

Leiden University Holiday Procedure

This translation of the Leiden University Holiday Procedure is intended as a service to non-Dutch speaking employees, and as such has no legal status. Any legal claims can only be made on the content of the Dutch regulation (Procedure vakantie).

Preamble

This procedure includes operative provisions that correspond with the provisions pertaining to holiday leave in the Civil Code, Book 7, Chapter 10, paragraph 3 (Burgerlijk Wetboek Boek 7, Titel 10, Afdeling 3) and the articles in the cao NU.

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.

Paragraaf 1 Inleidende bepalingen

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 article 7:635 Civil Code. 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. In addition to article 7:635 Civil Code, 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. illness or occupational incapacity;
 - c. special leave for a period of a maximum of 30 calendar days;
 - d. special leave for a period of more than 30 calendar days, if he or she is taking saved leave;
 - e. other cases to be determined by the employer.
 3. The right to retain entitlement provided for in the first and second paragraph expires insofar this regards non-statutory holiday hours 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 of non-statutory hours accrued in that year will be considered taken.
2. Holiday is taken in 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 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 adopted by the Executive Board on 14 January 2014, after agreement in the **consultation with the local employees' organisations (Lokaal Overleg)** of 20 December 2013. These regulations were modified by the Executive Board on 19 November 2019 following the agreement of the Local Consultative Body on 19 September 2019. The amended regulation shall enter into force on 31 December 2019.