



Industrial Relations **Netherlands: Developments in working life 2018**

[Working life in 2018 – Annual review](#)

Author: Amber van der Graaf, Bob Kruihof and Douwe Grijpstra (expert commentary) (Panteia)

Research Manager: Christine Aumayr-Pintar, Eurofound

Eurofound reference number: WPEF19044

Related reports: EF19029 Working life in the EU 2018 – Annual review

© European Foundation for the Improvement of Living and Working Conditions (Eurofound), 2019

Reproduction is authorised provided the source is acknowledged.

For any use or reproduction of photos or other material that is not under the Eurofound copyright, permission must be sought directly from the copyright holders.

Any queries on copyright must be addressed in writing to: copyright@eurofound.europa.eu

The European Foundation for the Improvement of Living and Working Conditions (Eurofound) is a tripartite European Union Agency established in 1975. Its role is to provide knowledge in the area of social, employment and work-related policies according to Regulation (EU) 2019/127.

European Foundation for the Improvement of Living and Working Conditions

Telephone: (+353 1) 204 31 00

Email: information@eurofound.europa.eu

Web: www.eurofound.europa.eu

Contents

Political context affecting working life aspects.....	3
Labour market reforms or major packages of working life regulations.....	3
Social partners’ views and reactions on changes in governments and working life policies.....	3
Developments in industrial relations 2018	4
Changes affecting the national-level actors and institutions in 2018.....	4
Actors.....	4
Representativeness	4
Institutions.....	4
Changes affecting the sectoral and company level social dialogue 2018	4
Innovation in collective bargaining.....	4
National social dialogue in 2018 – Scope and Contribution	5
Selected major social dialogue debates.....	8
Flexibilisation of the labour market	8
Pension reform negotiations stopped for now.....	8
Unilateral government actions – without social dialogue	8
Collective labour disputes in 2018	9
Changes in the regulation of collective labour disputes.....	9
Selected major labour disputes of national significance	9
Working time 2018.....	9
Changes in the regulation of working time 2018	9
Legislation on working time duration or organisation	9
Collective bargaining outcomes on working time duration or organisation	9
Major debates concerning working time duration or organisation.....	9
Other relevant information concerning working time.....	9
Health and well-being at work 2018	10
Physical working environment.....	10
Psychosocial working environment	10
Employment status 2018	10
‘Standard’ employment contracts	10
Other contracts	10
References	11

Political context affecting working life aspects

A new government was installed on the 26th of October in 2017. The government (after the longest formation period in Dutch History) consists out of VVD, D66, CDA and CU. In the beginning of 2018, municipal elections were held in 335 municipalities of the 380 in total. The three bigger parties in the government (VVD, CDA and D66) also did well in the municipal elections, being second, third and fourth respectively after local parties. A big difference with the general election however was that the PVV the second largest party in the general election only participated in a couple of municipalities. The CU received around the same percentage of votes in the municipal election as in the general election.

Labour market reforms or major packages of working life regulations

Two of the largest labour market reforms of this year are:

- Pension reforms (failed at the end of the year).
- A revamp of the income tax: from the four existing brackets to only two brackets.

One of the major labour market reforms of last year is currently in the process of being passed through as law (this labour market reform package includes for example easier dismissal rights).

Social partners' views and reactions on changes in governments and working life policies

The current government is a four party coalition. This coalition created a coalition agreement in which their ideas and potential laws are stated. The social partners experience that the current government is quite rigid/inflexible. This inflexibility is partly due to the fact that the government is a four party coalition, with so many different opinions within the coalition itself it is hard to come to an agreement other than the one already agreed upon in the coalition agreement. The social partners therefore have a hard time negotiation/discussing potential changes to laws. Another factor of influence is the fact that the current cabinet is, considering the political spectrum, more on the right side and therefore more often on the employers' side. This also means that the employers' organisation VNO-NCW often is more in agreement with the cabinet than the trade unions are.

Developments in industrial relations 2018

Changes affecting the national-level actors and institutions in 2018

Actors

The declining number of members are now causing major issues for trade unions. Around 40% of the members of trade unions are 60 years and older, this will be 60% in 10 years if nothing changes. This will happen because there are not enough new (young) members to replace those who leave due to retirement and other reasons. In part due to the declining number of members the largest trade union in the Netherlands (FNV) is looking at a major deficit of 24 million euro in 2021 if nothing else changes (VCP, 2018). The FNV therefore is looking to reorganise and cut back around 250 employees of their 1700 employees in total. The FNV is still in the process of the reorganisation, details are therefore yet unknown, however the FNV announced that forced layoffs will not be required.

