

# Work and income for refugees from Ukraine

A healthy and safe working environment

In the Netherlands, employers and employees must adhere to certain rules in order to keep the working environment as healthy and safe as possible. These rules are described in the Working Conditions Act. Topics that appear in this law include what you should do when you use hazardous substances, how to tackle strenuous physical work, what protective equipment you should use in certain work situations and how you can properly organise your work area. Together with the employer, you look at how you can adhere to these rules as best as possible.

#### Who ensures I can work in a healthy and safe environment?

Your employer is obliged to arrange the work properly. The work should not have a negative impact on your health and safety. He must tell you about workplace-related risks; this is called a Risk Inventory & Evaluation (RI&E). At work, ask about the measures that have been taken. If your employer employs more than 25 people, he is obliged to appoint a special expert. This expert is referred to as the prevention officer. Ask your manager who the prevention officer is at the company where you work. If a works council has been established within the company, you can also ask them about your health and safety in the workplace. If your workplace remains unsafe after these meetings, you can report this to the Netherlands Labour Authority. They check whether companies comply with the law. You can contact the Netherlands Labour Authority on o800 5151 to make a report or to submit information online.



#### Work and rest hours

The Working Hours Act describes all the rules for working hours and breaks. All employees and employers in the Netherlands must adhere to this. Sometimes, the industry has created additional rules in addition to this law. These are included in an agreement drawn up by the employers and employees. This agreement is called the collective agreement ("CAO"). Ask your employer about the rules or working and rest times at the company where you work. More rules about taking breaks can also be found in the **Working Hours Act**.



## **Pregnancy and illness**

Discuss your pregnancy with your manager. For instance, about the difficulty of your work, working hours and pregnancy leave. You are obliged to report a pregnancy to your employer. Your employer is not permitted to fire you if you are pregnant. Neither is he permitted to fire you because he thinks you want to get pregnant. You may not be fired during the first six weeks after your maternity leave.

If you are employed by the company where you work, you are entitled to 16 weeks of <u>pregnancy leave</u>. This leave starts four to six weeks before your due date. During pregnancy leave, your salary will continue to be paid for 16 weeks.



For more information about pregnancy and work, visit www.workinnl.nl.

#### Illness

If you are ill and cannot work, you must notify your manager as soon as possible. If your manager is absent, you must notify his deputy. Your employer may then arrange for a replacement.

If you are ill for more than a week, your employer is obliged to report this to the occupational health and safety service or a company doctor. These are experts who advise your employer in the event of illness in the workplace and about working safely. This enables them to give you the best possible assistance during your illness and you can together work on your recovery. The company doctor looks at your situation and determines whether you can do adjusted work and how and when you can best return to work.



You do not have to tell your employer why you are ill. Also, your employer is not permitted to ask why you are ill or what illness you have. However, he may ask when you think you will be able to resume your duties.

# Illness and wage

If you've been off sick for a long time, your employer will continue to pay your wages for a maximum of two years. In that case, you will receive at least 70% of your most recent wage. During the first year of illness, this is at least the minimum wage for your age. This applies if you have a permanent contract, but also if you have a temporary contract.

If you work through an employment agency, the agreements regarding this may differ, depending on the agency contract. If you are an agency worker who works without a temporary agency clause, you will be entitled to continued payment of your wages from your second day of illness.

For more information, please visit www.workinnl.nl under 'illness and care'.

After two years of illness, you may be entitled to a disability benefit (WIA benefit). In the Netherlands, the UWV assesses whether you are entitled to this. If the UWV believes you and your employer have not done enough to rehabilitate, the UWV may impose a sanction. The UWV can force the employer to extend the continued payment of wages for a maximum of one additional year. If you receive sickness benefits, the UWV, for instance, will recover the paid sickness benefits from your employer or you will receive lower sickness benefits.

For more information, please visit Sickness benefit (uwv.nl).



### Can't find what you're looking for?

If you have any further questions or prefer contact by telephone, please contact **Stichting FairWork**. This organisation focuses on supporting non-Dutch workers in the Netherlands. There is no charge for the support and you can remain anonymous if you wish.



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Useful links:

www.workinnl.nl

www.refugeehelp.nl

www.refugeework.nl

www.fairwork.nu

www.uwv.nl/particulieren/languages/
www.nllabourauthority.nl

www.government.nl/topics/reception-of-refugees-from-ukraine

More information? Scan here:

