

# Netherlands: Flexible forms of work: 'very atypical' contractual arrangements

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## Netherlands: Flexible forms of work: 'very atypical' contractual arrangements

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Small non-standard forms of employment contracts are becoming more and more accepted in The Netherlands. Four specific groups are identified: students who earn (part of) an income next to their study; women with care obligations; older employees (45-65) losing their regular job; and retired workers (55-65) who want to stay active or earn an additional income next to their pension. There are two risk groups: single parent with children, who cannot find or afford day care and older employees losing their regular job. These jobs often are not very challenging or do not offer much job security, but no specific other risks could be identified.

## 1. Definition and trends

1.1 Please describe the incidence of the following forms of employment that go beyond non-standard employment in your country, including any upward or downward trends over the past five years, plus, if relevant and appropriate, a brief explanation of the labour market context:

- Very short part-time contracts (less than 10 hours per week)
- Short fixed-term contracts, of either less than six months, less than three months or less than one month
- employment without formal written contracts, (based on oral contracts)
- “zero hours” contracts/on-call work, where workers can be called upon at short notice to go into work. Do these contracts guarantee a minimum number of working hours a week? Do these contracts offer a fixed hours pattern or can the employer vary working hours?
- any other forms of employment that are considered to be non-standard in your country (excluding regular part-time, temporary agency work and economically dependant work).

Very short part-time contracts < 10 hours *)	5.0%	5.9%	5.6%	5.4%	4.4%
Zero hours contracts *)	0.6%	0,3%	1.4%	1.3%	1.1%
No formal written contracts **)	-	-	-	5,2%	-
Short fixed-term contracts < 6 months **)	-	-	-	2.3%	-
Short fixed-term contracts < 3 months **)	-	-	-	0.8%	-
Short fixed-term contracts < 1 month **)	-	-	-	0.3%	-

\*) Source: 2003, 2005, 2006, 2007: NEA; 2004 TAS

\*\*) Source: Klein Hesselink et. al., 2008

Small non-standard forms of employment contracts are subjected to the Dutch Law on flexibility and security. For the number of hours in very short part-time contracts two regulations apply. First it is assumed that when an employee is employed for at least three consecutive months weekly, or for at least twenty hours per month, that this is a regular labour contract situation. Secondly it is assumed that when an employee is employed for at least three consecutive months, the average number of hours worked is the actual contract situation. The Law explicitly uses the term 'assume' because the employer can disprove the assumption of the contract situation, for instance in case of seasonal work or when there was a need for a temporary increase of the production capacity that is now ended.

When the Law on flexibility and security came into force in 1999, there was much fear among employers to be chained to on-call workers, because of these two rules. For that reason the number of on-call workers reduced drastically (Klein Hesselink et. al, 2008). Only in the last few years the number of on-call contracts and zero hours contracts increases, because employers discover that employees are afraid to use their legal rights, as they fear it would damage the relationship with the employer.

The short fixed term contracts are protected by limiting the successive number of times (3 times) or years (3 years plus 3 months) these contracts can be applied. After three times or three years of contract the next contract is automatically a permanent contract, except in a situation when there is a period of three months without a contract from the same employer. In that case the counting restarts. This "3x3x3" rule is often seen as a restriction in employment law, but in fact it is an extension offering employer more flexibility. Before 1999 the second temporary contract was automatically assumed to be permanent.

"Long" temporary contracts (often for one half year or one year) are often used as an extension of the probation period for employees. In the case of very short-term fixed contracts however, the job is often related to a particular project and ends when the project is completed.

The contract situation of on-call contracts is complex in The Netherlands. In the first place there is a wide variation in the number of permanent and flexible hours. Many contracts have a small number of fixed hours and an additional number of flexible hours. In case of zero hours contracts the number of fixed hours is zero. In the second place, on-call contracts can be permanent, but also temporary. In the third place the number of flexible hours can be guaranteed or not (the number of fixed hours is always guaranteed). In the fourth place the nature of the calls (number of hours per week, and call on particular days or parts of days) can be compulsory or not. In case of a call however, the minimum number of hours to be paid by the employer is regulated by the Law on flexibility and security and is always 3.

The tables in this questionnaire are based on three studies that use large representative samples of Dutch employees:

(1) The Netherlands survey on working circumstances (Nationale Enquête Arbeidsomstandigheden, NEA) is held in 2003, and from 2005 every year. The NEA uses a representative sample of about 22,000 Dutch employees every year.

(2) The TNO Work Environment Survey (TNO Arbeidssituatie Survey, TAS) was held in 2000, 2002 and 2004. This data of the 2004 survey is only used to supplement the 2004 data in the table before. The number of employees is about 4,000.

(3) The dataset (n=2,000) of a study on the sick leave characteristics of temporary workers to estimate the use of the social security funds when these employees stay ill after termination of the contract ( Klein Hesselink J, Kooij-de Bode H; Koppenrade V (2008). *Wie zijn de overige flexwerkers en hoe gaan zij om met het risico van ziekte.* Hoofddorp, TNO Work & Employment.).

## 1.2 What is the legal framework surrounding these types of employment– has it changed over the past five years, possibly in reaction to trends? Please note that this CAR does not include undeclared work.

The legal framework is the Dutch Law on flexibility and security. The specific regulations are described before. This law came into force on January 1999. The formal legal framework did not change, but the law is formulated in such a way that the sectoral social partners can negotiate on the content of many regulations in the law to redesign specific regulations for that sector. This is done a relatively large number of times, in which the change could be in favour of the employers or the employees, depending on the nature of the work in the sector.

## 1.3 Is there any data on the transitions between:

- non-standard forms of employment and standard forms of employment, and
- non-standard forms of employment and unemployment/inactivity?

In other words, can non-standard forms of employment be seen as a stepping stone to more standard forms of employment, or perhaps conversely can non-standard employment contracts lead to inactivity?

. Situation of contract prior to current contract (2006)	Current contract in December 2006					
	Very short part-time contracts < 10 hours	. Zero hours contracts	. No formal written contacts	Short fixed-term contracts < 6 months	Short fixed-term contracts < 3 months	Short fixed-term contracts < 1 month
Permanent contract	2.2%	0.9%	0.5%	0.5%	0.1%	0.1%
Temporary contract	2.3%	1.2%	0.8%	0.7%	0.3%	0.2%
On-call contract	1.6%	1.0%	0.3%	0.4%	0.1%	0.1%
Temporary agency	0.8%	0.2%	0.0%	0.1%	0.0%	0.0%
Entrepreneur/self employed	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Home worker	0.5%	0.3%	0.3%	0.0%	0.0%	0.0%
Apprentice	0.7%	0.3%	0.0%	0.2%	0.0%	0.0%
Holiday worker	0.5%	0.2%	0.1%	0.2%	0.2%	0.0%
Health care domestic work	0.8%	0.0%	0.4%	0.1%	0.1%	0.0%
Other types of contracts	0.2%	0.1%	0.2%	0.0%	0.0%	0.0%
No job, no social benefit	0.4%	0.3%	0.2%	0.1%	0.0%	0.0%
No job, social benefit	7.2%	3.4%	2.2%	1.2%	0.5%	0.1%

Source: Klein Hesselink et. al., 2008

There is no data on the transition from non-standard forms of employment to other situations.

Data on the transition from different employment and no employment situations to non-standard forms of employment is given in the table above. Employees with a prior situation of no job and in receipt of social benefit most often enter the situation of a non-standard form of employment. Employees with a prior situation of a permanent or temporary contract also enter relatively often the situation of a non-standard form of employment.

## 1.4 How prominent is the academic/policy debate on non-standard employment in your country? Please briefly summarise the content of the debate.

Trade unions question the transitions of employees from permanent fulltime and secure jobs to one or more temporary and part time jobs. Part of the employees in the non-standard employment groups arrived there after dismissal or bankruptcy or restructuring of their organisation. In case of older workers (45-65) this is a risk group, because this group has less favourable chances on the labour market.

## 2. The nature of the work carried out by those in non-standard employment

### 2.1. The nature of the work

- the sector
- the type of enterprise (size etc.)
- the type of activity (eg low-skilled jobs such as cleaning, or high-skilled jobs such as IT consultant roles or jobs in creative arts)

Sector (2006)	Very short part-time contracts < 10 hours *)	Zero hours contracts *)	No formal written contracts **)	Short fixed-term contracts < 6 months **)	Short fixed-term contracts < 3 months **)	Short fixed-term contracts < 1 month **)	Population of Dutch employees *)
Agriculture and fishing	15.0%	6.9%	55.3%	27.9%	5.9%	0.0%	1.3%
Industry	2.2%	0.6%	7.7%	5.3%	4.6%	1.4%	13.9%
Construction	1.7%	0.4%	0.0%	0.0%	0.0%	0.0%	5.9%
Trade	8.2%	1.5%	17.1%	2.2%	0.0%	0.0%	15.0%
Hotels and restaurants	21.9%	5.9%	26.5%	4.0%	3.3%	3.3%	3.1%
Transportation and communication	5.9%	1.3%	16.0%	7.4%	5.9%	2.7%	6.6%
Financial services	2.8%	0.6%	6.6%	0.0%	0.0%	0.0%	4.1%
Commercial services	5.2%	1.2%	7.0%	2.0%	0.6%	0.0%	15.0%
Public administration	0.7%	0.2%	0.0%	1.3%	1.3%	0.8%	8.0%
Education	3.4%	0.3%	7.1%	9.0%	2.9%	1.8%	6.9%
Health and social care	6.8%	1.8%	7.7%	3.7%	0.2%	0.0%	16.5%
Culture and other services	6.4%	1.4%	13.0%	2.7%	0.5%	0.0%	3.7%
Total	5.4%	1.3%	5.2%	2.3%	0.8%	0.3%	100%

\*) Source: 2006: NEA; 2004 TAS

\*\*) Source: Klein Hesselink et. al., 2008

Non-standard forms of employment are relatively often found in the sectors Agriculture and fishing, and Hotels and restaurants. The contracts are also often applied in the sectors Trade, Transportation and communication, Commercial services, Health and social care and Culture and other services. Jobs without a formal written contract or short fixed term contracts are also often applied in Education.

. Number of employees in organisation (2006)	Very short part-time contracts < 10 hours *)	Zero hours contracts *)	No formal written contracts **)	Short fixed-term contracts < 6 months **)	Short fixed-term contracts < 3 months **)	Short fixed-term contracts < 1 month **)	Population of Dutch employees *)
1-4	7.6%	1.3%	35.6%	5.7%	3.8%	1.1%	5.3%
5-9	7.4%	1.7%	12.6%	5.1%	0.0%	0.0%	9.5%
10-49	6.7%	1.9%	13.0%	6.6%	3.2%	0.6%	27.5%
50-99	6.4%	1.1%	12.4%	4.9%	2.0%	1.4%	13.8%
100-499	4.0%	0.9%	4.0%	1.8%	0.4%	0.0%	23.7%
500-999	3.4%	0.9%	16.8%	3.9%	1.3%	1.3%	6.8%
1000	2.1%	0.4%	9.0%	3.2%	1.3%	1.0%	13.4%
Total	5.4%	1.3%	5.2%	2.3%	0.8%	0.3%	100%

\*) Source: 2006: NEA

\*\*) Source: Klein Hesselink et. al., 2008

There is a negative relationship with the size of the organisation. No formal written contracts are also used in larger organisations.

. Occupation (2006)	Very short part-time contracts < 10 hours *)	Zero hours contracts *)	No formal written contracts **)	Short fixed-term contracts < 6 months **)	Short fixed-term contracts < 3 months **)	Short fixed-term contracts < 1 month **)	Population of Dutch employees *)
Crafts and industrial	3.5%	0.4%	23.5%	4.6%	3.8%	1.8%	15.4%
Transportation employees	4.4%	1.8%	14.2%	1.8%	1.8%	1.8%	5.0%
Administrative employees/clerks	3.1%	0.4%	10.1%	3.3%	0.6%	0.0%	13.5%
Commercial and sales employees	8.6%	2.1%	9.4%	2.8%	1.2%	0.0%	11.5%
Service employees	10.7%	2.6%	17.4%	2.6%	2.1%	0.6%	10.0%
Health care employees	7.1%	2.2%	10.9%	3.7%	0.2%	0.0%	14.2%
Teachers	4.9%	0.6%	7.5%	6.3%	1.3%	0.0%	5.6%
Professionals	0.8%	0.1%	3.0%	0.9%	0.4%	0.0%	9.2%
Agricultural employees	13.9%	6.1%	50.4%	18.2%	3.9%	0.0%	1.6%
Managers	0.9%	0.1%	0.0%	1.0%	0.0%	0.0%	6.6%
Other employees	7.2%	1.3%	15.6%	5.1%	1.8%	1.2%	7.4%
Total	5.4%	1.3%	5.2%	2.3%	0.8%	0.3%	100%

\*) Source: 2006: NEA; 2004 TAS

\*\*) Source: Klein Hesselink et. al., 2008

Non-standard forms of employment are relatively often found among employees in agriculture and service jobs. These contracts are also often found in jobs of employees in transportation, commercial and sales employees, and employees in other jobs and among teachers.

## 2.2. Work organisation

working hours (eg. unsocial working times, rather than working hours)

- shift patterns.

Overtime and shift patterns (2006)	Very short part-time contracts < 10 hours *)	Zero hours contracts *)	No formal written contracts **)	Short fixed-term contracts < 6 months **)	Short fixed-term contracts < 3 months **)	Short fixed-term contracts < 1 month **)	Population of Dutch employees *)
Overtime, structurally	5.7%	1.3%	-	-	-	-	28.6%
Overtime, incidentally	3.3%	0.4%	-	-	-	-	44.6%
No overtime	8.5%	2.7%	-	-	-	-	26.8%
Shift work, regularly	6.9%	2.0%	-	-	-	-	12.5%
Shift work, incidentally	12.7%	4.0%	-	-	-	-	2.1%
No shift work	5.0%	1.1%	-	-	-	-	85.4%
Regular work in evening/night	7.7%	2.2%	-	-	-	-	24.4%
Incidentally work in evening/night	3.9%	1.1%	-	-	-	-	27.5%
No work in evening/night	5.2%	0.9%	-	-	-	-	48.2%
Regular weekend work	10.7%	3.1%	-	-	-	-	27.8%
Sometimes weekend work	3.3%	0.8%	-	-	-	-	26.6%
No weekend work	3.5%	0.5%	-	-	-	-	45.7%
Total	5.4%	1.3%	5.2%	2.3%	0.8%	0.3%	100%

\*) Source: 2006: NEA; 2004 TAS

\*\*) Source: Klein Hesselink et. al., 2008

No data on formal written contracts and short fixed-term contract is available. Employees with very short part-time and zero hours contracts less often participate in overtime. They do participate incidentally more often in shift work, and regularly more often in evening/night work and weekend work.

### 3. Consequences of non-standard work on working conditions

- pay
-

## working hours

- exposure to risks and accidents at work
- work-related health problems (including problems related to mental health) and occupational illnesses
- Social consequences such as a lack of job security
- training and career development opportunities
- job quality: is the content of the job interesting and/or does it require the worker to possess a certain level of knowledge and skills?
- Employment rights (equality, non-discrimination, right to collective bargaining). Are there any control mechanisms to ensure that these rights are not being breached? Are there any mechanisms to ensure that employees can lodge complaints about breaches of employment rights?

Pay (2006)	Very short part-time contracts < 10 hours *)	Zero hours contracts *)	No formal written contracts *)	Short fixed-term contracts < 6 months *)	Short fixed-term contracts < 3 months *)	Short fixed-term contracts < 1 month *)	Population of Dutch employees *)
Personal income							
Under € 500	68.8%	24.2%	17.1%	7.1%	1.6%	0.3%	14.2%
€ 500 to € 1000	27.1%	11.8%	7.6%	1.4%	0.6%	0.2%	19.6%
€ 1000 to € 1500	3.7%	2.3%	2.2%	1.6%	0.4%	0.3%	25.5%
€ 1500 to € 2000	1.3%	1.0%	1.2%	0.6%	0.1%	0.0%	24.2%
€ 2000 to € 2500	7.2%	1.6%	3.6%	4.6%	3.6%	1.6%	10.2%
More then € 2500	3.6%	1.3%	1.3%	0.0%	0.0%	0.0%	6.2%
Household income							
Under € 500	70.8%	43.8%	9.4%	2.9%	2.2%	0.0%	2.6%
€ 500 to € 1000	43.1%	22.4%	11.6%	4.4%	0.2%	0.0%	5.6%
€ 1000 to € 1500	24.4%	7.7%	7.2%	1.0%	0.1%	0.0%	12.4%
€ 1500 to € 2000	12.8%	5.8%	7.2%	2.8%	0.6%	0.0%	21.8%
€ 2000 to € 2500	15.8%	4.5%	3.3%	2.8%	1.9%	1.0%	23.5%
More then € 2500	10.3%	3.3%	3.2%	1.8%	0.5%	0.3%	34.2%
Total	5.4%	1.3%	5.2%	2.3%	0.8%	0.3%	100%

\*) Source: Klein Hesselink et. al., 2008

68.8% of the employees with an income under € 500 have a very short part-time contract; 70.8% of the employees with an income under € 500 have a household income under € 500. The reason for this concurrence is that nearly all of the employees with an income under € 500 are single. Differences between the percentages of the personal and household income percentages may be related to missing values, because about 14% of the employees did not complete these income questions.

Income of employees with very short part-time contracts may be higher, because these employees often combine one or more part-time jobs.

. Working hours and job insecurity (2006)	Very short part-time contracts < 10 hours *)	Zero hours contracts *)	No formal written contracts *)	Short fixed-term contracts < 6 months *)	Short fixed-term contracts < 3 months *)	Short fixed-term contracts < 1 month *)	Population of Dutch employees *)
Working hours per week	8.1	9.6	16.4	21.2	18.0	17.6	36.7
Probability of losing job							
Very high	15.1%	7.1%	12.6%	10.2%	1.5%	1.1%	4.3%
High	43.7%	21.6%	7.1%	5.2%	1.7%	0.0%	2.8%
Reasonable	15.8%	8.6%	9.2%	3.8%	2.0%	1.2%	13.4%
Small	17.9%	5.5%	3.8%	2.1%	0.5%	0.2%	41.6%
Very small	15.5%	6.4%	4.4%	0.9%	0.6%	0.1%	38.0%
Seriousness of losing job							
Not serious	5.9%	2.9%	3.4%	0.7%	0.6%	0.2%	19.5%
Serious	7.9%	2.6%	3.3%	1.0%	0.2%	0.1%	25.7%
Quite a problem	21.6%	7.9%	6.3%	2.7%	0.9%	0.1%	40.2%
Not serious	43.6%	16.2%	7.2%	5.3%	2.1%	1.9%	10.1%
Not a problem	23.7%	16.6%	9.9%	6.2%	1.4%	0.6%	4.6%
Total	5.4%	1.3%	5.2%	2.3%	0.8%	0.3%	100%

\*\*\*) Source: Klein Hesselink et. al., 2008

Very short part-time contracts of less than 10 hours per week and zero hours contracts are often on-call contracts. The actual number of working hours per week of zero hours contracts is often higher than the contract indicates, because of the flexible number of working hours.

The actual number of working hours of the very short part-time contracts of less than 10 hours per week is mostly the same as the contractual number; because these employees often have other private obligations such as study, care tasks or another paid job next to this contract and cannot afford working more hours in this job.

Job insecurity in terms of the probability of losing the job is high, but the seriousness of losing the job is often low. Reason is that other jobs can be easily found or that there are other (second) jobs or a partner or parents with an income.

. Exposure to risks and accidents at work (2007) Training and career development opportunities	Very short part-time contracts < 10 hours *)	Zero hours contracts *)	No formal written contracts *)	Short fixed-term contracts < 6 months *)	Short fixed-term contracts < 3 months *)	Short fixed-term contracts < 1 month *)	Population of Dutch employees *)
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Dangerous work regularly	1.8%	0.7%	-	-	-	-	3.7%
Dangerous work, sometimes	3.3%	1.1%	-	-	-	-	18.0%
no dangerous work	4.7%	1.1%	-	-	-	-	78.4%
No accident at work	4.4%	1.1%	-	-	-	-	96.8%
Accident at work	1.4%	0.5%	-	-	-	-	3.2%
Participation in internal education	1.9%	0.4%	-	-	-	-	56.6%
No participation	7.5%	2.0%	-	-	-	-	43.4%
Participation in external education	1.2%	0.2%	-	-	-	-	43.5%
No participation	6.8%	1.8%	-	-	-	-	56.5%
Function change last two years	2.5%	0.5%	-	-	-	-	21.0%
No function change	4.8%	1.3%	-	-	-	-	79.0%
Function extension last two years	2.2%	0.5%	-	-	-	-	44.7%
No function extension	6.1%	1.6%	-	-	-	-	55.3%
Promotion in last two years	2.4%	0.5%	-	-	-	-	16.1%
No promotion	4.7%	1.2%	-	-	-	-	83.9%
Total	4.4%	1.1%	-	-	-	-	100%

\*) Source: NEA; 2007

Exposure to risks and accidents at work is not high.

Participation in training and career development opportunities is low.

. Job quality end employment rights (2007)	Very short part-time contracts < 10 hours *)	Zero hours contracts *)	No formal written contracts *)	Short fixed-term contracts < 6 months *)	Short fixed-term contracts < 3 months *)	Short fixed-term contracts < 1 month *)	Population of Dutch employees *)
Not much work variation	8.2%	2.1%	-	-	-	-	29.4%
Much work variation	2.8%	0.7%	-	-	-	-	70.6%
Work does not require learning	6.2%	1.6%	-	-	-	-	53.6%
Work requires much learning	2.2%	0.6%	-	-	-	-	46.4%

Work does not require creativity	7.4%	2.1%	-	-	-	-	40.0%
Work requires creativity	2.3%	0.5%	-	-	-	-	60.0%
Dissatisfied with collective agreement	2.6%	0.7%	-	-	-	-	18.0%
Satisfied with collective agreement	3.4%	0.7%	-	-	-	-	82.0%
Dissatisfied with HRM	2.0%	0.6%	-	-	-	-	30.8%
Satisfied with HRM	3.5%	0.7%	-	-	-	-	69.2%
Dissatisfied with works council	2.4%	0.8%	-	-	-	-	24.6%
Satisfied with works council	2.7%	0.5%	-	-	-	-	75.4%
Dissatisfied with trade union	2.5%	0.8%	-	-	-	-	28.6%
Satisfied with trade union	2.1%	0.5%	-	-	-	-	71.4%
<b>Total</b>	<b>4.4%</b>	<b>1.1%</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>100%</b>

\*) Source: NEA; 2007

Job quality is low.

There is no data on equality and non-discrimination on this subject. All employees in The Netherlands fall under the collective bargaining rules when there is a collective agreement. Control mechanisms to ensure that these rights are not breached are activities of the trade unions and in case of conflict, the judge. Because of the favourable labour market, conflicts are not often solved legally. Employees accept it or find another job.

Work-related health problems leading to sickness absence (2007) *)	Very short part-time contracts < 10 hours *)			Zero hours contracts *)		
	Work-related	Not work-related	Total	Work-related	Not work-related	Total
Back complaints	2.5%	3.3%	2.8%	1.2%	0.3%	0.8%
Neck, shoulders, arms, wrists, hands	2.8%	3.9%	3.3%	0.4%	1.6%	0.9%
Hip, legs, knees, feet	3.9%	3.8%	3.8%	1.1%	0.8%	0.9%
Hart, vascular complaints	1.2%	2.5%	2.1%	0.0%	1.0%	0.7%
Mental complaints, burnout	1.0%	2.2%	1.4%	0.1%	0.0%	0.1%
Fatigue, concentration problems	4.9%	7.7%	6.0%	0.4%	2.6%	1.2%
Conflicts at work	0.0%	3.2%	0.6%	0.0%	3.2%	0.6%
Lung, breathing problems	0.9%	2.4%	2.1%	0.0%	0.6%	0.5%

Digestion complaints	3.8%	4.5%	4.4%	1.4%	1.1%	1.1%
Skin problems	4.3%	4.8%	3.4%	4.3%	0.0%	1.0%
Eye, ear problems	2.7%	3.5%	3.4%	2.7%	0.6%	1.0%
Influenza, cold	2.2%	3.2%	3.2%	0.7%	0.9%	0.9%
Headache	2.3%	6.8%	5.4%	0.4%	2.3%	1.7%
Pregnancy complaints	1.8%	3.0%	2.8%	0.0%	0.9%	0.7%
Other complaints	4.7%	4.4%	4.4%	0.0%	0.8%	0.7%
Total group of complaints	2.5%	3.7%	3.4%	0.7%	1.0%	0.9%

\*) Source: 2006: NEA; 2007

Partly health problems are related to work, but not more often than among other employees in The Netherlands.

Back complaints, skin problems, and eye and ear problems may be related to work in the agricultural sector and the restaurant sector (burdening work, wet circumstances and noise of machines and music).

No data on occupational illnesses could be found.

## 4. Impact on health and safety

- what are the main health and safety issues for workers in non-standard employment?
- are there any control mechanisms to ensure the health and safety of these workers?
- what is the role of the labour inspectorate?
- what mechanisms exist to ensure that employees can lodge complaints relating to health and safety?

In principle, employees with small non-standard employment contracts have the same health problems as other Dutch employees. Because employees with non-standard employment contracts more often are found among specific categories of workers (young students, middle aged women, older men and women), health and safety issues are related to the issues of these groups.

Control mechanisms are that the trade unions have help desks for complaints in case of breaching the rules of the Law on flexibility and security. In case of conflict the court gives a solution.

The labour inspectorate inspects compliance with the rules of the Law on flexibility and security in general and not specific for the group of employees with the small non-standard employment contracts. An exception is the inspection of the employment of vacation workers in summer holidays. The labour inspectorate also periodically (2 years) monitors the negotiation results of changing the rules of the Law on flexibility and security by social partners in collective agreements.

Trade unions promote their help desks for assisting in case of complaints related to breaching the rules of the Law on flexibility.

## 5. Views and actions of policy makers and social partners

5.1 Have there been any actions taken by policy makers and/or social partners to change the regulatory framework surrounding non-standard forms of employment, or to encourage the growth or decline of any particular practice? 5.2 What are the views of

## policy makers and social partners on these issues?

The Law on flexibility and security is designed in such a way that sectoral social partners can change particular rules in that sector by collective agreement. This is done in many sectors. This is an extension of the Law itself however and not a new legal action to implement new rules.

Recently the trade unions question the problem of employees losing their regular full-time job and being forced to work in one or more small part-time jobs against less income.

Small non-Standard Forms of Employment are seen by the trade unions as a stepping stone to more employment and a solution to the labour market shortness due to the ageing of the working population. In particular women could be stimulated to keep and extend their part-time job. Employers and the government should undertake more actions (child care and part-time jobs at the management level to create career opportunities) to make career trajectories more interesting and prevent in particular women to leave the labour market prematurely.

