

# › MY TIME

# My Time

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## **What will you find in this chapter?**

This chapter of the TNO Terms and Conditions of Employment look at the normal working hours within TNO and your working week as well as what we understand as overtime, irregular hours, consignment and the contingent remuneration. We also look at Hybrid Way of Working.

Finally, there is an explanation of the various forms of leave we have within TNO and to which you have claim, such as holiday, shorter working week (ATV) and special leave.

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# Working hours and duration of work

version 1.2 / 7 March 2024

The [work locations](#) of TNO are open during normal office hours. During TNO's opening hours, employees can use all of the facilities available there.

The normal working week is from Monday to Friday.

You have an average number of working hours per week and per month. The weekly working hours can fluctuate and depend on the work on offer as well as your needs and those of your manager. Hours worked during a week that are in addition to average weekly hours can be compensated in a subsequent week as 'time in lieu'. Compensation of additional hours worked should be made within a reasonable space of time to avoid becoming overworked.

The standard working hours for a full-time employee are on average 40 hours a week (an average of 174 hours a month, including public holidays). The average working hours for part-time employees will be calculated pro rata.

On average, an employee normally works eight to a maximum of nine hours a day. Individual working times for a definite or indefinite period of time are discussed by you with your manager and laid down in an agreement. In that context, a so-called 4 x 9 work rhythm is one of the possibilities.

You are obliged to adhere to the weekly rest times as laid down in the Working Hours Act, i.e. at least 11 hours uninterrupted every day and at least 36 hours uninterrupted every week.

When you are pregnant, you may, according to the Working Hours Act, take extra breaks up to an eighth of the number your daily working hours. So if you work 8 hours a day, you may take 1 hour extra for breaks each day. The breaks referred to in the previous sentence are considered working hours and will be paid.

If you have been working for at least six months (26 weeks) is entitled every year to ask for their working hours to be amended. In this case, the rules of the Flexiwork Act. In the event of unforeseen circumstances (such as the illness of a partner or infirm parent), you are entitled to adjust your working week (possibly temporarily) more often than once a year.

TNO may only refuse your request to adjust the working week if there are serious reasons for doing so.

# Interim scheme Hybrid Way of Working

version 1.0 / 11 October 2022

## What is it?

The Hybrid Way of Working is a form of activity-based working, by which you perform tasks at the work location and time that are most appropriate for the specific activity. This may be your regular work location or a flexible workstation at TNO, your home, during travel, or at the premises of a partner or client/commissioning party.

The location and time at which work is done are determined in teams/project teams by considering:

- the type of activity and purpose of the work
- the desired and necessary interaction and connection between colleagues, partners, and clients in order to achieve the goals
- the personal preferences of employees, clients, and partners

The goal of the Hybrid Way of Working is for you, your colleagues, clients, and partners to be able to collaborate effectively and pleasantly in a hybrid context, now and in the future.

## Elaboration

TNO encourages you to work, where possible, fully or partly from home one or two days per week on average (in case of full-time employment). This helps reduce commuting (or at least during rush hours), increase your autonomy, and improve your work-life balance. It is important to work regularly on-site with your teams (departmental and project teams). This way you see your immediate colleagues, but also other colleagues, which promotes collaboration in the organisation. In addition, you help new colleagues in finding their way or colleagues who for whatever reason need personal contact. Meeting regularly in person keeps you connected to your colleagues and the organisation. And face-to-face meetings are also most effective for certain activities.

In some cases, the Hybrid Way of Working will not be possible due to the nature of the work (e.g., site-specific work with special equipment or hazardous substances). It may also be undesirable (e.g., in the case of onboarding, rehabilitation, or inadequate performance). The home situation may also be an obstacle to the Hybrid Way of Working (e.g. because it is impossible to provide a workstation that complies with occupational health and safety legislation and regulations).

You will make agreements with your manager and the teams to which you belong on the details of the Hybrid Way of Working, having due consideration for each other's wishes. Once these agreements have been made, it is a shared responsibility to record them transparently and you are expected to adhere to them. Your choice of workplace must not have any adverse impact on collaboration within the team, the team's results, or your own performance, achievements or output.

If this does happen, you and your manager will discuss the problem.

Your manager (research manager, project manager, department head, etc.) may ask of you to attend a specific face-to-face meeting and to be in the office on a regular basis in order to have and maintain contact and connections with your colleagues. On the other hand, your manager may not ask of you to be in the office every day if the nature of your work does not require it. Working from home is not an obligation for any employee and it is always possible to work entirely at a TNO location.

The above are guidelines that should not be applied as hard and fast rules. They are also intended as an average over a longer period of time. If there is no full-time contract of employment, they should be applied pro rata.

Make sure that it is clear when you are working at which location and when you can be reached by e-mail or telephone, for example by recording this in your diary and making diary accessible, at least to your immediate colleagues.

## **Law and legislation**

Even if you work from home or at a different work location, legislation and regulations relating to working hours and working conditions apply. For the rules on equipping the home workplace, see the occupational health and safety guidelines in the [Home Workplace Reimbursement Scheme](#). In addition, the provisions of the terms and conditions of employment, the TNO Code, and the security policy (specifically information security) also apply in full.

This interim arrangement will be superseded by a definite arrangement when the policy on the hybrid way of working is adopted.

# Overtime

version 3.1 / 14 July 2023

## What is it?

Work explicitly requested by your manager that leads to you working outside your normal working week. Your manager designates the work as overtime.

If you do extra work upon your own initiative, this is not considered overtime. This is additional worked hours. The paragraph '[Working hours and duration of work](#)' explains how working hours and the duration of work should be handled.

## Allowance for overtime

*The following applies:*

### **From FW 10 onward**

TNO does not grant any overtime allowance for employees in FW 10 or higher.

### **Up to and including FW 9**

The following applies in the event of overtime (i.e. at the request of a manager):

- the right to an overtime allowance.

The allowance depends on the hourly wage<sup>1</sup>, timing and number of overtime hours:

- 25% for the first two hours of overtime during a normal working day;
- 50% for the hours of overtime on a Saturday up to 6 p.m. and for more than two hours of overtime on a normal working day;
- 100% for the hours of overtime on a Saturday after 6 p.m., as well as the hours of overtime on a Sunday and on public holidays on which TNO is not open, and on the day immediately following the said Sunday or public holiday up to 7 a.m.

Holiday allowance of 8% will also be paid over the overtime bonus. Holiday allowance for overtime does not form part of the pensionable salary.

and

- You are entitled to compensation leave.

The duration of overtime you get compensated with compensation leave.

You must consult with your manager on when you take the compensatory leave. If work does not permit this, or at your specific request<sup>2</sup>, TNO will pay the overtime at the applicable hourly wage. In the case of compensatory leave<sup>3</sup> credit, this will first have to be taken before the regular leave hours are recorded. You are responsible for this yourself.

Compensatory leave shall be valid for five years from the year in which the entitlement arose. After that, it expires and can no longer be taken.

## Travel for overtime

If the overtime leads to a longer than usual journey time, the additional journey time counts as overtime.

If you incur additional travel expenses for your commute or claim for the allowance of homeworking costs to perform the overtime, via the app or portal of Reisbalans you can declare this. TNO will reimburse these expenses. If you have travelled to another location than your work location due to overtime you can declare these costs as domestic business trip. See chapter [My Mobility](#).

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<sup>1</sup> Hourly wage means your monthly salary (based on a full-time employment) + any (fixed) salary supplement divided by 174.

<sup>2</sup> When submitting the weekly timesheet, you make the choice of compensation leave or paying overtime hours.

<sup>3</sup> See for absence code 'Compensatory leave' Intranet page [Time registration-Absence Codes](#)

# Irregular hours

version 1.1 / 14 July 2023

## What is it?

Here your manager explicitly requests you to work outside normal office hours without it being overtime. Irregular hours follow a set rota (shift or round-the-clock work) or in incidental cases.

## Allowance

Awarding an allowance for performing services at irregular hours only applies to jobs up to scale 9 of the FW 18 system.

The allowance will be expressed in a percentage of the hourly wage<sup>4</sup>. The percentage accounts for 50% of the hours worked on Mondays through Saturdays from 8 p.m. to 7 a.m., on Saturdays after 6 p.m. and for all hours worked on Sundays and public holidays, on which TNO is not open

In the case of foreseeable long-term irregular hours, TNO can calculate an average percentage of the allowance based on the irregular hours timetable, which will be noted as a job allowance as defined in chapter [My Income](#), section Job allowance.

## Working on public holidays

If you have to work on a public holiday that falls on a normal working day, TNO will compensate this with compensation leave (up to and including FW 9) / 'time in lieu' (from FW 10 onward). You consult your manager on when you wish to compensate these hours.

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<sup>4</sup> Hourly wage means your monthly salary (based on a full-time employment) + any (fixed) salary supplement divided by 174.

# Consignation

version 6.2 / 1 January 2024

## What is it?

If you are asked by TNO to work outside the normal working hours

- such that you must be able to be at the work location with half an hour of being called;
- that you can be present or accessible near the work location.

TNO may ask you to undertake consignation.

## Consignation remuneration

Gross remuneration for consignation:

		situation a:	situation b:
per working day, Mon to Fri	EUR	7.96	EUR 8.81
Saturday	EUR	13.99	EUR 18.96
Sunday/public hols	EUR	17.98	EUR 22.67
per full week	EUR	71.77	EUR 85.68

Work done during consignation will be remunerated as overtime, irrespective of your FW scale.

## Extra leave

If you are consigned for full weeks, per period of 13 weeks, you will be entitled to leave as in the following chart :

Number of weeks of consignation	Leave
1 week	0.5 day
2 weeks	1 day
3 weeks	1.5 days
More than 3 weeks	2 days

The point in time at which leave is taken is decided in consultation with your manager. Leave expires one year after the calendar year in which it has been accrued. This leave cannot be sold. Your leave summary shows this as consignation leave.

# Offshore work

version 5.2 / 1 January 2024

## What is it?

TNO can ask you to perform work on a drilling platform or at a location other than a normal TNO work location. This concerns work with:

- irregular working hours;
- long days with no set regularity;
- working in difficult conditions (temperature, wind, rain);
- travel (sometimes long) by ship, air, helicopter;
- higher-risk circumstances;
- infringement of private life.

TNO can ask you to perform work offshore.

## Working hours and remuneration for offshore work

The following working hours and remuneration apply to offshore work done for more than one day.

### Working times

The maximum working time per day is twelve hours. Of those twelve hours, eight hours are normal working hours and four hours are overtime. On Saturdays and Sundays, there is also a maximum working time of twelve hours per day. These hours are regarded as overtime in their entirety.

### Overtime remuneration during offshore work

For all employees regardless of FW level, the overtime remuneration is as stipulated in the section [Overtime](#).

### Extra offshore remuneration

- for offshore work on working days from Monday to Friday you have an additional allowance of EUR 180.02 gross per day;
- for offshore work on Saturdays and Sundays you have an additional allowance of EUR 240.01 gross per day;
- these allowances do not count towards accrual of pension or the calculation of 13<sup>th</sup> month and holiday pay;
- for international offshore work you stipulate with your manager whether accommodation costs will be compensated as stated in chapter [International](#): Foreign business trips and Foreign postings, section Foreign business trips/Reimbursement.

## Consignation, compensation for weekends

The rules on remuneration for consignation and compensation for weekends, as stipulated in section [Consignation](#) of this chapter do not apply to offshore work.

# Regulation for members of the Works Council/ Sub- committee (OR/UnitOC)

version 3.0 / 1 April 2018

## Protecting the position of OR/UnitOC members within TNO

TNO ensures that being a member of the OR/UnitOC does not disadvantage the members in their position as employee.

Within three months of commencing membership you make concrete agreements in writing with your manager about your time commitment to OR/UnitOC work, your career development and the planning of your work.

Once these agreements have been made, you have a periodic meeting with your manager to solve any issues and make concrete work agreements. You can continue this consultation for a while if needed after your OR/UnitOC membership.

## Time commitment

In principle, you get sufficient time to carry out your employee participation task in a professional way.

The standard time commitment per calendar year excluding OR/UnitOC course days and traveltime is:

- OR chair: 1400 hours
- OR member: 500 hours
- UnitOC member: 300 hours
- OR/UnitOC members with special roles (vice chair, initiator of a major committee) or doubleroles (OR member/UnitOC member): 650 hours

Per UnitOC agreements can be made on time commitment among other things, depending in part on specific situations, in consultation between the respective Unit Director and initiator of a UnitOC.

The hours spent on employee participation will be registered in SAP.

## Career development

Your manager ensures that your employee participation activities have no adverse effect on your assessment and career development.

There are additional study facilities for OR/UnitOC members:

- as OR/UnitOC member you can take an additional five days of study leave per calendar year, but you must take these days in that year because they cannot be taken forward;
- the costs of study and related travel will be paid by TNO;
- there is no reimbursement scheme for this.

# Deployment as a reservist in the Dutch Armed Forces

version 3.0 / 19 July 2023

## What does this involve?

At TNO, it is possible for you to be active as a reservist with the Dutch armed forces. This cooperation is valuable for both parties: the military can temporarily benefit from the services of highly educated personnel and TNO gains more effective employees with relevant domain knowledge.

## Scope of the scheme<sup>5</sup>

This scheme concerns any TNO employee who is in military service by virtue of a commitment to the Ministry of Defence as a member of the reserve armed forces, hereafter referred to as 'reservist'.

## Notification requirement and permission

As a TNO employee, you are required to record your appointment as a reservist in writing in accordance with the 'Ancillary Activities' regulation section in [My employment contract](#). Please make the notification through the Service Request [Ancillary Activities](#). Without permission from your manager in response to the notification, you may not make use of this scheme.

If you want to be deployed as a reservist, you need to discuss this with your manager. Make clear agreements together on the number of hours and period of deployment, among other things.

## Leave and salary

If the activities as a reservist have to take place during office hours, you can make a request to your manager for full payment of your TNO salary during your deployment.

### Duration of deployment

*Deployment for up to six consecutive weeks.*

- For your deployment as a reservist, you can ask your manager for full continued payment of your TNO salary, including accrual and payment of holiday allowance, thirteenth month, flexbudget, and leave.<sup>6</sup>

*Deployment longer than six consecutive weeks.*

- In line with the scheme for deployment for up to six consecutive weeks, you can request full continued salary payment as described above. However, during deployment after the six-week period, you will no longer accrue leave.

### Continued Salary Payment

- A gross deduction<sup>7</sup> will be made from your TNO salary for hours not worked<sup>8</sup> at TNO, in which the gross TNO salary will be reduced by the gross Ministry of Defence hourly wage including fixed allowances times the number of hours not worked at TNO. The gross deduction is at most the same as the TNO salary<sup>9</sup>.
- You report the TNO hours not worked to HR Services via the Service Request [Reservist](#). In this process, you must also upload a recent pay slip from the Ministry of Defence, in order for the correct Defence hourly wage to be determined.

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<sup>5</sup> For *Compulsory military service abroad* see paragraph 'Special leave without pay (unpaid leave)'

<sup>6</sup> To do so, please submit the request for continued salary payment through the Service Request [Reservist](#). HR Services will then process the continued salary payment as described under [Continued Salary Payment](#).

<sup>7</sup> TNO gross hourly wage + 8% holiday allowance over hourly wage + 8.33% thirteenth month (over hourly wage incl. holiday allowance) + 5.58% flexbudget (over hourly wage incl. holiday allowance and thirteenth month) + 0.09 euro nominal flexbudget

<sup>8</sup> You account for the hours not worked in the weekly report on code [secondment](#).

<sup>9</sup> If the Ministry of Defence hourly wage including fixed allowances is higher than the TNO hourly wage including fixed allowances, settlement will take place on the basis of the TNO salary.

## **Pension scheme**

A reservist for whom the gross TNO salary is reduced by the Armed Forces gross salary does not accrue TNO pension on the reduced portion. Pension is accrued on the Armed Forces salary through the ABP pension fund. This is because tax legislation does not allow double accrual of pension.

# Holiday and ATV (leave)

version 1.2 / 14 July 2023

## What is it?

As an employee each calendar year you take leave of at least four times your working week (statutory minimum leave, hereafter: statutory holiday hours), with at least two consecutive weeks in one go.

You are also entitled to non-statutory holiday leave. With holiday hours is meant the entirety of statutory and non-statutory holiday hours. Hours of leave as stated below is taken to mean holiday hours, ATV (shorter working week) hours and the so-called age-related hours, unless explicitly stated otherwise.

## New employee

TNO takes as much account as possible with holiday arrangements that new employees have already made. If you require more hours of leave than you have a right to for these arrangements, these extra hours of leave will be for your own account and you can purchase hours of leave or use unpaid leave.

## Number of hours of leave

You have a working week of 40 hours and are entitled to 224.6 (160 statutory hours and 64,6 non-statutory hours) paid holiday hours per calendar year. You also have a right to 40 ATV hours per calendar if you work 40 hours per week.

If you were employed on December 31, 2009 and entitled to one of the following number of additional age-related hours then you keep that right. This number is not increased and new age hours are no longer granted.

The following age-related hours apply for a working week of 40 hours and per calendar year.

age on 31 December 2009	increase
from 40 to 45	8 hours
from 45 to 50	16 hours
from 50 to 55	24 hours
55 and older	32 hours

## Incomplete calendar year

If your employment has not lasted a full calendar year, you are entitled to the hours of leave for that part of the calendar year you have been employed. Your claim to leave is expressed in hours and rounded up to the nearest decimal, also in the case that you temporarily cannot accrue hours of leave, for instance during a period of exceptional unpaid leave. An exception to this is [Membership of a Representative Body](#) as stipulated in section Special leave without pay (unpaid leave) of this chapter.

## Part-time working week

If your working week is less than 40 hours, you get a proportional amount of hours of leave, rounded up to the nearest decimal. The number of hours of leave per day is the same as the number of working hours per day.

## Leave when work disabled

When you are work disabled you accrue just as many hours of leave as if you had worked. If you wish to take a holiday when work disabled, first consult with your manager whereby you consent to agree to take the hours of leave against the hours of leave you have accrued.

## Buy and sell hours of leave and taking an excess of hours of leave

In each calendar year you are entitled to buy and sell hours of non-statutory (holiday) leave or to use them as a source for a target. How this works is described in chapter [My Income](#), section Flexible terms and conditions of employment.

The value of an hour of leave in selling and settling an excess of leave taken is your gross monthly salary for a full-time job including any (fixed) salary allowance, holiday pay and thirteenth month, plus a supplement\* of 30.55% in relation to extra employer contributions, divided by 174.

*\* This supplement contains the following elements:*

- Correction for lower presence by standard leave (whereby fewer workable days remain increasing the price of a remaining day).
- Part of the employer contribution to the flexbudget and pension premium (the level of the flexbudget and pension accrual will not be adjusted as a result of the reduction in the number of workable hours).

