further obstacles to finding staff familiar with the particularities of Formentera and local government.

The magistrate conceded the uniqueness of Formentera's situation and that a firm grasp of its particularities was crucial, asserting that “this specific configuration of hiring panels is a function of time constraints inherent to the hiring process and the short supply of career civil servants”.

12 December 2019

Department of Communication

Consell de Formentera