

Leiden University Regulation on the Commuting Allowance 2015

This translation of the regulation is intended as a service to non-Dutch-speaking employees, en has as such no legal status. Any legal claims can only be made on the basis of the Dutch regulation.

Article 1. Legal basis

This regulation is based on Article 3.21, first paragraph under a, of the CAO of Dutch Universities.

Article 2. Definitions

In this regulation, the following definitions apply:

- a. *Commuting*: Travelling at least once a week (or 40 times per calendar year) between the place of residence and the (fictive) place of work, whereby the return journey must take place within 24 hours of the outward journey;
- b. *Commuting expenses*: Costs related to travelling between the place of residence and the place of work, or fictive place of work.
- c. *Executive Board*: Executive Board of Leiden University;
- d. *Employer*: The Executive Board or the person who, through the power of a mandate or sub-mandate, is responsible for the management of a management unit;
- e. *Employee*: A remunerated employee, as defined in the CAO of Dutch Universities, who is employed by Leiden University;
- f. *Place of residence*: The address at which the employee is registered in the Municipal Personal Records (BRP);
- g. *Place of work*: the building or complex of buildings where the employee is usually required by the employer to carry out his or her duties;
- h. *Fictive place of work*: the place of work chosen by the employer as the place of work in the event of more than one place of work.

Article 3. Commuting allowance

1. The employee is entitled to a commuting allowance.
2. The commuting allowance is calculated on the basis of the one-way distance between the place of residence and the place of work or fictive place of work, measured for the fastest route using a method determined by the employer.
3. The commuting allowance amounts to 0.07 eurocent per kilometre, up to a maximum of 45 euros per month. Employees are not entitled to a commuting allowance for the first 10 kilometres.
4. Employees who work fewer than five days a week or less than a full month are entitled to a commuting allowance and a maximum amount in proportion to the number of actual working days.

5. If the number of working days varies, the allowance is calculated on the basis of the average number of working days per week in accordance with the established work schedule.

Article 4. Temporary suspension of the allowance

In the event of full-time illness or extraordinary leave, after thirty calendar days, payment of the commuting allowance is suspended. Payment of the allowance will be resumed when the extraordinary leave ends, or when the illness or occupational disability of the employee is 75% or less.

Article 5. Change of circumstances

The employee is obliged to inform the employer immediately, via Self Service or in another manner determined by the employer, of any changes that may affect the commuting allowance, in particular the amount of the commuting allowance, such as a change in place of residence and the number of commuting days per week.

Article 6. Student assistants and trainees

The following applies for student assistants and trainees, contrary to article 3:

- a. Students and trainees who are in possession of a student travel card and who therefore do not need to incur travel expenses, are not eligible for the commuting allowance as stipulated in this regulation.
- b. If they do have to incur verifiable commuting expenses, they are eligible for an allowance according to article 3. This must be demonstrated and confirmed at the time of commencement of employment.

Article 7. Transition and guarantee regulation and exceptional agreements

Employees who, in accordance with the Leiden University 2005 Regulation on Commuting Allowance, were paid prior to 1 June 2015 an amount (an allowance) that was higher than the amount to which they are entitled under the present regulation, will continue to receive the higher amount of the allowance. This guaranteed amount will be determined on 1 June 2015. This only applies in so far as the employee continues to be eligible for a commuting allowance under the terms of the older regulation.

Exceptional agreements made *in parallel* to the Leiden University 2005 Regulation on the Commuting Allowance remain unchanged throughout the period for which they hold.

Article 8. Entry into force

This regulation comes into effect on 1 May 2015 and replaces all previous regulations relating to this subject which fall within the scope of authority of the employer.

Article 9. Official title

This regulation can be referred to as the Leiden University 2015 Regulation on the Commuting Allowance.

This regulation was adopted by the Executive Board on 3 March 2015, following agreement with the Local Employees' Organisation on 19 February 2015.

The regulation has been changed by the Executive Board on 2 March 2016, following agreement with the Local employees' Organisation on 18 February 2016. The change comes into force as of 2 March 2016.