*The price is calculated per hour of leave. If the price is calculated per day (8 hours) in terms of the gross annual salary (incl. holiday pay and thirteenth month) then:*

- the value of the sale of leave = 0.383% per day;
- the value of the purchase of leave = 0.5 % per day.

*The difference in these percentages is equivalent to the supplement of 30.55%.*

The value of an hour of leave upon sale is your gross monthly salary for a full-time job including any (fixed) salary supplement, holiday pay and thirteenth month, divided by 174.

## Taking and expiry of hours of leave

The principle is that the hours of leave that first expire are considered to be those that are first to be taken.

The statutory holiday hours expire after six months after the end of the calendar year in which they were accrued.

The age-related hours, non-statutory holiday hours, ATV hours and purchased leave hours (expire after five years after the end of the calendar year in which they were accrued.

## End of employment

The intention is that you take all the hours of leave not yet taken before the end of your employment. If this is not possible, you are entitled to a payment for the hours of leave not taken on the basis of your most recent monthly salary including any (fixed) salary supplement, holiday pay and thirteenth month, taking account of the expiry period. If at the end of your employment it is evident that you have taken too many hours of leave, TNO will deduct this on the basis of the value of an hour of leave, as this applies to the purchase of extra hours of leave (see [above](#)).

## Death

In the event of your death, your surviving dependants (see chapter [End of Employment Contract](#)) can claim payment of the hours of leave not taken on the basis of the most recent salary including any (fixed) salary supplement, holiday pay and thirteenth month, taking account of the expiry periods. Any excess leave taken will not be deducted.

# Annual company outing

version 1.0 / 1 July 2016

In principle, a company outing happens outside working time. If it does fall within working time, you do not need to take leave for this. Part-time employees are not compensated if the outing falls on a day or part of the day on which they do not normally work.

# Special leave on full pay

version 3.1 / 14 July 2023

The situations summarised below are not limitative. You may ask your Managing Director about special leave on full pay also for other situations.<sup>10</sup>

## Public holidays

Special leave is granted on the following official Dutch (religious) holidays, insofar as these fall on one of the employee's usual working days: New Year's Day, Easter Monday, King's Day, Liberation Day, Ascension Day, Whit Monday, Christmas and Boxing Day.

If Liberation Day falls on a working day, TNO may decide to cancel this day as a day of paid leave. In lieu thereof, one other day in the same calendar year is designated as day of paid leave subject to the consent of the Works Council/Sub-committee.

## Pregnancy and Maternity Leave

The Work and Care Act regulations (WAZO) apply.

Pregnant employees are entitled to pregnancy leave starting six weeks before the expected delivery date.<sup>11</sup> This leave should commence no later than four weeks before this date. A different commencement date and leave period apply to pregnancy of more than one child.<sup>12</sup>

Maternity leave commences on the first day after delivery. Leave is for at least ten weeks plus the number of days up to and including the delivery date, if this is less than six weeks. If the birth is later than expected, the pregnancy leave remains ten weeks.

If during the pregnancy leave the newborn child is admitted to a hospital due to the medical condition. The pregnancy leave will be extended by the number of days of hospitalisation, calculable from the eighth day of the hospitalisation until the last day of the pregnancy up to a maximum of ten weeks, in line with the Work and Care Act regulations (WAZO).

You may request the pregnancy leave to be divided up after six weeks on which that leave commences and take this portion of the leave during the 30-week period that begins the day after the pregnancy leave is divided up. The written request to divide up the pregnancy leave will be made no later than three weeks after this leave commences. TNO will approve the request within two weeks after the request is submitted provided that there are no serious corporate or employment objections to doing so.

The amount of pregnancy leave that is divided up and taken later is equal to the working week at the time of the pregnancy leave that follows the actual date of the birth.\*

## Transfer of pregnancy leave to partner

The Work and Care Act regulations (WAZO) apply.

If the mother dies during the pregnancy leave and a birth certificate has been issued for the child, the employee/partner is entitled to the remainder of the pregnancy leave whose duration will be determined as described above.\*

## Childbirth leave

The Work and Care Act (WAZO) regulations apply.

After the birth by your spouse, registered partner, person with whom you live unmarried or the person whose child you recognise, you are entitled to paid child birth leave of one week's working hours, to be taken during a period of four weeks, counting from the first day after the birth (in the case of full-time employment this is 40 hours / 5 days, otherwise after a pro rata period). See paragraph 'Special leave on partial pay' for [Additional childbirth leave](#).\*

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<sup>10</sup> / \* See [Table of leave schemes](#)

<sup>11</sup> For regular information in English see [Government | Topic pregnancy and childbirth](#)  
See [How can I calculate my maternity leave and maternity leave?](#) (Only available in Dutch).

<sup>12</sup> See [How long is my maternity leave and maternity leave with twins or multiple births?](#) (Only available in Dutch).

## **Adoption Leave / foster care leave**

The Work and Care Act regulations (WAZO) apply.

If you adopt a child you are entitled to six consecutive weeks of adoption leave (during a period of 26 weeks). The six weeks apply each time the parents adopt a child. Foster parents are also entitled to this type of leave if it is clear that the foster child is to be adopted. The leave is to be taken in the period from four weeks before to 22 weeks after the child's arrival.

You can request the four weeks of adoption or foster leave to be spread over a period of twenty-six (26) weeks rather than as a period of four consecutive weeks. TNO will approve such a request provided that there are no serious corporate or employment objections to doing so.<sup>13</sup>

## **Breastfeeding**

You have the right to breast-feeding or flasks in work time, for 9 months after the birth of your child. To do this, you can use a quarter of your working time (at 40 hours p/w is this up to 10 hours p/w). This time can be seen as special leave with full pay.

## **Emergency leave**

You may temporarily be unable to perform work due to very acute personal circumstances and so may be given emergency paid leave if requested. This concerns situations that could not have been foreseen and for which you must take immediate measures to deal with the situation. The duration of the emergency leave should be proportionate to the nature of the emergency and will normally not exceed one day.

It concerns an emergency visit to the doctor or hospital that is unforeseen or cannot be planned outside of working hours or the necessary care on the first day of illness of persons as stated in section [Short-term Care Leave](#) of this chapter.\*

TNO may ask you afterwards to show that the emergency leave taken was indeed necessary.

