

› MY TIME

My Time

What can 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 Smartworking and you will see a reference to this topic on the TNO site.

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 1.0 / 1 July 2016

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 average working hours for a full-time employee are 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.

If you are a pregnant employee, 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. Just as for normal breaks, this break is for your own account and is not paid for by TNO. You would then have to take leave.

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.

Smartworking

version 1.0 / 1 July 2016

What is it?

Smartworking refers to performing activity-based work at a work location and time that you consider most suitable for that activity. That may be your normal place of work¹ or a flexible workplace within TNO, at home, on route to a customer. Your manager must consider your request to change the normal work location. In the event of any rejection, the manager will discuss this with you. And if there is a rejection, there will be written confirmation of such following an interview. The basic principle is that there is a mature working relationship between you and your manager. Such a relationship is based on mutual trust and cooperation and the intention to resolve any possible issues concerning working hours and the like together.

The regulations of the Flexiwork Act² apply.

For all jobs

TNO promotes smartworking and offers this option for all jobs. In some cases the nature of the work may make this impossible or undesirable, such as re-integration or dysfunction (B procedure). Location-based work with special equipment or hazardous substances may also be an obstacle.

TNO may only refuse your request for smartworking if there are serious reasons for doing so. On the other hand, smartworking is not an unconditional right. You must consult with your manager on how you undertake smartworking.

Smartworking may not adversely affect how you work and perform or your output.

Law and legislation

Also if you work at home or at another work location, your workplace must comply with law and legislation on working conditions, see also [SmartWorking/Working elsewhere](#) and the [TNO Arbo \(health and safety\) site](#). You have to know these regulations and take action where necessary. Any costs that are incurred in modifying your home workplace are for your own account. Your manager may consult you on setting up your home workplace.

You must also comply with the guidelines for [information security](#) within TNO.

You must also adhere to the regulations of the Working Hours Act, such as taking sufficient breaks and try to seek a good balance between work and private life. Your manager will monitor this.

You are responsible when smartworking to be accessible for communication and consultation with your colleagues and business relations.

Making agreements

Your manager will make agreements with you on smartworking and state these in writing. To this end you can both use the checklist below. You are responsible yourself for making agreements with your manager. The agreements help ensure that you and your colleagues at the TNO location as well as your customers are well aligned.

Checklist

It is recommended to make agreements on the following:

- the number of hours or days you will smartwork. This may vary from week to week. Stipulate whether smartworking is fixed or flexible in principle;

¹ Where the WFW speaks of place of work this refers to work location in the TNO terminology.

² The WFW is not applicable to employees who have reached pensionable age.

- your accessibility when smartworking, for example what times, periods of the day you are accessible in any case via mobile phone or e-mail;
- keeping the electronic agenda. Your colleagues and business relations need to know if you are working, in a meeting and when you are accessible and for how long;
- presence; it is important that you stay bound to TNO and your department. So make agreements on when you will be present at your normal workplace, such as for departmental meetings;
- the extent to which responsibility for results and how your manager can assess your output on a smartworking day.

Facilities and compensation

- **Mobile phone** see also the chapter My Benefits.
As a smartworker you are given a mobile phone. Rules for application and use are contained in My Benefits section ICT devices, information and systems.
- For an overview of the options and costs contact ITservicedesk@tno.nl. See also [SmartWorking/Working elsewhere](#).
- **Token** see also chapter My Benefits.
You get a token to be able to smartwork.
- **Laptop** see also chapter My Benefits.
If your manager deems it necessary, you can have a laptop. For an overview of the options and costs contact ITservicedesk@tno.nl. See also [SmartWorking/Working elsewhere](#).
- **Travel reimbursement**
Your regular home-work commute reimbursement remains in force. However, you must comply with the fiscal condition that you travel at least 60% of the working days agreed with you to your regular place of work. If not, you no longer receive a fixed reimbursement but reimbursement for home-work commute kilometres travelled on the basis of a declaration in line with section 'Reimbursement of home-work commute and accommodation costs' in the chapter My Benefits.

Overtime

version 3.0 / 1 December 2019

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.

Allowance or extra remuneration for overtime

In the conditions of employment, 'My Time - [Working hours and duration of work](#)' explains how working hours and the duration of work should be handled.

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 salary, 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.

- You receive the duration of the overtime as compensation: time-for-time. You must consult with your manager on when you take the compensatory leave. If work does not permit this, or at your specific request, TNO will pay the overtime at the applicable hourly rate. In the case of compensatory leave credit, this will first have to be taken before the 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 or paid out.

Hourly pay means your monthly salary + any job allowance divided by 174.

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 to perform the overtime, TNO will reimburse these expenses. See chapter My Benefits.