Employer's organisations and entrepreneurs question the many rules surrounding employment contracts and ask for simplification of the rules in case of small employment contracts, certainly in case of payment of social premiums (Domeinrapport financieel-administratieve regelgeving van de Commissie Stevens).

The views of the social partners are that employer's organisations often promote the small flexible contracts in order to fulfil their staffing question as precise and economic as possible. Trade unions try to prevent the emergence of small flexible contracts, because of the low job security and income problems of dismissed employees. The government, but also the social partners want to increase the number of working hours in small flexible employment contracts in order to be able to comply to the increasing shortness of personnel on the labour market.

## 6. Commentary by the NC

Non-standard forms of employment contracts are becoming more and more accepted in The Netherlands. Four specific groups can be identified, using these contracts. In the first place students often use these contracts to complement their income while studying. They often find evening and weekend work in shops and cafes and restaurants. The second group consists of women with care obligations (children, parents). There is one particular risk group; single parents with children, who cannot afford or obtain day care. The third group consists of older employees (45-65) losing their regular job and having difficulties in finding a new job. This group often combines several short jobs and can also be regarded as a risk group. The fourth group consists of older retired workers (55-65), for instance entrepreneurs having sold their business or employees with a pre-pension. The motivation of this group is to stay active or earn an additional income next to their pension.

There are other groups of workers with small jobs, but these do not belong to the group of employees. Examples are: independent contractors or women in small health care or household jobs. Legally they fall under other regimes of employment regulations. In policy debates these groups are often indicated as having much employment potential for fulfilling our increasing labour market needs because of ageing and lack of young people in the Dutch population in general.

Undeclared work is not of importance in these discussions.

Often the solution is formulated in terms of attracting more people from the new EU member states in order to fulfil our needs for more employment.

Finally an overview is given of the demographic characteristics and personal situation of the six small flexible employment contract groups. Results:

- Sex: More women are involved
- Age: In particular young employees are involved, but also employees of age 55-65
-

Family compilation: more single parents and (young) employees living with their parents are involved

- Number of jobs: more often two or more employment contracts
- Job of partner: more often no partner

Demographics and personal situation (2006, 2007). Percentage of contracts	Very short part-time contracts < 10 hours *)	Zero hours contracts *)	No formal written contracts **)	Short fixed-term contracts < 6 months **)	Short fixed-term contracts < 3 months **)	Short fixed-term contracts < 1 month **)
Men	2.5%	0.8%	2.5%	2.0%	0.8%	0.2%
Women	6.6%	1.5%	7.7%	2.6%	0.8%	0.5%
Age 15 to 25	21.5%	7.3%	8.9%	6.7%	1.7%	0.4%
Age 25 to 35	1.7%	0.5%	6.2%	1.4%	0.1%	0.0%
Age 35 to 45	1.6%	0.2%	2.6%	0.6%	0.2%	0.2%
Age 45 to 55	2.0%	0.1%	4.6%	0.8%	0.4%	0.2%
Age 55 to 65	3.4%	0.4%	4.0%	3.7%	2.9%	1.3%
Married, partnership, no children	2.4%	0.4%	-	-	-	-
Married, partnership, children	2.6%	0.4%	-	-	-	-
Single with children	3.8%	1.0%	-	-	-	-
Single without children	4.7%	1.5%	-	-	-	-
Other (such as living with parents)	20.9%	7.0%	-	-	-	-
Number of hours household/care	3.1	2.2	-	-	-	-
One paid job	4.0%	1.0%	-	-	-	-
More than one paid jobs	11.5%	3.6%	-	-	-	-
Partner has job	2.9%	0.6%	-	-	-	-
Partner had no job	2.4%	0.5%	-	-	-	-
No partner	9.7%	3.1%	-	-	-	-
Total	4.4%	1.1%	5.2%	2.3%	0.8%	0.3%

\*) Source: NEA; 2007

\*\*)\*) Source: 2006: NEA; 2004 TAS

\*\*) Source: Klein Hesselink et. al., 2008

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