

# Germany: Labour court investigates possible irregularities at works council election at Bosch GmbH

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“The real work is only just beginning.” With these words, labour court Judge Katharina Görke concluded the initial hearing on May 8 regarding a challenge to the works council election at Robert Bosch GmbH’s site in Schwäbisch Gmünd.

Those challenging the election, including Mustafa Simsek from the Freie Metaller (Free Metalworkers) list, which was not admitted to the works council elections, must now provide detailed grounds for their claims regarding its “invalidity.” The defendants—the works council and the company—must then respond. The next round of hearings will take place at the labour court in Aalen.

In the works council election at Robert Bosch GmbH on March 11, the “Team RB GmbH” slate, led by the two incumbent works council chairmen Claudio Bellomo and Andreas Reimer, received around 55 percent of the valid votes and won 13 of the 23 seats on the new works council. The Christian Metalworkers’ Union (CGM), led by Benjamin Roggenstein, received around 25 percent and six seats. The “New Motion” slate, led by former shop steward Hüseyin Ekinci, achieved just under 13 percent and thus three seats. The official list fared the worst. It garnered just over 7 percent of the votes and was only able to send its lead candidate, Yakup Varol, to the works council.

This was preceded by a manoeuvre by the previous IG Metall trade union representatives around Bellomo and Reimer. For years, both men had supported every attack on jobs, held secret talks with management and deceived both the workforce and their own members. Works council members such as Ekinci and Simsek, who opposed these secret deals, were voted out and put under pressure.

At Schwäbisch Gmünd, a total of 1,900 out of over 3,400 jobs are to be cut by 2030. Even this figure is now in doubt, after Bosch lost a major contract from Volkswagen Autos for the development and production of wireless steering systems.

This sparked massive resistance at the plant. Several hundred workers tasked Simsek with expressing their opposition in the works council elections. He was prepared to do this: “What is happening here is a wake-up call for all workers in Germany: We must take our interests back into our own hands.”

But IG Metall and its works council struck back mercilessly. Shortly before the IG Metall shop stewards were due to draw up their list of candidates for the election, Bellomo and Reimer announced their own list of 82 candidates. Varol remained on the IG Metall list along with 37 other candidates.

In this way, Bellomo and Reimer were able to redirect the anger of the workers—which they had incurred through their close collaboration with Bosch—towards IG Metall. Varol bore the brunt of the consequences.

At the same time, the election committee hand-picked by Bellomo and Reimer, led by Hakan Birlik and Heike Mucha, ensured that the largest list of the “Free Metalworkers” under Simsek, comprising 89 candidates, was not admitted to the election.

Simsek had therefore previously attempted, in legal proceedings, to halt the election by means of an injunction. The Aalen Labour Court dismissed this on formal grounds.

In addition to Simsek and a fellow campaigner, three candidates from the official IG Metall list have now also filed an application to contest the works council election, including Yakup Varol, who—at present—is the IG Metall shop steward at the plant.

Varol told the local newspaper *Gmündener Tagespost* that this had “nothing to do with IG Metall; I am doing this as an independent individual and an employee of Robert Bosch GmbH.” He did not publicly state any reasons. The local IG Metall branch is not supporting him. The chief representative of IG Metall in Ostalb, Heike Madan, made it clear: “Of course, IG Metall is not involved in the challenge. This is happening without our knowledge.”

The newly constituted works council—with Reimer now chairman and Bellomo his deputy—is meanwhile continuing its campaign against any form of opposition. At its constituent meeting, the 23-member new works council voted out Hüseyin Ekinci as one of six full-time works council members and Yakup Varol as a member of the works committee.

Reimer and Bellomo from the CGM secured the necessary three-quarters majority required for this manoeuvre. They voted unanimously for their slate, “Team RB GmbH.” In return, the

CGM's lead candidate, Roggenstein, was awarded the newly created post of second deputy to works council chairman Reimer.

The works council's lawyer, Walter Maier, appeared in court on Friday with a correspondingly arrogant and high-handed demeanour. He dismissed out of hand the grounds put forward by Simsek and his four colleagues against the works council election.

The application to the court, however, was far from unfounded, as Judge Görke also acknowledged, at least in part, particularly regarding the non-admission of the "Freie Metalller." The election committee led by Hakan Birlik and Heike Mucha, full-time works council members on the Reimer-Bellomo slate, claims to have evidence that the "Freie Metalller" collected signatures for their candidate slate and subsequently altered the slate. Simsek refutes this. While this is the most serious charge, it is only one of a total of five.

Another key point is the influence exerted on the election by Bosch itself and the election committee. The plaintiffs led by Simsek can prove that pressure was exerted on trainees and other employees prior to the election.

The Reimer-Bellomo slate also sent election campaign material in the form of gifts of tea and body lotion to all female employees on International Women's Day, three days before the election, at the company's expense. The other slates did not have this opportunity.

The plaintiffs also report that the election committee spoke of just over 1,400 votes cast immediately after the count on March 11. When the election result was officially confirmed a week later, the figure had risen to 1,911. They now are called upon to establish how the discrepancy of 500 votes could have come about.

When the applicants asked the court to order the provision of the electoral roll, the access data held by the plant security and the attendance lists, Judge Görke replied that the election documents must be kept by the works council, and that any works council member could access them. Works council member Yakup Varol's response: "I have no way of viewing the election documents."

What becomes clear here is the role played by the IG Metall works council apparatus—now operating under the label "Team RB GmbH"—as an extension of and the company police for company management. Using mafia-like methods, it ensures that attacks on jobs, working conditions and wages are enforced against the resistance of the workforce.

It is therefore entirely justified to have the legality of the works council elections of March 11 reviewed by the Aalen Labour Court. However, as we already wrote in a previous article on the application to halt the works council election by means of a temporary injunction: "As important as it is to defend ourselves in court against IG Metall's attempt to suppress internal opposition, the struggle must also be waged outside the courts." The union will "use every legal and

underhanded means to stop the opposition," drag proceedings out and constantly find new legal pretexts to tie up resources—money, time and energy.

It is essential to organise independently of the trade union apparatus—into independent action committees that feel no obligation to maintain secrecy towards management and that put the interests of the workers before the profit interests of the shareholders. Bosch belongs to the workers who built it through their labour, not to the shareholders who appropriate the fruits of that labour.

The organisation of resistance must be international. That is the only realistic response to a corporation that itself operates internationally.

Production in Schwäbisch Gmünd was originally intended to be partially relocated to Bursa in Türkiye and largely to Hungary. Now the Bosch Group has announced it also plans to cut 1,400 jobs in Bursa. Production appears to be moving even further, to China. This is the deliberate strategy of a global corporation that pits workers in different countries against one another.

The International Workers Alliance of Rank-and-File Committees (IWA-RFC) unites workers worldwide in the common struggle for their jobs and their rights.

In many factories, anger is growing over job cuts and—particularly in the car industry—over plans to switch to war production. Bosch workers have taken a first step by drawing up the list of "Free Metalworkers" and had led the way. This initiative must be continued and expanded, to other Bosch sites in Germany, Türkiye, Hungary, China and many other countries. It would be enthusiastically welcomed by workers.

Please get in touch with us to take the next steps in the fight against the IGM dominance in the factories. Fill out the form below or send a message via WhatsApp to +491633378340. We guarantee absolute confidentiality.



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