Irregular hours

version 1.0 / 1 July 2016

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 salary. 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

Hourly pay means your monthly salary + any job allowance divided by 174.

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 'time in lieu'. You consult your manager on when you wish to take this 'time in lieu'. This also applies to jobs above scale 9 of the FW 18 system.

Consignation

version 6.0 / 1 January 2022

What is it?

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

- a. such that you must be able to be at the work location with half an hour of being called;
- b. 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 7.17	EUR 7.94
Saturday	EUR 12.60	EUR 17.08
Sunday/public hols	EUR 16.20	EUR 20.43
per full week	EUR 64.64	EUR 77.20

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 5.0 / 1 January 2022

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 162.18 gross per day;
- for offshore work on Saturdays and Sundays you have an additional allowance of EUR 216.25 gross per day;
- these allowances do not count towards accrual of pension or the calculation of 13th 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/ Subcommittee (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 double roles (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 reservist or compulsory military service

version 2.0 / 19 July 2021

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

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

If you wish to be a reservist and make use of this scheme, you must first notify your manager, who must give you verbal as well as written permission (in line with chapter My Contract of Employment, section Ancillary Activities). Without this permission, you may not make use of this scheme.

Leave and salary

In principle, being active as a reservist is something you must do in your own time.

TNO applies the following rules:

- As a reservist, you must use as a minimum a certain number of your own hours of leave each calendar year, equivalent to twice your working week. Therefore, this totals eighty (80) hours for a full-time contract. If you have already purchased the maximum number of hours of leave from TNO as a reservist, there is the possibility of purchasing extra leave of no more than twice the working week for your deployment as a reservist.
- If you have used the minimum number of hours of your own leave in a calendar year, for further deployment you can ask your manager for the full further payment of your salary, including holiday pay or the accrual of holiday pay, thirteenth month, flexbudget, and leave. A gross deduction will be made from this salary of your unworked hours at TNO, whereby the gross TNO salary³ will be reduced by the gross Armed Forces hourly pay including fixed supplements,⁴ times the number of unworked hours at TNO. The gross deduction is at most the same as the TNO salary⁵.

To this end, at the beginning of every calendar year you must submit in writing to HR Services a copy of your most recent pay slip in order to establish the correct Armed Forces hourly pay. You should inform HR Services of your unworked TNO hours.

If your activity as a reservist⁶ concerns a foreign deployment during peacekeeping or other missions, or if it concerns a continuous period of at least six weeks, you will not accrue any leave for this period.

³ Gross hourly TNO pay +8% holiday pay over hourly pay +8.33% thirteenth month (over hourly pay + holiday pay) + 5.58% flexbudget (over hourly pay + holiday pay + thirteenth month + 15.00 nominal p/m)

⁴ Gross Armed Forces hourly pay + 8% holiday pay over hourly pay + 8.33% end-of-year bonus over hourly pay + 6.3% additional payments (Vergoeding Extra Beslaglegging, VEB)

⁵ If the Armed Forces hourly pay including fixed supplements is higher than the TNO hourly pay including fixed supplements, settlement will be on the basis of the TNO salary.

⁶ In line with the Ministry of Defence regulations for deployments

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.

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 a national, you will receive unpaid leave in line with the [Special leave without pay \(unpaid leave\)](#) section of this chapter.

Holiday and ATV (leave)

version 1.1 / 24 November 2016

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.

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 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 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 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 fulltime job including 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 all hours accrued before 1 January 2012 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 salary including 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 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 3.0 / 1 July 2020

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

See also section [Table of leave schemes](#).

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, LiberationDay, 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 apply.

Pregnant employees are entitled to pregnancy leave starting six weeks before the expected delivery date (deviant in pregnancy of more than one child). See [www.government.nl/topics/pregnancy and maternity leave](http://www.government.nl/topics/pregnancy-and-maternity-leave). This leave should commence no later than four weeks before this date (deviant in pregnancy of more than one child).

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 its 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.

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.

See section [Table of leave schemes](#).

Transfer of pregnancy leave to partner

The Work and Care Act regulations 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.

See section [Table of leave schemes](#).

Childbirth leave

The Work and Care Act regulations apply.

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 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). For additional childbirth leave see paragraph Special leave on partial pay. See section [Table of leave schemes](#).

Adoption Leave / foster care leave

The Work and Care Act regulations 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.

See section [Table of leave schemes](#).

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 .

See section [Table of leave schemes](#).

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.

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 diagram at the end of this section). 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.

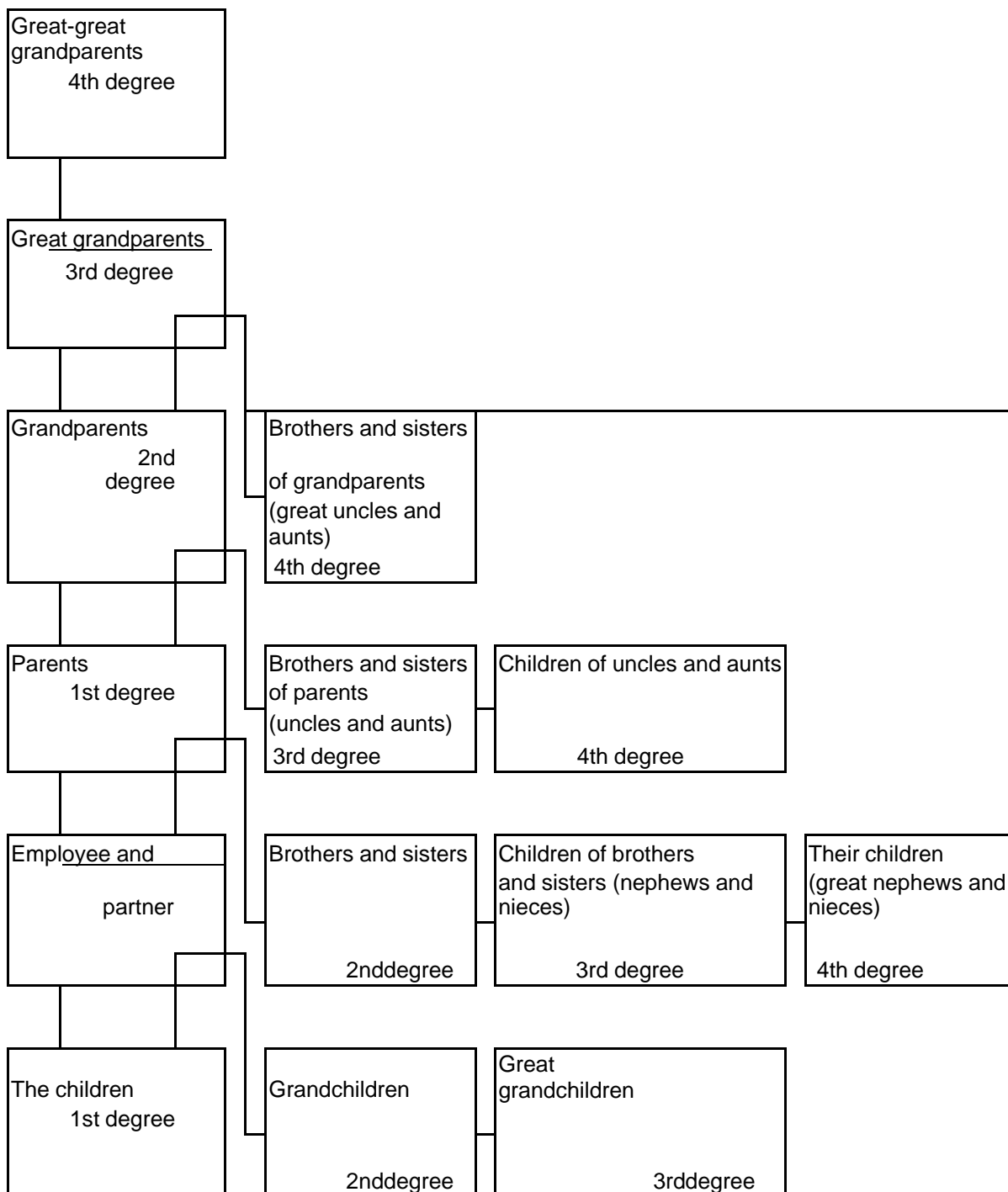
The guidelines for awarding special leave are as follows:

- 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 2.3 / 1 January 2022

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 their gross salary, with a minimum of the statutory minimum wage (per 1 January 2022: EUR 1,725.00 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 2022: EUR 4,975.53 per month). You will continue to accrue pension entitlement (both employer and employee contributions) and leave in this period remains unaffected.

See section [Table of leave schemes](#).

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 if (1) the child is **born on or after 1 July 2020** and (2) after you have taken the regular childbirth leave (as described in the previous paragraph).

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 date of birth, or actual date of birth), the number of hours 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 (up to the maximum daily wage: per 1 January 2022 EUR 228.76 per day). TNO will supplement this up to 100% of your daily wage (up to the maximum daily wage). 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 supplementary period of childbirth leave.

Special leave without pay (unpaid leave)

version 2.0 / 1 January 2019

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, 13th month and expense allowances such as the commuting allowance, 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. The leave should, where possible, be financed from the life course savings credit (see chapter My Income). 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 leave in this chapter).

