

Absenteeism protocol in the event of illness

This absenteeism protocol describes what the employee and employer do during absenteeism.

Introduction

The following inspection regulations apply to employees who are unable to perform work in the event of incapacity for work. This procedure is divided into:

1. reporting sick;
2. provisions during incapacity for work;
3. recovery notification;
4. Sanctions.

1 Reporting sick

1.1 Regular sick leave

Reporting sick: The employee reports sick in person before working hours by telephone to the direct supervisor on the shop floor and to the Captain of Personnel. The sick report must be made by telephone before 8:30 in the morning. The Personnel Captain is responsible for reporting to the Care Desk. This allows the occupational health and safety service to take a look directly and, if necessary, think along about recovery and resumption of work.

If you become ill during working hours, you must personally report to the direct supervisor in the workplace. You also report sick to the Personnel Captain the same day.

There must be a personal sick report. A text message / email / WhatsApp message / message via social media or leaving a voicemail is not accepted for this action.

When reporting sick, the employee reports the following:

- the telephone number and (nursing) address;
- the probable duration of the absence;
- whether the employee falls under one of the safety net provisions of the Sickness Benefits Act (but not under which safety net provision he or she falls);
- whether a third party is at fault for the omission, perhaps the damage can be recovered (right of recourse)

1.2 Reporting sick during holiday

If you become incapacitated for work during holiday, special rules apply. Only when the rules below are observed, the sick days during holidays are not counted as holidays. The employee:

- is obliged to consult a doctor immediately and to obtain a medical certificate from this doctor;
- is obliged to report sick in person directly to the employer by telephone, stating the accommodation or nursing address and the telephone number;
- is obliged to report any (full or partial) recovery during holiday to the employer;
- After returning to the home address, the company doctor will issue the original medical certificate from the attending physician, which clearly shows the duration and nature of the illness.

1.3 On holiday during illness

For employees who were already incapacitated for work before they went on holiday, the holidays are regarded as holidays and are therefore deducted from the holiday credit. The employer and/or employee can ask the company doctor for advice if there is doubt as to whether the employee's recovery is hindered by holidays.

2 Provisions during incapacity for work

2.1 Promoting recovery/consulting a general practitioner or company doctorIn the event of incapacity for work, the employee does everything in his power to promote recovery and return to the workplace. This includes consulting the GP in a timely manner and following his advice. If the employee is of the opinion that the incapacity for work is related to work, the company doctor can also be consulted.

2.2 Physical and telephone accessibility

The employee must in any case stay at home until the first visit or telephone contact of the absence supervisor (see paragraph 2.4). If a visit to the GP and/or pharmacy is planned before that time, the employee will inform the employer or Ontzorgdesk about this by telephone.

After that, the employee is expected to be available by telephone for contact as much as possible during office hours for the hours that he is not (partially) available for work. If the employee is not available after several attempts at contact from the employer or the absenteeism supervisor and the reason for this inaccessibility is not disclosed by the employee, the employer may decide, immediately or after a written warning, to impose a measure as described in paragraph 4.1 or paragraph 4.2 of this absenteeism protocol.

2.3 Residence addressThe employee is obliged to inform the employer within 24 hours of any change in the accommodation or nursing address and the telephone number where he/she can be reached, who will ensure that this data is transferred to Ontzorgdesk.

2.4 Absenteeism supervisor Ontzorgdesk The employer passes on sick reports to Ontzorgdesk on a daily basis. After reporting sick, the employee can be visited by or approached by telephone by the absenteeism supervisor of Ontzorgdesk.

During this visit or interview, the employee provides the following information:

- the reason for reporting sick;
- whether a doctor has been consulted;
- what possibilities the employee sees for (partially) resuming work;
- what the expected recovery date is.

The absenteeism counsellor passes on the results of the conversation to the company doctor. On the basis of this confidential information (covered by medical confidentiality), the company doctor assesses whether it is useful and/or necessary to invite the employee for an interview. The employee is obliged to comply with a call for the consultation hour of the company doctor, even if the employee intends to resume work on the day following the examination.

The place where the consultation hour will be held is stated in the call. If the employee is unable to respond to the call, he or she will report this to the employer by telephone as soon as possible and stating the reasons. In consultation with the Care Desk, a new appointment can then be made at the Care Desk. Up to a maximum of 24 hours before the consultation hour, the employee can report the impediment. If the employee does not show up during the consultation hour without notice, the costs will be charged to the employee. The employee does not have to respond to the call if he has resumed (and reported) work in the meantime, unless the employer and/or company doctor indicates that he must comply.

2.5 Company doctor The company doctor calls an employee for the consultation hour within six weeks of the first day of illness at the latest. An employee is called up more quickly in the following situations:

- if the employee has not recovered on the date that he himself indicated as the expected recovery date during the interview with the absenteeism supervisor;
- if the employee considers it necessary (the employee can indicate this to the absenteeism supervisor);
- if the absenteeism counsellor or the employer has requested an accelerated call for the consultation hour.
- The employee also has direct access to the company doctor through an open consultation hour. In addition, the employee is entitled to a second opinion from another company doctor.

The company doctor has an advisory role in absenteeism guidance. Employer and employee are jointly responsible for the implementation of the advice of the company doctor

2.6 Staying abroad during illness All employees - including employees who are unable to work - are encouraged to take holidays. However, the employer reserves the right to deny the incapacitated employee permission to go on holiday if the planned holiday - in consultation with the company doctor - could hinder the employee's recovery.

2.7 Working while the employee has not yet recovered In certain cases of incapacity for work, it is important for the employee to perform some work on the instructions of the company doctor without having fully or partially recovered. The company doctor discusses this with the employee and employer.

Working to make use of the residual capacity and to accelerate reintegration can also be done at a workplace other than the employee's own workplace.

2.8 Second opinion after recovery declaration Both the employee and the employer can object to a full or partial return to work advice from the company doctor. A second opinion can be requested for this via the UWV.

2.9 Medical interventions abroad

In exceptional cases, the employee can submit a request for a medical procedure, and related recovery, abroad. The procedure and recovery period can never be longer than those in the Netherlands. When permission is granted by the employer, this is always on the condition that if the agreed time is exceeded, the excess is at your own expense. The employee immediately reports any exceeding of the agreed time. If the employee is not available again on the agreed date without giving a reason, the continued payment of wages (insofar as applicable) will be suspended.

3 Recovery notification

When the employee has recovered, he/she will report this personally to the manager (the first reporting point) as soon as possible, in any case on the next working day before 9:00 am. The employee also passes on the recovery report to the employer on the same day that the work is resumed. The employer is responsible for informing the Care Desk.

4 Penalties

4.1 Wage freeze

The Employer has the right to refuse continued payment of wages and wage supplement in the following cases:

- If the illness was caused by the employee's intention;

- For the time during which the employee's recovery is impeded or delayed by the worker's actions;
- For the period during which the employee, although he is able to do so, does not perform suitable work as referred to in Article 658a(4) for the employer or for a third party designated by the employer, which the employer gives him the opportunity to do, without proper grounds;
- For the time during which the employee refuses to cooperate without proper grounds with reasonable instructions or measures taken by the employer or by an expert appointed by him that are aimed at enabling the employee to perform suitable work as referred to in Article 658a paragraph 4;
- For the time during which the employee refuses to cooperate without proper grounds for drawing up, evaluating and adjusting a plan of action as referred to in Article 658a(3);
- For the time during which the employee submits his application for a benefit as referred to in Article 64, first paragraph, of the Work and Income (Capacity for Work) Act later than prescribed in that article, without proper grounds.

4.2 Suspension of wages

The employer is entitled to suspend the payment of wages for the time during which the employee does not comply with reasonable instructions given in writing by the employer regarding the provision of the information that the employer needs to determine the right to wages.

4.3 Gatekeeper Improvement Act Flowchart

The Gatekeeper Improvement Act is the timetable of the UWV that determines when and which actions must be taken during incapacity for work. The flow chart is shown below:

