

Leiden University Regulations on Special Leave 2016

This translation of the Leiden University Regulations on Special Leave 2016 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 (Regeling buitengewoon verlof Universiteit Leiden 2016).

These regulations supplement the provisions of the Work and Care Act (*Wet Arbeid en Zorg*; WAZO), the Working Hours Act (*Arbeidstijdenwet*) and the Collective Labour Agreement of Dutch Universities (*Collectieve Arbeidsovereenkomst Nederlandse Universiteiten*; CAO NU). Employees must consult their (line) manager if they wish to take special leave.

Article 1 General

1. The employer can approve the employee's request for special leave. The employer can grant paid, partially paid or unpaid short or long-term leave, and can set conditions for this leave. The leave does not commence until these conditions have been accepted in writing.
2. The employer can request that the employee provides supporting evidence of the circumstances that have led to the request for special leave. If the employee is unable or omits to do this, the employer can refuse to grant the special leave.
3. Employees whose contracted hours are less than the full working hours are entitled to special leave in proportion to their contracted working hours insofar as the leave is longer than one working day.

Article 2 Long-term special leave

1. The employee applies to the mandate holder for long-term special leave.
2. Long-term special leave is generally granted for a period of no more than 12 months. Should there be due cause, the employer can decide to grant a longer period of leave.
3. During the application process for long-term special leave, particular attention must be paid to pension contributions during the period of special leave. The agreements reached concerning these contributions must be recorded in writing.
4. The employer can decide to grant long-term special leave that is solely or mainly for personal reasons of the employee. This leave is usually unpaid.
5. If the employee is taking leave within the scope of the Leiden University Lifespan Leave-Saving Scheme, the provisions from those regulations then apply.
6. If the employee requests leave within the scope of a savings scheme, he or she will be granted paid special leave for that period. If the employer and employee have agreed to use an extra period of leave as a contribution to the employee's saved leave, special leave will also be granted for this period; whether this is paid or unpaid depends upon the agreement between the employer and employee.

7. The provisions of Article 4.16a of the CAO NU apply when granting long-term leave for the purpose of a sabbatical.
8. If special leave is granted on the basis of Article 125c of the Civil Service Act (*Ambtenarenwet*) for service with a public body, a deduction will be made from the employee's pay for the duration of the leave.

Article 3 Personal circumstances

1. Unless particular circumstances prevent this, the employee will be granted the following amounts of paid special leave for the following family reasons:

a	For the day that the employee takes out a marriage licence	That working day
b	For the wedding of the employee	The wedding day and one subsequent working day
c	For the registered partnership of the employee	The day of entering into the registered partnership and one subsequent working day
d	For entering into a notarial cohabitation agreement of the employee	The two working days on which the notary is visited for the purpose of entering into the notarial cohabitation agreement
e	To attend the wedding or the registered partnership of first and second degree family members (brother, sister, parent, child, grandparent, grandchild) of the employee and the employee's partner.	The wedding day or the day of entering into the registered partnership. The employee will be given the opportunity to take one or more subsequent days.
f	To attend the 25th, 40th, 50th or 60th wedding anniversary of the employee, his or her parents or the parents of his or her partner	The day of the wedding anniversary
g	To attend a religious ceremony of the employee and his or her partner or of first degree family members of the employee or his or her partner (children, parents)	The day of the ceremony
h	In the event of the death of the partner of the employee or a first degree family member of the employee or the employee's partner (child, parent)	Four working days
i	In the event of the death of a second degree family member (brother, sister, grandparent, grandchild) of the employee or the employee's partner	Two working days
j	If the employee is responsible for arranging the funeral, managing the estate or both of a first or second degree family member	The total leave will be granted for a maximum of four working days

2. Parents and children as provided for in the first paragraph also mean step or foster parents or children. Family is taken to mean relatives by blood and marriage.
3. Taking of leave for the birth of the child of the employee's partner and taking of "(additional) partner/paternity leave" (*aanvullend*) *geboorteverlof*) are subject to the Work and Care Act (*Wet Arbeid en Zorg*; WAZO).
4. Taking of adoption leave is subject to the provisions of the Work and Care Act, on the condition that the six, in principle consecutive, weeks of adoption leave are taken with full pay. In exceptional cases, the leave can be further extended without pay.

Article 4 Trade union activities

1. Unless particular circumstances prevent this, an employee who is a member of a trade union that is represented in the Local Consultative Body of Leiden University will be granted a maximum of 15 working days of special leave per calendar year on full pay to attend meetings, as a representative or board member of the statutory body of a trade union, of the central organisation of which this union is a member or of an international trade union confederation.
2. Unless particular circumstances prevent this, the employer will be granted paid special leave to take part in a course at the invitation of a trade union. This leave may be up to a maximum of six working days per calendar year.

Article 5 Other special circumstances

1. Unless particular circumstances prevent this, the employee will be granted the following amounts of paid short-term special leave under the following circumstances:

a.	To find accommodation, if the employee has been instructed to move to or near the place of work	Two working days at the most
b.	If the employee moves house	The day of the move and in the case of a transfer one subsequent working day
c.	For job interviews if the employee is facing redundancy	The time required
d.	If the employee has been assigned as an external examiner at an exam at another university	The time required for this
e.	If the employee participates in university or interuniversity sporting events	That working day

2. A female employee must be given the opportunity to breastfeed her child or express breast milk during the first nine months of the child's life. Breaks for this purpose will take place as

often and take as long as necessary, but together will amount at the most to a quarter of the working hours per working day. If this possibility cannot be made available at or in the near vicinity of the place of work, she will be granted special leave, unless significant interests prevent this. The duration of the special leave must be in reasonable proportion to the working hours of the female employee.

Article 6 Long-term savings scheme

1. This article complements the provisions of Article 5.5 CAO NU.
2. Depending on the purpose for which the leave is being used, the management of a unit may make an award available in the form of extra leave days and/or material resources, including travel and subsistence expenses. This award will be agreed upon with the individual employee in advance and confirmed in writing.
3. The more the purpose of the period of leave benefits the organisation, the greater the award that can be made. If the period of leave is being used as a sabbatical to enhance the employee's employability, an award will always be made. The management of a unit may choose to implement a specific policy to promote the use of the savings scheme.
4. Upon termination of the employee's contract, the employee will be given the opportunity to take the saved leave. Saved leave that has not been taken by the date of termination will expire. The employee will only receive payment for the saved leave if business interests have prevented the employee from taking the saved leave before the date of termination.
5. If occupational incapacity occurs during a period in which the employee is taking saved leave and this incapacity continues for more than 30 days, the leave will be postponed to a later date, that will be decided by the employer and employee.

Article 7 October 3

1. On the basis of Article 4.9, third paragraph, of the CAO NU, the following is identified as a local holiday in Leiden: 3 October, or if this day falls on a Sunday, the working day on which the celebrations for 3 October take place.
2. The employer may take leave on this day unless the institutional interests require otherwise.

Article 8 Hardship clause

In the event that these regulations have disproportionately negative consequences for the employee, the employer may choose to deviate from the provisions in these regulations.

Article 9 Entry into force

1. The Regulations on Special Leave 2016 enter into force on 1 June 2016.
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 10 May 2016, following the agreement of the Local Consultative Body from 21 April 2016.

These regulations were amended as of 1 January 2019 by the Executive Board on 8 January 2019, following the agreement of the Local Consultative Body from 13 December 2018.