The employer contribution to your pension and leave accrual in this period remains unaffected. See section [Table of leave schemes](#).

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.

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*) 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.

See further section [Table of leave schemes](#).

*) *Legislation limits unforeseen circumstances to the commencement of pregnancy leave, maternity leave, adoption leave or foster leave 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.

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 does not want to 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 3.0 / 1 July 2020

Type of leave	Childbirth leave	Additional childbirth leave	Emergency leave	Other statutory special leave
Who qualifies?	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 and who has recognised the child	Employee	Employee
How long?	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	The time needed to fulfil the obligation or to make arrangements, no more than a few days	The time needed to fulfil an obligation that cannot be fulfilled in the employee's own time
Description of the scheme	The right to leave exists for a period of four 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 The child was born on or after 1 July 2020 Employee first took the regular childbirth leave of 1 x the working hours per working week	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	In any case: <ul style="list-style-type: none"> partner giving birth and registering the birth exercising the right to vote very personal circumstances, such as the death and funeral of household members, lineal relatives, or collateral relatives in the second degree
Paid?	Yes	Partially paid, up to 100% of max. daily wage	Yes	Yes
Report to manager	As soon as possible, prior to the leave	As soon as possible, and no later than 4 weeks, prior to the leave	Prior to the leave, if possible, but in any case as soon as possible Approval is granted afterwards	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, but can object to timing of leave	No, but can object to timing of leave	No	No
Employer can stipulate additional requirements	In urgent cases, timing may be changed	In urgent cases, timing may be changed	Employer may request proof of necessity of leave (afterwards)	Employer may request proof of necessity of leave (afterwards)

Type of leave	Care leave (short-term)	Care leave (long-term)	Maternity leave (pregnancy and childbirth leave)	Adoption leave / care leave	Parental leave
Who qualifies?	Employee	Employee	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 Intended for parents, foster parents and adoptive parents
How long?	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 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 ten weeks	6 weeks (not necessarily successive, can also be taken spread across a period of 26 weeks)	Employee's maximum weekly working hours times 26
Description of the scheme	Caring for (a) sick: <ul style="list-style-type: none"> children (including adopted or foster children) partner/spouse parents sick brother/sister, grandchild or grandparent sick person that is part of the household of the employee without there being any form of working relationship 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 	Caring for (a) sick: <ul style="list-style-type: none"> children (including adopted or foster children) partner/spouse parents sick brother/sister, grandchild or grandparent sick person that is part of the household of the employee without there being any form of working relationship 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 <p>In the case of death before the end of the leave or if care is no longer required, the leave terminates one day after this event. Employees can subsequently request – 2nd bullet – section Special leave on full pay, subsection Other statutory special leave</p>	Pregnancy leave must start no later than four weeks prior to the expected delivery date (eight weeks if more than one child). Childbirth leave starts on the first day after the delivery Childbirth leave runs for at least 10 weeks 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	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 leave applies to children aged 8 years or younger; in the case of a multiple birth, leave applies to each child.

Type of leave	Care leave (short-term)	Care leave (long-term)	Maternity leave (pregnancy and childbirth leave)	Adoption leave / care leave	Parental leave
			and a birth certificate has been issued for the child, the employee/partner, is entitled to take the remaining maternity leave.		
Paid?	70% of the salary (at least the minimum wage) to at most the daily salary, can be topped up to 100% by using the life-course savings scheme (see chapter My Income).	No, unpaid If employees wish to do so, they can finance the leave by using funds accrued under the life-course savings scheme (see chapter My Income)	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%	No, unpaid
Report to line manager	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 two weeks before the leave	As soon as possible, submitting a pregnancy certificate from the gynaecologist. Three weeks before the planned start date, apply for benefits from UWV via TNO	As soon as possible Three weeks before the planned start date, apply for benefits from UWV via TNO	Submit request two months before planned start date
Accrual of pension, leave, etc.	Not affected	Not affected	Not affected (benefits via TNO, TNO pays 100% of the salary)	Not affected (benefits from TNO, TNO pays 100% of the salary)	Based on adjusted salary
Can the employer refuse?	Yes, if there are serious reasons	Yes, if there are serious reasons	No Only when dividing maternity leave can a refusal be made if there are serious company or service interests at stake	No	No, the right arises when the event is reported
Employer can stipulate additional requirements	Employer may request proof of necessity of leave (afterwards)	The employer may request proof of the necessity of the leave	The employee submits certificate (gynaecologist draws up own document or completes the form available from UWV)	The employer may request proof of adoption	Yes, can object to timing of leave