

Leiden University Holiday Procedure

This procedure includes operative provisions that correspond with the provisions pertaining to holiday leave in the CAO NU. This procedure serves, furthermore, to formalise current practice concerning holiday leave.

The basic premise for the accrual and taking of holiday leave is that the employee takes all the leave hours in the calendar year of accrual. Should this not happen, the employee may carry over the leave that has not been taken by the end of the year of accrual to the next calendar year. The employee must then take the leave in the subsequent calendar year. Leave that has not been taken expires at the end of that calendar year.

If it has not been possible to take the leave in the year of accrual or the subsequent year, the employee can reach an agreement with the employer (that is to say: the mandate holder and not the manager) about taking the leave in the longer term (a maximum of five years after the end of the calendar year in which the agreement was reached) in the form of sabbatical leave or a long-term savings scheme.

Article 1 General

1. The entitlement to holiday is expressed in whole hours. If necessary, this is rounded up to the nearest hour.
2. If the employment contract begins or is terminated during a calendar year, the number of hours of holiday to which the employee is entitled will be determined in proportion to the duration of the employment in the calendar year in question.
3. If the employee's working hours are changed, the entitlement to hours of holiday will be redetermined for the remainder of the calendar year in question. The leave accrued until the date of commencement of the new working hours will remain intact.
4. If it becomes apparent on the day of termination of the employment contract that the employee has taken too much leave, the employee shall owe for each hour of excess leave that was taken a sum equal to the pay per hour that he or she was receiving immediately prior to the termination of the employment contract. In the event of the death of the employee, this obligation becomes void.
5. During the holiday, the employee is not entitled to an allowance for working unsociable hours and/or on-call or standby shifts.

Article 2 Holiday entitlement if the employee works none or some of the contracted hours

1. The employee is not entitled to accrue holiday during a period in which he or she has not worked, with the exception of the instances mentioned in paragraph 2. The employee is only entitled to holiday leave in proportion to the number of hours he or she actually worked during those calendar months in which he or she has worked some but not all of the contracted hours.
2. The employee retains his or her entitlement to holiday leave if he or she works none or some of the contracted hours due to:
 - a. holiday;
 - b. maternity or adoption leave on the basis of the Work and Care Act;
 - c. illness or occupational incapacity;
 - d. special leave for a period of a maximum of 30 calendar days;
 - e. special leave for a period of more than 30 calendar days, if he or she is taking saved leave;
 - f. other cases to be determined by the employer.
3. The right to retain entitlement provided for in the second paragraph expires if the employment contract is terminated at the request of the employee before work is resumed.

Article 3 Taking holiday leave

1. All employees are required to use the Self Service leave registration system to submit a request for holiday leave, with the exception of those employees who use the Regulations on Annual Agreements. If, towards the end of the year, it becomes apparent that the employee not used Self Service, he or she shall be notified in writing by 30 November at the latest. If the employee has still not used the Self Service leave registration system by the end of the calendar year, the leave accrued in that year will be considered taken.
2. Holiday is taken in hours and must be taken as much as possible in continuous periods of at least four hours.
3. In exceptional cases, the employer is permitted to withdraw the request to take leave or not to continue the period of leave.
4. If urgent University reasons so require, the employer may retract the approved holiday leave, either before or during the holiday. Any resultant loss incurred by the employee will be compensated by the employer.

Article 4 Carrying over holiday entitlement to the next calendar year

1. The employee should take holiday in the year in which the entitlement arose.
2. The employee may carry over any remaining accrued leave hours for one calendar year to the next calendar year.
3. If the employee does not manage to take the leave in the year of accrual, he or she must make agreements before 1 April of the subsequent year about taking the carried-over leave in that year.
4. The leave hours from the previous calendar year that have not been taken expire on 31 December of the next calendar year, unless it has not been possible to take them and the employee has made written agreements with the mandate holder on taking them within a maximum of five years of the end of the calendar year in which the entitlement arose.
5. An employee who has been designated as a reassignment candidate is allowed to take leave, unless business interests prevent this.

Article 5 Entry into force

1. The Leiden University Holiday Procedure enters into force on 1 January 2014.
2. These regulations replace all previous regulations in this field that fall within the authority of the employer.
3. Leave that has been separately regulated to allow employees to participate in representative bodies of Leiden University remains unaffected.

These regulations were approved by the Executive Board on 14 January 2014, following the agreement of the Local Consultative Body from 20 December 2013.