## **Examples**

### ***Burst water mains***

Given the acute danger of flooding in the house, you can be released to intervene for a couple of hours at most. To get the water mains repaired you may take leave but this does not fall under emergency leave since there is no longer an acute threat present. You will then have to take leave.

### ***Sick babysitter***

If the babysitter is sick you can use emergency leave but if the babysitter is sick for more than one day, you must then use normal leave since the emergency situation will have passed and short-term care leave is intended to cover care of a sick child at home and not for baby-sitting.

### ***Sick family member***

A family member becomes acutely ill and requires urgent care. You may take a day of emergency leave to organise this. This may go over into short-term care leave if this family member is a parent, a sick child living at home or a partner who needs care. In all other cases, you will have to take leave.

### ***Accident***

During your drive from home to work you become involved in an accident. For the time needed to complete the insurance forms and have the car towed away, emergency leave applies. If you suffer an injury, this can go over to sick leave.

During your drive from home to work via the crèche, you become involved in an accident while your child is in the car. Your child is injured and requires care. The emergency leave may go over to short-term care leave.

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<sup>13</sup> / \* See section [Table of leave schemes](#).

### ***Sick child***

Your child becomes ill at school and must be collected. If both parents are working, one can take emergency leave. Short-term care leave takes effect a day later. If one of the parents is working, the other must take care of the child so for the working parent there is, in principle, no question of emergency or care leave. That changes if the other parent, for example, has no car to collect the child from a school that is further away or is lying in hospital.

### ***Sick parent***

One of your parents suddenly becomes ill and needs care. If the partner of your parent cannot perform the care, you can take emergency leave to arrange home care or a doctor, possibly followed by short-term care leave.

### ***Burglary***

Your house has been burgled. The police call and you have to take immediate action to process matters and make the house secure again. That comes under emergency leave. The time needed to clear up the home does not.

### ***Storm damage***

During a storm a tree falls on your house. You can take emergency leave to prevent more damage. This lasts until you have matters under control. For the definitive damage recovery you will have to take normal leave.

## **Other statutory special leave**

In accordance with statutory provisions, you will be granted special leave in the following cases:

- the day on which your wife or the person whose child you acknowledge gives birth and, if the registration of the birth at the Civil Registry is not possible on the same day, only the time required for this;
- the day of the death and funeral of a family member or relative, in the direct line unlimited and in the collateral line up to and including the second degree (see [Degrees of relationship for the granting of special leave](#)). If you are in charge of the funeral arrangements, however, leave applies from the date of death up to and including the date of the funeral;
- the time required for exercising the active right to vote – insofar as this cannot be done during normal time off.

## **Leave for Trade Union activities**

As an executive member of a trade union you are entitled to special leave for meetings, conferences and courses to be held by the association(s) in question. “Executive members” is understood to mean:

- Members of employee associations who have a seat on one or more consultative bodies at TNO (Works Council, Sub-committee and Formal Consultation Committee); or
- Members of employee associations who have a seat on group boards or other executive committees of the association(s) in question; the association in question must participate in TNO’s Formal Consultation Committee.

The guidelines for awarding special leave are as follows:

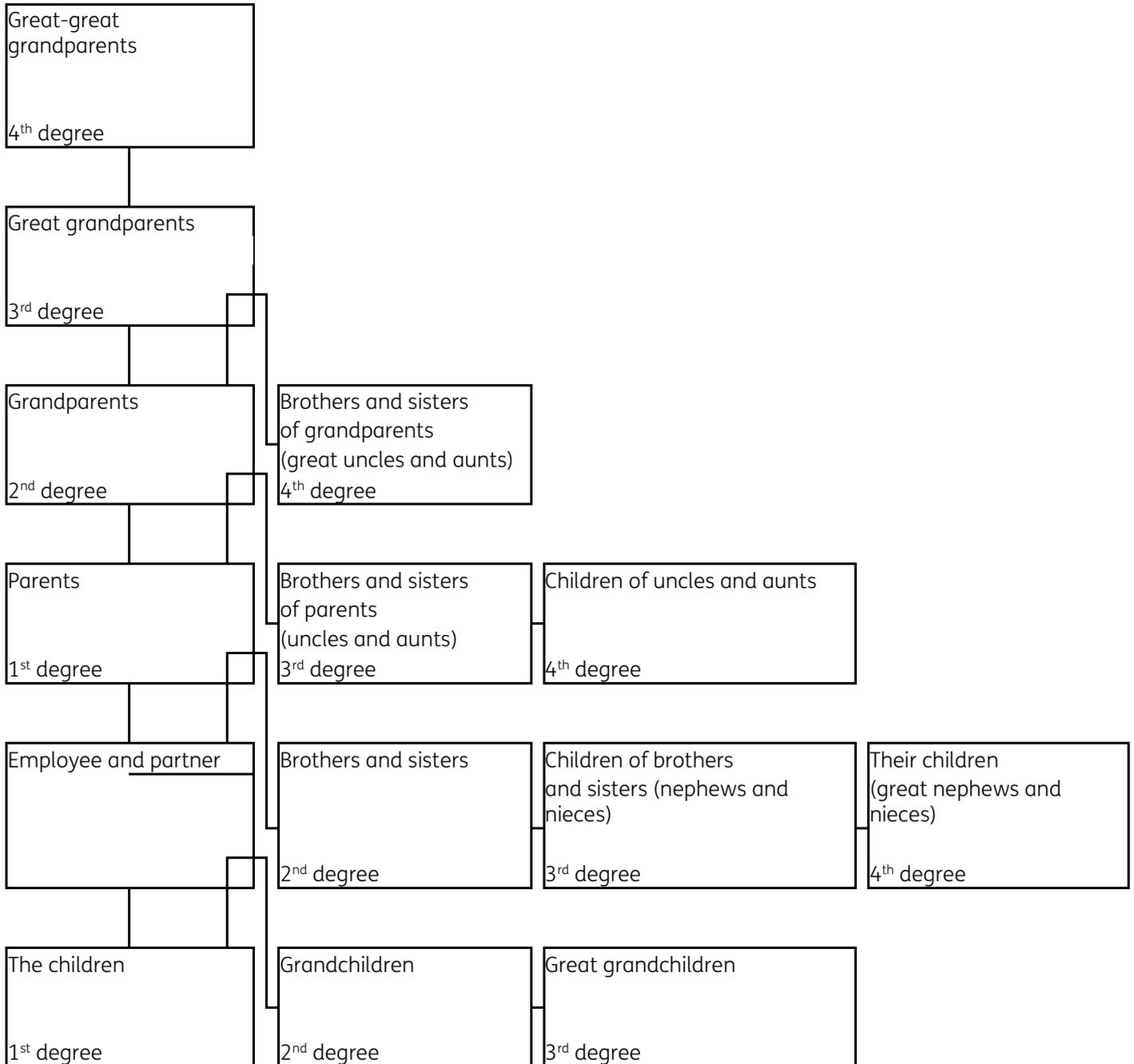
- For attending meetings of employee associations: a maximum of 12 days a year.
- For attending conferences or courses: a maximum of 5 days a year.

