



**FACILITIES FOR
COMBINING WORK AND
CARE
ETC Foundation**

ETC	Management
Date	16 July 2014
Electronic file name	ETC Facilities for Combining Work and Care

For Approval:

A handwritten signature in blue ink, appearing to be 'J.H.J. Dusseljee', written over a horizontal line.

J.H.J. Dusseljee
Director ETC Foundation

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1. PREAMBLE

ETC foundation is not covered by a wider collective labour agreement (CAO), and is consequently allowed to determine its labour conditions subject to the agreement of a Company Council – if present – and within the framework defined by the law (*Wet Arbeid en Zorg*).

2. INTRODUCTION

After consultations with the employer, every employee who has at least one year's service is entitled to take advantage of the provisions of the Work and Care Act [*Wet Arbeid en Zorg*]. Employees who wish to use these opportunities should contact their cluster manager who will provide the employee with further information about the content and consequences of the arrangement. A general overview of the various types of leave is provided below.

It should be noted that the arrangements of the flexible rewarding system only apply to absences due to maternity leave or to chronic illness that are uninterrupted and exceed two weeks (see Annex 4 for further details). As such, other forms of leave or absence that are requested and granted do not automatically entitle the employee to financial compensation from the employer.

In line with Dutch labour laws, the employer's contribution to the pension scheme will continue for the originally agreed number of working hours.

For employees on a fixed salary, arrangements for special leave may be different and will be determined on a case-by-case basis. The starting point for negotiations is that ETC will not pay salaries for hours not worked due to any form of special leave with the exception of maternity leave.

Leave entitlement will reflect the actual number of hours worked.

In the event of perceived ambiguity in a situation where an employee wants to apply for a particular form of leave, with or without financial compensation, the employee is entitled to consult the Director, who will consult an external HR advisor if this is deemed necessary. The intention is to avoid misinterpretations on the parts of both the employer and the employee that could lead to disputes.

3. EMERGENCY LEAVE

Emergency leave is a type of leave that entitles employees to take leave for a short period in unexpected circumstances so that they can make initial emergency organisational arrangements (for example, to collect an ill child from a childcare facility). When emergency leave turns into care leave, the emergency leave will be deemed to cease after one day and short-term care leave to commence on the following day.

4. SHORT-TERM CARE LEAVE

In any period of twelve months, starting from the first day such leave is taken, employees are entitled to take leave for care purposes up to a maximum of twice the number of hours in their normal working week (as specified in their contract of employment). Such leave may be taken for the purposes of caring for ill children who live at home, for foster children, for the partner and for the care of parents suffering ill health. Employees must provide reasonable evidence of the necessity of such leave. Leave can only be taken after consultation with the employer. ETC can refuse an application for such leave on the grounds of a conflict with a serious business interest.

5. LONG-TERM CARE LEAVE

Employees can take long-term leave to care for a partner, child or parent with a life-threatening illness. In any year, employees are entitled to take such leave for care purposes up to a maximum of six times the number of hours in their normal working week (as specified in their contract of employment). Alternatively, employees may work on a 50% basis for a period without interruption not exceeding 12 months. In any case, long-term leave may not extend beyond a period of 18 calendar weeks, regardless of whether it is full time or part time.

Salary will only be paid for the hours actually worked (arrangements for employees on flexible contracts may differ from those on fixed contracts). Taking long-term care leave will not impact on the position held and the contract of employment will remain in full force. A request for long-term leave must be submitted to the employer who may refuse such an application on the grounds of a conflict with a serious business interest.

6. MATERNITY LEAVE

1. Female employees are entitled to maternity leave from six weeks **prior** to the expected date of birth. The expected date of birth should be evidenced by a statement from a physician or a midwife.
2. The leave referred to in Clause 1 immediately above may be delayed at the employee's request, but will commence no later than four weeks prior to the expected date of birth.
3. Female employees are entitled to 10 weeks maternity leave, commencing on the day **after** the baby's birth. This leave can be extended to a maximum of 16 weeks if, and insofar as, maternity leave prior to delivery lasted less than 6 weeks for a reason other than illness.

7. PARENTAL LEAVE

Parental leave is a temporary, unpaid form of leave intended for the care and upbringing of a child. The right to parental leave is also applicable in the case of adoptive, foster and step- children. The existing contract of employment remains in force during parental leave. Employees are entitled to take such leave for up to a maximum of 26 times the number of hours in their normal working week. For children born prior to January 1st 2009, the right to such parental leave is limited to a maximum of 13 times the number of weekly working hours.

Rules for parental leave:

- You must have been employed by your present employer for at least one year.
- You can only take parental leave once for each child under the age of eight years, regardless of changes in employer.
- In the event of a multiple birth (twins etc.), parents are entitled to parental leave for each child.
- Requests for parental leave must be formally requested two months prior to the proposed starting date.

8. ADOPTION LEAVE

Employees are entitled to a maximum of four weeks adoption leave. The entitlement to adoption leave commences at the moment that an adopted child is taken into the family, and the leave must be taken within 16 weeks. Foster parents also have the right to this leave once a foster contract enters into force.

9. ADJUSTMENT OF WORKING HOURS

In accordance with the Working Hours (Adjustment) Act [*Wet Aanpassing Arbeidsduur*], employees who have been in service for at least one year can apply for their working hours to be adjusted. Any such request must be made in good time, i.e. at least two months before the intended change is to come into force. The request should be addressed to the employee's immediate superior and must include at least the proposed starting date and the proposed number and spread of working hours. After the request has been discussed between employee and employer, the employer will notify the employee of their decision in writing no later than one month before the intended starting date. An employer may only refuse such a request where there is a conflict with a serious business interest.