Trade unions also experience the fact that having a voice in the social dialogue is becoming more and more important. Organisations are not just joining trade unions to negotiate a collective agreement, organisations are joining trade unions to ensure that their opinion is heard during important social debates. A good example of this is the trade union VCP, where for example an organisation advocating the interests of the elderly has joined.

There were no major changes with respect to the employer organisations.

Representativeness

There were no major changes regarding representativeness affecting national-level actors and institutions in 2018.

Institutions

There were no major changes affecting national-level actors and institutions in 2018.

Changes affecting the sectoral and company level social dialogue 2018

No changes affecting the sectoral and company level social dialogue in 2018.

Innovation in collective bargaining

In 2017 two of the largest trade unions in the Netherlands (FNV and CNV) both called for strikes since the negotiations with Jumbo did not succeed. The most important demand was a pay raise of 2,5%, while Jumbo (unilaterally) raised the wages with 1,5%. Jumbo went to court in order to stop the strikes, however the judge sided with the trade unions and strikes were allowed. Instead of dealing with the trade unions to come to a collective agreement Jumbo, a supermarket, offered their 3000 employees in distribution centres a choice to join their own labour agreement (so called AVR) which included a wage raise (Telegraaf, 2018). About 75% of all employees made a choice and about 96% made the choice to join the AVR. It is not the first time that a company bypassed the trade unions to come to an agreement with the works council directly, but it was quite surprising since in 2017 trade unions pushed for a new collective agreement through strikes (NU, 2017). The AVR was offered by Jumbo in order to stop the strikes. The trade unions however argued that the AVR was not legal since the old collective agreement was still in effect. Therefore, the trade unions went to court and the judge recently concluded that the old collective agreement indeed still in effect is. This meant that the AVR was not legal (NCR, 2019). Companies, such as Jumbo, thus sometimes try to be innovative when dealing with collective bargaining, however trade unions are often opposed to such agreements because according to them it will decrease the bargaining power of the employees.

National social dialogue in 2018 – Scope and Contribution

Themes	Description	Social dialogue interaction	Social dialogue outcome and/or output
<i>Skills, training and employability – Life-long learning</i>	The employability of the elderly has to be stimulated more according to the social partners (VCP, 2018b). Trade unions argue that municipalities have to do more to help elderly people gain employment, such as intensive personal guidance and training. This is also part of an initiative called “lifelong learning”, which has been an important topic for a long time.	Tripartite discussion on policy measures to stimulate employment among the older people. This is also part of a discussion around “lifelong learning”.	People who are 45 years or older are eligible for free advice from a career advisor. It used to be available for specific careers only, but this requirement is dropped due to the positive feedback of the ones who already used it (Rijksoverheid, c). For the trade unions and employers organisations, this is seen as a first step in the right direction.
<i>Employment - Wage subsidies for disabled workers</i>	The government had a plan to allow employers to pay disabled below the minimum wage according to their productivity (Trouw, 2018). The government thought this would increase the amount employers that would hire disabled employees since their wage cost would go down.	The cabinet proposed the law, employers, trade unions and the general public opposed the law.	The law was dropped in the end due to the large pressure of employers, trade unions and the general public. The government is looking into other measures to stimulate job creation for disabled people.
<i>Pension reforms - Broader package of pension reform</i>	In 2017 the Minister of Employment, Troels Lund Poulsen, established an expert committee on working environment. The task for the committee was to rethink the working environment (occupational health and safety) system in Denmark. The committee consists of four researchers, four representatives of the social partners and a chairman appointed by the government. There is a long-standing tradition in Denmark to have a tripartite dialogue on working environment issues. In September 2018 the committee came up with 18 recommendations for an improved Occupational health and safety effort. The recommendations are backed by the social partners. The recommendations have not yet been followed by political action. References: Statement from LO (2018); Statement from DA (2018); Ministry of Employment (2018b); Ministry of Employment (2018c).	Negotiations were being held by the parties from the Social-Economic Council, this is a council that advises to the government consisting of employers’ organisations, trade unions and experts.	The negotiations failed, although the system reform was agreed upon, the speed which the retirement age was rising was not acceptable for the trade unions.

Themes	Description	Social dialogue interaction	Social dialogue outcome and/or output
<i>Work-life balance - Family leave</i>	Paid paternity leave is a debated issue for a long time (VCP, 2018a). The amount (100%) paid paternity leave was only 2 days. The organisation of Economic Co-operation and Development (OECD) also concluded in 2016 that a longer paid paternity leave would benefit the development of the child.	Discussion on a longer paid paternity leave, the current government wanted to expand it to five days while trade unions demanded more.	Paid paternity leave is being expanded from two days to five days, starting on the first day of 2019 (Rijksoverheid, b).
<i>Other aspects of working life - Climate change</i>	Climate change is an important issue in the national social dialogue (VCP, 2018c). Besides the effect of climate change on the environment, it also impacts employers and employees. Measures that battle climate change most of the time burden employers and employees. Therefore negotiations are necessary to come to an agreement about a fair distribution of the burden. One of the most important topics of the social dialogue is the “Climate agreement” (klimaatakkoord) in which companies, organisations and government make agreements about measurements to decrease the carbon dioxide emissions in the Netherlands. At this moment the first stage of the climate agreement has been finished, this means that main agreements on important topics have been concluded. The next step is to translate those agreements in actual measures. One of these measures could for example be the closure of the coal power plants or a tax on emitting carbon dioxide. This translation into actual measures and/or policies is currently the subject of the social dialogue. One of the most important topics within this translation discussion is the distribution of the cost. Most measures will heavily impact employees and employers, which is something that social partners want to avoid as much as possible and therefore it is likely that the social dialogue will not be concluded anytime soon.	Large-scale negotiations between employers, trade unions, experts and (environmental) organisations.	The so-called “Climate agreement” is the outcome of the negotiations between social partners (Rijksoverheid, e). However, in the last few weeks issues arose due to the VVD (the biggest party in the current government) leader in the House of Representatives stating that there is a zero chance that he will implement the large number of far-reaching environmental issues.

Themes	Description	Social dialogue interaction	Social dialogue outcome and/or output
<i>Health, safety and well-being at work - Physical and psychosocial working environment</i>	Improving the physical and psychosocial working environment is a topic that has been discussed for a long time (VCP, 2018g). The dangers of hazardous substances and the work pressure (especially in sectors such as education) are increasingly visible and action is needed.	The government decided in the coalition agreement that action needs to be taken. The discussion therefore was mainly on the type of action the government should take, in particular the height of the extra budget.	While the cabinet is increasing the budget of the enforcement division of the government, increasing the amount of inspectors (Rijksoverheid, d), the trade unions are not yet satisfied since the increase is only marginal considering the entire budget.

No major social dialogue debates were held on the following themes: Benefits; Taxation and non-wage related labour costs; Terms and conditions of employment; Wage setting; Working time.

Selected major social dialogue debates

Flexibilisation of the labour market

The increasing flexibilisation on the labour market is seen as a threat to the negotiation position of employees and as a way to decrease wage cost by the trade unions. This flexibilisation means that employers are more inclined to hire people as a freelancer or as an employee on a fixed term contract. In both cases it negatively affects the prospect of work and income, as people do not have the certainty of a standard contract for an indefinite time. The government has introduced a bill (as of now not passed yet) called “labour market in balance” that aims to counter the flexibilisation. It for example lowers the unemployment premium employers have to pay for people on a permanent contract, thus making fixed term contract relatively more expensive. Some parts of the bill however are not well received by the trade unions, one such part is for example easier dismissal rights. This in turn creates more uncertainty for employees, while the idea is that employees on permanent contract should have less uncertainty. Despite concerns from social partners the bill is as of now still being prepared for a vote on in the House of Representatives (VCP, 2018f).

Pension reform negotiations stopped for now

Negotiations about a new pension system have been going on for a long period of time. In principle this is an issue between employers and the trade unions, but due to importance of the issue and the fact that the general old age pensions act (called AOW), being paid by the government, is also a big part of the pensions in the Netherlands the government was also involved in the negotiations. An agreement was reached about the new system itself; the so-called average premium would be abolished, since it meant that younger employees had to pay more than older employees. This abolishment was an important wish for the current cabinet since it makes place for a more individual system while maintaining solidarity between generations. However, the involved trade unions (FNV, CNV and VCP) stopped the negotiations due to the government not willing to slow the rising of the retirement age. The government was not willing to officially disconnect the rising of the retirement age to that of the life expectancy, since it potentially would cost up to 6 billion euros to have everyone retire a couple of months earlier (NOS, 2018). All involved parties are determined to continue the negotiations, however as of now the negotiations are just slowly starting again and it probably will take a while before anything will be concluded.

Unilateral government actions – without social dialogue

Income tax change

The government adjusted the income tax system from having four brackets to just (once it is all implemented) two brackets, with some other minor changes. There was little to no social dialogue about the subject. The social partners however do not oppose the plan.

Collective labour disputes in 2018

Changes in the regulation of collective labour disputes

There were no major changes in the regulation of collective labour disputes

Selected major labour disputes of national significance

The year 2018 was a year full of major labour disputes, but despite all the major labour disputes, a lot of collective agreements have been signed as well. The economy was booming but in some cases employees did not benefit from the growing economy. This sparked many strikes in the year 2018. Most prevalent were those in the public transport, electrical/metal sector and once again in the primary school sector.

In 2017 the primary school sector demanded a reduction in work load and higher wages. The demand was for 900 million euro's in order to lift the wages of the teachers in primary education to that of those in the secondary education and 500 million EUR to reduce the work load. This demand was partly met by the government. In an agreement, signed in June 2018, wages were raised by 2.5%, a one-time bonus in October was paid out and some measures were taken to decrease the workload. However, the wages were not raised to the level of those in the secondary education. The trade unions therefore called again for more resources to be invested in the primary education sector and strikes thus continued in 2018 and will continue in 2019. As of today, a new strike in March is being planned because the demands have yet to be answered fully.

Working time 2018

Changes in the regulation of working time 2018

Legislation on working time duration or organisation

New legislation came into effect at the beginning of 2018. It ensures that employees are paid at least minimum wage for their overtime and that for the calculation of the regular holiday bonus (8% of the year income) overtime has to be taken into account.

Collective bargaining outcomes on working time duration or organisation

There was no collective bargaining in 2017/2018 about working time duration or organisation.

Major debates concerning working time duration or organisation

There were no major debates in 2017/2018 related to working time duration or organisation.

Other relevant information concerning working time

Other relevant information concerning working time is the amount of sick leave in percentages (CBS, 2018b). Comparing the first three quarters of 2018 to the first three quarters of 2017, it seems to be the case that the percentage of sick leave has gone up slightly. Another interesting set of data is the amount of jobs divided into fulltime ("voltijd") and part-time ("deeltijd") (CBS, 2018a). Over the years the number of part-timers has risen faster than the number of full-timers. It also shows the number of jobs divided over the number of hours worked each week, which gives an insight into the actual working time of people in the Netherlands.

Health and well-being at work 2018

Physical working environment

The physical working environment is getting worse according to the latest numbers from the Dutch statistics office (CBS, 2018c). This means an overall increase in an uncomfortable working posture, an increase in dangerous work and an increase in the use of heavy manual labour.

The current cabinet is increasing the budget of the enforcement division of the government, which will result in an increase in the amount of inspectors. The aim of this budget increase is to have more inspections controlling for illegal employees and to decrease the risk of exposure to hazardous substances.

Psychosocial working environment

The psychosocial working environment is also getting worse according to the latest numbers from the Dutch statistics office. (CBS, 2018d). This includes an overall increase in work pressure, the emotional toll of work and unwanted sexual attention from customers.

The budget increase of the enforcement division is also aimed at decreasing illegal extreme working times and to ensure that work pressure does not result in dangerous situations. Other changes did not happen regarding the psychosocial working environment.

Employment status 2018

'Standard' employment contracts

Minimum wage now also applies to overtime. Besides this, the obligated holiday bonus of 8% of the income also needs to be calculated over all overtime. Under article 13a:

<https://wetten.overheid.nl/BWBR0002638/2019-01-01>

No major changes in 2018 for: Self-employed; Fixed term contracts; Temporary agency workers; Posted workers; Seasonal workers and Zero hours contracts. However, a large labour market reform currently being worked on by the government and therefore might be implemented in the 2019 if it passes the House of Representatives and the Senate.

Other contracts

People doing piecework now also are entitled to the minimum wage, regardless of the amount of wage they would get under their piecework contract. People working as contractor (but not as freelancers) are now also entitled to minimum wage. Under article 2:

<https://wetten.overheid.nl/BWBR0002638/2019-01-01>

References

- Algemeen Dagblad (2018), Overleg over pensioenen mislukt, minister beraadt zich op vervolg, 10 November.
- CBS (2018a), [Werkgelegenheid; geslacht, dienstverband, kenmerken baan, cao-sector](#), web page accessed 14 January 2019.
- CBS (2018b), [Ziekteverzuimpercentage; bedrijfstakken \(SBI2008\) en bedrijfsgrootte](#), web page accessed 14 January 2019.
- CBS (2018c), [Fysieke arbeidsbelasting werknemers; bedrijfstak](#), web page accessed 14 January 2019.
- CBS (2018d), [Psychosociale arbeidsbelasting \(PSA\) werknemers; bedrijfstak](#), web page accessed 14 January 2019.
- CDN (n.d.), [Collectieve arbeidsovereenkomst voor de Kunststof-, Rubber- en Lijmindustrie](#), web page accessed 14 January 2019.
- CNV (n.d., a), [Alle Cao's in de sector Chemie en Energie](#), web page accessed 10 January 2019.
- CNV (n.d., b), [Alle cao's in de sector Detailhandel food](#), web page accessed 10 January 2019.
- FNV (n.d., a), [Banken cao 2014-2016](#), web page accessed 30 April 2019.
- FNV (n.d., b), [CAO retail non-food](#), web page accessed 10 January 2019.
- FNV (n.d., c), [Populaire versie CAO Metaal & Techniek](#), web page accessed 10 January 2019.
- INretail (n.d.), [CAO fashion, sport & lifestyle](#), web page accessed 10 January 2019.
- Kalender-365 (n.d., a), [Kalender 2017](#), web page accessed 10 January 2019.
- Kalender-365 (n.d., b), [Kalender 2018](#), web page accessed 10 January 2019.
- NOS (2018), [Overleg nieuwe pensioenstelsel mislukt, vakbonden stappen op](#), web page accessed 15 January 2019.
- Nu (2017), [Staking distributiecentra Jumbo mag van rechter doorgaan](#), web page accessed 11 February 2019.
- NRC (2019), *Rechter: Jumbo moet zich aan cao houden*, 24 January.
- Rijksoverheid (n.d., a), [Arbeidsvoorwaardenovereenkomst sector rijk](#), web page accessed 10 January 2019.
- Rijksoverheid (n.d., b), [Geboorteverlof \(partnerverlof\)](#), web page accessed 15 January 2019.
- Rijksoverheid (n.d., c), [Gratis ontwikkeladvies voor 45-plusser](#), web page accessed 14 January 2019.
- Rijksoverheid (n.d., d) [Kamerbrief Uitbreiding inspectieketen Inspectie SWZ](#), web page accessed at 9 January 2019
- Rijksoverheid (n.d., e), [Klimaatakkoord](#), web page(s) accessed 16 January 2019.
- Rijksoverheid (n.d., f), [Op hoeveel vakantiedagen heb ik recht?](#), web page accessed 10 January 2019.
- Rijksoverheid (n.d., g), [Wanneer zijn de officiële feestdagen in Nederland?](#), webpage accessed 10 January 2019.

- Rijksoverheid (n.d., h), [Wat is er wettelijk geregeld voor mijn werktijden, pauzes en rusttijden?](#), web page accessed 10 January 2019.
- Rijksoverheid (n.d., f), [Wet minimumloon en minimumvakantiebijslag](#), web page accessed 11 January.
- Rijksvakbonden (n.d., a), [Arbeidsvoorwaardenovereenkomst sector rijk](#), web page accessed 10 January 2019.
- Rijksvakbonden (n.d., b), [Circulaire toepassen Arbeidsvoorwaardenovereenkomst sector Rijk](#), web page accessed 10 January 2019.
- Telegraaf (2018), *Vakbonden buitenspel bij Jumbo*, 1 May.
- Trouw (2018), *Kabinet draait bij: arbeidsbeperkte houdt recht op het minimumloon*, 6 September.
- UWV (n.d.), [Werktijden](#), web page accessed 10 January 2019.
- VCP (2018a), [Langer betaald vaderschapsverlof gunstig](#), web page accessed at 14 January 2019.
- VCP (2018b), [Meer nodig om ouderen en arbeidsbeperkten aan het werk te helpen](#), web page accessed 14 January 2019.
- VCP (2018c), [Onderhandelingen klimaatakkoord door naar de volgende ronde](#), web page accessed 16 January 2019.
- VCP (2018d), [Onzekerheid op arbeidsmarkt blijft](#), web page accessed 14 January 2019.
- VCP (2018e), [Vast werk beste garantie op werk en inkomen](#), web page accessed 15 January 2019.
- VCP (2018f), [VCP-Reactie: Internetconsultatie Wet arbeidsmarkt in balans \(wab\)](#), web page accessed 16 January 2019.
- VCP (2018g), [Veiligheid en gezondheid op werk kan nog altijd beter](#), web page accessed 17 January.
- VNO-NCW (2018), [Pensioenoverleg helaas mislukt](#), web page accessed 15 January 2019.

WPEF19044

The European Foundation for the Improvement of Living and Working Conditions (Eurofound) is a tripartite European Union Agency established in 1975. Its whose role is to provide knowledge in the area of social, employment and work-related policies according to Regulation (EU) 2019/127.