If an executive member should require more leave than is granted under the above stipulations, the person involved is to deduct half of the excess leave from his or her regular days off, whereas the other half is granted as special leave on full pay.

The above stipulations are always subject to the reservation that the work situation should permit such leave.

## Degrees of relationship for the granting of special leave

Degrees of relationship for the granting of special leave.



# Special leave on partial pay

version 3.5 / 1 January 2024

## Short-term Care Leave

This leave applies to cases in which you take responsibility for the necessary care of a sick:

- child ((including adopted or foster child);
- spouse or partner;
- parents;
- brother / sister, grandchild or grandparent;
- person that is part of the household of the employee without there being any form of working relationship;
- person with whom you have a social relationship of a sort whereby the care provided is directly associated with the relationship and may reasonably be expected to be provided by you.

The leave, unless there are very serious matters of employment that weigh against it, amounts to a maximum of twice your weekly working hours for every period of 12 consecutive months. This leave may be used in combination with emergency leave. Whenever these types of leave coincide, the emergency leave will end after one day. During short-term leave, you will be paid 70% of the gross salary, with a minimum of the statutory minimum wage (per 1 January 2024: EUR 2,317.83 gross per month for an employee of 21 years of age and older) and up to 70% of the maximum daily wage applicable to you (per 1 January 2024: EUR 5,969.00 per month). You will continue to accrue pension entitlement (both employer and employee contributions) and leave in this period remains unaffected.<sup>14</sup>

## Additional childbirth leave

The rules of the Work and Care Act (WAZO) and the Extra Birth Allowance Act (WIEG) apply to this. After the birth by your spouse, registered partner, person with whom you live unmarried or the person whose child you recognise as father, you are entitled to additional childbirth leave after you have taken the regular childbirth leave (see paragraph Special leave on full pay - [Childbirth leave](#)).

In addition, the following apply:

- The additional childbirth leave lasts a minimum of 1 week and a maximum of 5 weeks (maximum 5 times the number of working hours per week). The leave must be taken, either consecutively or in instalments, within 6 months after the birth of the child.
- You must submit the leave application at least 4 weeks prior to the (desired) commencement date of the additional childbirth leave via My HR Services. You should include the calculated date (or planned / expected / actual date of birth), the number of hours per week and their distribution over the period. You must also state that you are making use of, or have already made use of, the regular childbirth leave. Within 2 days after the birth, you must inform HR Services of the actual date of birth so that the starting date of the additional childbirth leave can be determined and the application to the UWV can be made definitive by TNO.
- During the additional childbirth leave, you are legally entitled to UWV benefit amounting to 70% of your daily wage.<sup>15</sup> TNO will supplement this up to 100% of your daily wage (up to the maximum daily wage: per 1 January 2024 EUR 274.44 per day). TNO will apply for UWV benefit.

The accrual of your pension (and therefore also the employer's and employee's contributions to the pension contribution) and the accrual of your leave will remain unchanged during the period of additional childbirth leave.\*

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<sup>14</sup> / \* See section [Table of leave schemes](#).

<sup>15</sup> Up to 70% of maximum daily wage.

## **Paid Parental leave (nine weeks / 360 hours full-time)**

In accordance with the Work and Care Act (WAZO) you may be granted unpaid parental leave to care for an extended period (on a regular basis) for your own, adopted or foster children. The parental leave is of a long-term although temporary nature. Parental leave is granted for no more than the weekly working hours multiplied by 26 weeks. See section [Parental leave](#).

Once the Paid Parental Leave Act (Wbo) comes into force on 2 August 2022, it will be possible to take nine weeks of (partially) paid parental leave.

- During this nine weeks (360 hours by full-time employment) of parental leave, you are legally entitled to UWV benefit amounting to 70% of your daily wage<sup>16</sup>. TNO will supplement this up to 100% of your daily wage (up to the maximum daily wage: per 1 January 2024 EUR 274.44 per day). TNO will apply for UWV benefit.

You can apply for paid parental leave after consulting with your manager:

- You must submit the leave application at least 2 months prior to the (desired) commencement date of the paid parental leave via My HR Services. You should include the (expected) date of birth, the number of hours per week and their distribution over the period. Interim changes must be submitted in writing at least 4 weeks in advance.
- The condition is that you take these 9 weeks (360 hours in the case of full-time employment) of parental leave during the child's first year of life.

It is not permitted to take (un)paid parental leave and (additional) maternity leave for the same child at the same time.

## **Paid parental leave for children born before the introduction of this act**

The (partially) paid parental leave, also applies if you have had a child before this law was introduced. To qualify, your child must be younger than 1 year old at the time the act comes into effect. In addition, you must not yet have taken your full entitlement to parental leave (26 times the working hours per week).

### ***Example***

Suppose you are the parent of a child (6 months) at the time the law came in effect. You have already taken 19 weeks of (statutory unpaid) parental leave. You then still have 6 months, until the child reaches the age of 1, to take the remaining 7 weeks of (partially) paid parental leave. You are entitled to the aforementioned benefit during those 7 weeks.

## **Paid parental leave for adoption or foster parenthood**

For adoptive or foster parenthood, paid parental leave may also be taken for children under the age of 8. This applies only to the first year following the effective date of the adoption or placement.

The accrual of your pension (and therefore also the employer's and employee's contributions to the pension contribution) and the accrual of your leave will remain unchanged during the period of paid parental leave.<sup>17</sup>

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<sup>16</sup> Up to 70% of maximum daily wage.

<sup>17</sup> See section [Table of leave schemes](#)

# Special leave without pay (unpaid leave)

version 2.2 / 14 July 2023

## Consequences of unpaid leave

1. For the duration of unpaid leave, you are not entitled to the following: employer contribution for accruing life-long old-age pension, the employer contribution for the flex budget, (holiday) leave accrual, holiday allowance, 13<sup>th</sup> month and expense allowances, unless specifically stipulated otherwise below.
2. Pension accrual can continue voluntarily and at your own expense. In any case, it is recommended that prior contact be sought with the TNO Pension Fund Foundation with regard to the consequences for pension accrual.

