

Training facilities for employees

Regeling opleidingsfaciliteiten

VU Amsterdam additional rules governing Article 6.10 of the Collective Labour Agreement (CLA) for Dutch Universities.

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Article 1 Scope of these regulations

1. These regulations contain rules for the implementation of required and job-related training facilities (Article 6.10(2) through (4) of the CLA), and further rules for non-job-related training facilities that contribute to career development (Article 6.10(5) of the CLA). The regulations apply to employees of VU Amsterdam, with the exception of personnel employed on the basis of a claim for hours worked (including on-call workers) and trainees.

2. Travel within the Netherlands or abroad for the purpose of research, conference attendance and similar activities of short duration are not regarded as training activities for the purposes of these regulations.

Article 2 Definition of terms

The following definitions are used in these regulations:

1. training: all endeavours and activities that contribute to the development of the employee's knowledge, skills and competencies, such as a professional education, courses, study programmes, training and coaching programmes;
2. training costs: the costs of enrolment, tuition fees, examination fees, excursion expenses, graduation fees, and the cost of books and other educational materials required for study;
3. training facilities: facilities provided by the university, such as:
 - reimbursement of training costs;
 - reimbursement of travel expenses;
 - reimbursement of required accommodation expenses;
 - additional leave days.

Article 3 Types of training

These regulations make a distinction between the following three types of training:

- Required training

Training that the manager deems necessary for the proper performance of the employee's current or future position;

- Job-related training

Training that the manager does not deem necessary, but that is related to the employee's job.

- Non-job-related training

Training that is not job-related, but that does contribute to the employee's career development.

Article 4 Facilities for required or job-related training

1. Training counts as working time and takes place as much as possible during working time.

2. For required or job-related training, managers can offer the following types of facilities:

- a. 100% reimbursement of training costs;
- b. reimbursement of required travel and accommodation expenses, in accordance with the Business Travel Regulations, for costs that will not be reimbursed in some other way;
- c. leave for attending classes, including sitting tests and/or examinations, when these are scheduled during the employee's usual working hours.

3. For the completion of course-related requirements that cannot be scheduled during working hours, managers will provide compensatory leave. Such leave must be taken in the calendar year in which the entitlement arose and not afterwards. If it is demonstrably not possible to take such leave in the same calendar year, this term will be extended by one month.

4. In addition to the provisions of the previous paragraphs of this article, managers may if they wish agree leave time with the employee in order to prepare for classes, tests and/or examinations.

Article 5 Facilities for non-job-related training that contributes to career development

1. For non-job-related training that, in the manager's opinion, would contribute to the employee's career development, the manager can offer the following types of facilities:

- a. 50% reimbursement of training costs;
- b. 50% reimbursement of required travel and accommodation expenses, in accordance with the Business Travel Regulations, for costs that will not be reimbursed in some other way;
- c. 50% leave for attending classes, sitting tests and/or examinations, when these are scheduled during the employee's usual working hours.

2. In addition to the provisions of the first paragraph of this article, managers may – if they wish – agree compensatory leave with the employee up to a maximum of 50%, if the training course falls wholly or partly outside the employee's usual working hours. In principle, employees must take unpaid leave to prepare for classes, tests and/or examinations.

Article 6 Applying for training facilities

1. The subject of further training is a standard topic at an employee's annual interview.
2. But managers may also ask employees to participate in required training and employees may ask permission to take training courses outside the annual interview.
3. The employee who wishes to be considered for training facilities should submit an estimate of the costs associated with the training course to his/her manager in advance, with the required duration of the training course and the number of hours of regular working time that the employee will need for the training course, using the standard procedure for the unit.
4. The employee is only entitled to a training facility after the manager's request or permission to take a training course has been given and the estimate referred to in the preceding paragraph has been approved by the manager and the HR Advisor.
5. The request or permission to take a training course partially depends on the unit's available training budget, while the university's business interests may also play a role.

Article 7 Employee's duty to inform

1. The employee is obliged to inform the manager about the progress of the training and whether or not results have been achieved.
2. In cases where the training course or programme lasts for more than a year, the employee must provide the manager with a progress report at the end of each year at a minimum.
3. The employee is also required to inform the manager of any failure to participate in a scheduled day of classes or similar training activity.

