



## Procedure in case of illness and reintegration

The text below contains information about what you can generally expect in the event of long-term illness. The text is based on the Sickness and Disability Scheme of Dutch Universities (ZANU) and the legal obligations set out in the Work and Income (Capacity for Work) Act (WIA). This document is solely intended to inform you about these regulations, and confers **no** rights.

### **Weeks 1 to 6**

From the first day of your absence due to illness, your manager will have regular contact with you, so that you maintain contact with the workplace. Your manager will write a report of the contact that takes place and the agreements that you make. If your absence is going to be for a longer period of time, both you and your manager are responsible for making efforts to enable you to resume work.

#### *University doctor*

In case of back pain or psychological complaints, the advice of the Health and Safety Officer will always be sought within 10 days. In all other cases, you and your manager will decide together whether a visit to the Health and Safety Officer is desirable. You and/or your manager can also seek the advice of the Health and Safety Officer independently of each other.

After *four weeks* of absence at the latest, the Health and Safety Officer will make an appointment with you. Subsequently, if your absence continues, a follow-up consultation will be held at least every six weeks.

In the *sixth week* of your absence, the Health and Safety Officer will conduct a problem analysis and will give advice on reintegration. In the problem analysis, the university doctor will set out clearly what you can and cannot do in your state of health.

### **Long-term absence > 6 weeks**

If you are absent for more than *six weeks*, in addition to the above-mentioned actions, the following steps will be taken:

In *week eight* of your absence, you and your manager will draw up an action plan. This plan contains the agreements on your reintegration. That is, you will look together at whether and, if so, what reintegration activities are possible to ensure that you can return to work as soon as possible (for example, shorter working hours, modified work, etc.). You will evaluate this action plan regularly with your manager, and it will be adjusted accordingly.

In *week 42* your absence will be notified to the Employee Insurance Agency (UWV).

Before the *end of the first year of sick leave* you and your manager will draw up a 'first-year evaluation'. This report will set out the measures that have been taken to allow you to return to work.

### *Financial consequences*

Remuneration: During the first 52 weeks of your illness you will receive 100% of your remuneration. After this period, up to and including the 104th week from the first day of sick leave, you will receive 70% of your remuneration. You will receive full pay for any hours that you work. If you were entitled to claim payment of 76% of your remuneration for non-worked hours before or on 31 December 2023 at the latest, under the ZANU 2021, you will retain this entitlement until the end of the 104-week period.

Commuting allowance: If you receive a commuting allowance, payment of this will be suspended after 30 calendar days of full-time illness. If you partially resume work, the allowance will be paid in proportion to the number of days that have been worked.

Leave accrued and taken: You remain entitled to annual leave during the period in which you are incapable of working due to illness. As set out in Article 4.7 paragraph 11a of the Collective Labour Agreement for Dutch Universities (CAO NU), you are also permitted and expected to take leave during a period of (long-term) illness.

Flexible working hours: The agreements you have made about your flexible working hours will remain valid during illness or occupational disability. Settlement of the holiday hours under this agreement with the holiday hours balance is limited to six months after the first day of sick leave.

### **After one year of illness**

No later than the end of the *first year of sick leave* (after 52 weeks) a university-wide redeployment investigation will be initiated. The investigation of redeployment possibilities will be carried out by the HR department of Leiden University, which will look into whether it is possible to place you in a suitable position or an acceptable position, as defined in the ZANU. On the basis of this investigation, a report will be written indicating whether there is a realistic possibility for you to be redeployed within Leiden University.

When you have been on continuous sick leave for *21 months* (from week 87), a procedure can be initiated that will lead to your employment being terminated after two years of illness, due to permanent occupational disability. You will be informed of this by letter and in an interview.

Around *week 88* you will receive a letter from the Employee Insurance Agency (UWV), informing you of the possibility of applying for a WIA (Work and Income [Capacity for Work] Act) benefit. This letter will also inform you of the deadline for applying for the WIA benefit and what information you are required to submit. You can find the application form at [www.uwv.nl](http://www.uwv.nl).

### **After two years of illness**

After you have been on sick leave for *104 weeks*, you may be entitled to a WIA benefit, and on these grounds also to a supplementary, non-statutory benefit on the basis of the ABP Occupational Disability Pension.

The WIA comprises two schemes: the IVA (full invalidity benefit scheme) and the WGA (return-to-work scheme for partially disabled persons). The main points of these schemes are as follows:

1. The IVA applies to employees who are fully and permanently incapacitated for work. 'Fully'

means that an individual can earn less than 20% of their last-earned salary and 'permanently' means that there is very little or no chance of recovery. The IVA provides for a benefit of 75% of the last-earned daily salary.

If it is clear from the start that you have become fully and permanently incapacitated for work, it is not necessary to go through the above process. In this case, in consultation with your manager, you can apply for an 'early IVA'. This is possible from the 13th to the 68th week of sick leave, if supported by a certificate from the Health and Safety Officer and/or medical specialist.

2. The WGA applies to employees who are partially incapacitated (35% to 80% incapacitated) and those who are fully but not permanently incapacitated. The WGA has two phases:

- In the first phase, the partially incapacitated employee receives a WGA benefit of 70% of the last salary (in addition to any salary that is earned). The duration of this phase complies with the rules in the Unemployment Insurance Act (WW).

- In the second phase, the amount of benefit depends on the extent to which the employee is working. If the hours worked are insufficient (in the WGA, this is defined as using less than 50% of the remaining capacity for work), then this 'follow-on benefit' (*vervolguitkering*) is based on the minimum wage and the percentage of incapacity for work. If 50% or more of the remaining capacity is used, then the WGA benefit plus the salary being earned together amount to approximately 80% of the last-earned salary.

The WIA therefore does not apply to employees who are less than 35% incapacitated for work. On the basis of our Collective Labour Agreement (CAO NU), these employees may not have their employment terminated because of their occupational disability.

### **More information**

- Up to two years of illness  
[www.uvw.nl/particulieren/ziek/](http://www.uvw.nl/particulieren/ziek/)
- After two years of illness  
[www.uvw.nl/particulieren/ziek/](http://www.uvw.nl/particulieren/ziek/)
- ABP information on Occupational Disability Pension  
See <http://www.abp.nl/over-pensioen/soorten-pensioen/arbeidsongeschiktheidspensioen/>
- ABP long-term illness and your pension accrual  
See <http://www.abp.nl/werken/arbeidsongeschikt/>