## Long-term care leave

This leave applies, unless there are very serious matters of employment that weigh against it, to cases in which you take responsibility for the necessary care where there is a life-threatening illness or where those stated below require your care:

- child ((including adopted or foster child);
- spouse or partner;
- parents;
- brother / sister, grandchild or grandparent;
- person that is part of the household of the employee without there being any form of working relationship;
- person with whom you have a social relationship of a sort whereby the care provided is directly associated with the relationship and may reasonably be expected to be provided by you.

The leave amounts to a maximum of twice your weekly working hours for a period of 12 consecutive months that begins on the first day on which the leave is taken. If the person being cared for dies before the end of the leave period or care is no longer needed, leave ends one day after the event. In the event of death, you may make contiguous use of the special leave (see [Other statutory special leave](#) in this chapter).

The employer contribution to your pension and leave accrual in this period remains unaffected.<sup>18</sup>

## Parental leave

In accordance with statutory regulations you may be granted unpaid parental leave to care for an extended period (on a regular basis) for your own, adopted or foster children. The parental leave is of a long-term although temporary nature. Parental leave is granted for no more than the weekly working hours multiplied by 26 weeks (of which nine weeks paid<sup>19</sup>).

The right to parental leave arises when a child is born and ends when the child turns eight. You are required to submit a written request for parental leave at least two months in advance, stating the period, the number of hours and the allocation of hours over the period of leave. Interim changes must be submitted in writing at least 4 weeks in advance. If you fall ill during the parental leave, the leave period will in principle continue as normal.

TNO approves your written request not to take or to continue the leave as a consequence of the pregnancy and maternity leave whereby the right to leave is annulled.

TNO approves a written request from the employee not to take or to continue the leave as a consequence of unforeseen circumstances<sup>20</sup> commencing 4 weeks after a written request for a change provided that there are no serious corporate or employment objections to doing so. If TNO approves the request, the leave entitlement will be annulled.\*

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<sup>18</sup> / \* See section *Table of leave schemes*.

<sup>19</sup> See section *Paid Parental leave (nine weeks / 360 hours full-time)*.

<sup>20</sup> Legislation limits unforeseen circumstances to the commencement of pregnancy leave, maternity leave, adoption leave or foster leave, (additional) childbirth leave, paid parental leave (if this entitlement of aforementioned leave relates to another child) or situations such as the following:

- your partner becomes unemployed and your family income decreases as a result;
- there will be a place available for your child in the childcare centre;
- you have extra costs, for example due to a moving house, which means you need more income;
- you have fallen ill (for a long time).

## **Membership of a Representative Body**

If you are a member of a representative body you may be granted unpaid leave to attend meetings. This applies to the upper house of the Dutch Parliament and directly elected public legal bodies, with the exception of the lower house of the Dutch Parliament. This ruling also applies if you are a board member of a district water board, moorland or peat polder board and if you are a councillor without a full executive daily task. If TNO interests are explicitly compromised, you will not be given special leave.

## **Other ancillary positions**

See also chapter My Employment Contract, section Ancillary activities.

You may be granted special unpaid leave upon request for performing a paid ancillary job. That does not apply to ancillary jobs in the interests of TNO; in that case TNO may continue to pay your salary in whole or in part during the period of leave.

## **Compulsory military service abroad**

If you are not a Dutch national or you have dual nationality and you have to do military service in the other country of which you are (also) a national, you will receive unpaid leave. Take into account possible consequences for your screening (VGB) at long-term stay abroad due to military service. Be informed in advance by the Security department.

## **Other cases**

Special unpaid leave for cases other than those stated above, will only be granted by TNO under the following conditions:

1. if TNO interests do not cause an objection, and
2. you have written permission from your manager.

You will receive permission from your manager in any case if:

- 1 the leave is requested one year in advance (if TNO cannot grant leave for very serious reasons, the burden of proof for refusing leave lies with TNO); (if the leave is requested less than one year in advance and TNO does not wish to grant this for very serious reasons, the burden of proof of the need for the leave lies with you); and the minimum duration of the leave is at least one month (possibly part-time) and the maximum duration of the leave is three months (possibly part-time); or
- 2 the leave is taken, in part at the manager's request and/or in the context of maintaining or increasing the employability of the employee within or outside TNO, and the period in question is no more than six months (possibly part-time);
- 3 the period of leave is immediately followed by dismissal, e.g. in conjunction with (early) retirement or because of a reorganisation, as long as it does not increase costs for TNO.

Agreements on the duration of leave along with the consequences for salary and any effects on pension must be stated in writing.

# Table of leave schemes

version 4.0 / 2 June 2022

Type of leave	Maternity leave (pregnancy and childbirth leave)	Adoption leave / care leave	Childbirth leave	Additional childbirth leave
Who qualifies?	Pregnant employee.	Employee who adopts a child or is the foster parent of a child, provided that the child is to become a permanent family member.	Employee who is the father or partner of the mother and who has recognised the child.	Employee who is the father or partner (of the mother) who has recognised the child.
How long?	The right to pregnancy leave starts six weeks prior to the expected delivery date (10 weeks if more than one child).  Childbirth leave runs for at least 10 weeks.	6 weeks (not necessarily successive, can also be taken spread across a period of 26 weeks)	Once the weekly working hours (in the case of full-time employment 40 hours / 5 working days), which excludes the day of the delivery.	Minimum 1 to maximum 5 weeks (of working hours per week). Consecutive or dispersed within 6 months of the birth of the child.
Description of the scheme	Pregnancy leave must start no later than 4 weeks prior to the expected delivery date (8 weeks if more than one child). Childbirth leave starts on the first day after the delivery.  Childbirth leave runs for at least 10 weeks. <sup>21</sup>	Leave must be taken in the period running from four weeks before the expected arrival until 22 weeks after the arrival of the child or children.  Right to one period of leave per event.	The right to leave exists for a period of 4 weeks and the leave may be taken from the day after the birth or the moment the child physically resides at the same address as the mother; the employee does not have to be living together with the mother.	Entitlement exists for a period of 6 months after the birth of the child.  Employee first took the regular childbirth leave of 1 x the working hours per working week.
Paid?	Yes  Benefits provided by UWV (the Employee Insurance Implementing Body) are paid out via TNO. TNO tops up these benefits to 100%.	Yes  Benefits provided by UWV (the Employee Insurance Implementing Body) are paid out via TNO. TNO tops up these benefits to 100%.	Yes	Partially paid, up to 100% of max. daily wage.
Report to manager?	As soon as possible, submitting a pregnancy certificate from the gynaecologist.  3 weeks before the planned start date, apply for benefits from UWV via TNO.	As soon as possible  3 weeks before the planned start date, apply for benefits from UWV via TNO.	As soon as possible, prior to the leave.	As soon as possible, and no later than 4 weeks, prior to the leave.
Accrual of pension, leave, etc.	Not affected  (benefits via TNO, TNO pays 100% of the salary)	Not affected  (benefits from TNO, TNO pays 100% of the salary)	Not affected	Not affected
Can the employer refuse?	No  Only when dividing maternity leave can a refusal be made if there are serious company or service interests at stake.	No	No, but can object to timing of leave.	No, but can object to timing of leave
Employer can stipulate additional requirements?	The employee submits certificate (gynaecologist draws up own document or completes the form available from UWV).	The employer may request proof of adoption.	In urgent cases, timing may be changed.	In urgent cases, timing may be changed.

<sup>21</sup> - In the event of a premature birth, the remaining pregnancy leave is added to the childbirth leave.

- In the event of a late birth, the childbirth leave will still run for 10 weeks.
- The employee may request to divide the six weeks maternity leave after the date on which that leave commences and take this leave during a period of 30 weeks, with the timing beginning the day after the maternity leave is divided.
- If the mother dies during the maternity leave and a birth certificate has been issued for the child, the employee/partner, is entitled to take the remaining maternity leave.

Type of leave	Parental leave (paid)	Parental leave (unpaid)
Who qualifies?	Employee: intended for parents, foster parents and adoptive parents.	Employee: intended for parents, foster parents and adoptive parents.
How long?	Employee's maximum weekly working hours times 9.	Employee's maximum weekly working hours times 26 (which of 9 weeks partially paid <sup>22</sup> ).
Description of the scheme	<p>For children up to the age of 1, in the event of multiple births, there is an entitlement to leave for each of the children.</p> <p>In the event of adoption, foster parenthood or non-statutory parenthood, the entitlement to leave applies to children up to the age of eight in the first year of adoption/placement.</p> <p>In the event of foster parenthood, and where several children are placed at the same time, there is an entitlement to 1 x 9 weeks' leave (not per child).</p> <p>It is not permitted to take (un)paid parental leave and (additional) childbirth leave for the same child at the same time.</p>	The leave applies to children aged 8 years or younger; in the case of a multiple birth, leave applies to each child.
Paid?	Partially paid, up to 100% of max. daily wage.	No, unpaid
Report to manager?	Submit request 2 months before planned start date.	Submit request 2 months before planned start date.
Accrual of pension, leave, etc.	Not affected	Based on adjusted salary.
Can the employer refuse?	No, the right arises when the event is reported.	No, the right arises when the event is reported.
Employer can stipulate additional requirements?	Yes, can object to timing of leave.	Yes, can object to timing of leave.

<sup>22</sup> See page 21 section 'Paid parental leave (nine weeks / 360 hours full-time)'.

Type of leave	Emergency leave	Care leave (short-term)	Care leave (long-term)	Other statutory special leave
Who qualifies?	Employee	Employee	Employee	Employee
How long?	The time needed to fulfil the obligation or to make arrangements, no more than a few days.	The maximum duration per period of 12 consecutive months is twice the number of hours the employee works per week.	The duration per period of 12 consecutive months is six times the number of hours the employee works per week.	The time needed to fulfil an obligation that cannot be fulfilled in the employee's own time.
Description of the scheme	In case of an emergency (e.g. picking up a sick child from day care, a burst water pipe, etc.)  If the emergency leave coincides with short-term care leave, the emergency leave terminates after one day.	Caring for (a) sick: <ul style="list-style-type: none"> <li>• children (including adopted or foster children);</li> <li>• partner/spouse;</li> <li>• parents;</li> <li>• sick brother/sister, grandchild or grandparent;</li> <li>• sick person that is part of the household of the employee without there being any form of working relationship;</li> <li>• sick person with whom the employee has a social relationship of a sort whereby the care provided is directly associated with the relationship and may reasonably be expected to be provided by the employee.</li> </ul>	Caring for (a) sick: <ul style="list-style-type: none"> <li>• children (including adopted or foster children);</li> <li>• partner/spouse;</li> <li>• parents;</li> <li>• sick brother/sister, grandchild or grandparent;</li> <li>• sick person that is part of the household of the employee without there being any form of working relationship;</li> <li>• sick person with whom the employee has a social relationship of a sort whereby the care provided is directly associated with the relationship and may reasonably be expected to be provided by the employee.</li> </ul> <p>In the case of death<sup>23</sup> before the end of the leave or if care is no longer required, the leave terminates one day after this event.</p>	In any case: <ul style="list-style-type: none"> <li>• partner giving birth and registering the birth;</li> <li>• exercising the right to vote;</li> <li>• very personal circumstances, such as the death and funeral of household members, lineal relatives, or collateral relatives in the second degree<sup>24</sup>.</li> </ul>
Paid?	Yes	70% of the salary (at least the minimum wage) to at most the daily salary.	No, unpaid	Yes
Report to manager?	Prior to the leave, if possible, but in any case as soon as possible.  Approval is granted afterwards.	As soon as possible, prior to the leave.  If the emergency leave coincides with short-term care leave, the emergency leave terminates after one day.	As soon as possible, and no later than 2 weeks before the leave.	Prior to the leave, if possible, but in any case as soon as possible.  Approval is granted afterwards.
Accrual of pension, leave, etc.	Not affected	Not affected	Not affected	Not affected
Can the employer refuse?	No	Yes, if there are serious reasons.	Yes, if there are serious reasons.	No
Employer can stipulate additional requirements?	Employer may request proof of necessity of leave (afterwards).	Employer may request proof of necessity of leave (afterwards).	The employer may request proof of the necessity of the leave.	Employer may request proof of necessity of leave (afterwards).

<sup>23</sup> See page 17 for subsequently request of special leave on full pay ('section Other statutory special leave').

<sup>24</sup> See page 19 (Scheme 'Degrees of relationship').