Article 8 Repayment obligation for non-job-related training

1. Unless agreed otherwise, the employee will be obliged to reimburse the employer for training facilities for non-job-related training, as referred to in Article 5 of these regulations, if:
 - a. the training programme is not successfully completed for reasons attributable to the employee;
 - b. the employee's employment contract is terminated at the request of or through the fault of the employee, or ends due to the employee's refusal to accept a permanent employment contract or extension of a temporary employment contract before the training has been successfully completed;
 - c. the employee's employment contract is terminated at the request of or through the fault of the employee, or ends due to the employee's refusal to accept a permanent employment contract or extension of a temporary employment contract within two years of the training having been successfully completed.
2. In the circumstances referred to in paragraph 1(c), the repayment obligation will be reduced by 1/24 for each month that the employee remains in service after completing the training course.
3. The repayment obligation does not apply if, immediately following termination of the employment contract, the employee becomes entitled to unemployment benefits, disability benefits or a pension.

Article 9 Hardship clause

In special cases, the provisions stated in these regulations may be waived to the benefit of the employee concerned if, in manager's opinion, observing them to the letter would lead to unreasonable or unfair consequences for the employee.

Article 10 Date of commencement and transitional article

These regulations took effect on 1 May 2011 and were revised on 1 January 2015 and 1 August 2022. For the last revision, the repayment obligation for required and/or job-related training included in Article 8 has been dropped. As of 1 August 2022, the repayment obligation for required and/or job-related training was abolished.

General explanatory notes

Staff quality is one of the factors that determines the success of an organisation. Changes in society and changes to educational requirements mean staff members constantly face new challenges. These changes often lead to new situations at work, which sometimes result in a need for new or different knowledge and skills. New efforts and individual initiatives will therefore be necessary for staff members in order to maintain knowledge and learn new skills.

Achieving and maintaining a good alignment between personal qualities and job requirements is important for both managers and employees. Managers will discuss employee development and training as a standard feature of the annual interview. The employee is expected to be attentive to the need for training, to take the initiative in seeking training and to be prepared to invest time, effort and money if necessary in developing his or her own abilities.

In principle, VU Amsterdam supports employee training efforts with the provision of facilities. The degree to which facilities can be made available, however, depends on the amount available in the budget.

The Training Facilities Regulations are specifically intended to clarify the principles, rights, duties and responsibilities with regard to training, education and development in individual cases.

However, training activities may also be geared towards groups of employees, in some cases large groups. For group training initiatives, each situation will be assessed on its own merits in order to determine the conditions under which employees can take part. In determining such conditions, the employer may of course never deviate from the Training Facilities Regulations and the training provisions of the CLA to the detriment of the employee.

Explanatory notes on the regulations by article

Article 1 Scope of these regulations

This article stipulates which persons are excluded from the regulations and which activities are not considered training activities under the regulations because provisions have been made elsewhere in the CLA (e.g. Article 3.21(b) of the CLA regarding expenses related to employee competency).

Article 2 Definition of terms

This article contains definitions of the following terms: training, training costs and training facilities, as these are used in the regulations.

Article 3 Types of training

The regulations make a distinction between three types of training: training required for an employee's current or future position, non-essential job-related training and non-job-related training that the manager believes will contribute to the employee's career development.

Article 4 Facilities for required or job-related training

Starting on 1 August 2022, taking a training course is seen as working time. Therefore, the employee and manager are responsible for ensuring that activities related to training take place as much as possible during working time. For training that, in the manager's opinion, is required for the employee's current or future position, or is not required but is job-related, 100% of the costs will be reimbursed. In addition, the manager will provide compensation for travel and accommodation expenses, as well as leave for attending classes or sitting exams when these are scheduled during working time. For educational requirements that are not or cannot be scheduled during working time, the employee may request compensatory leave. The employee has the primary responsibility to maintain a record of these hours. In doing so, the rules of the Working Hours Act must be properly observed. It follows from the third paragraph that the manager may, if so desired, make additional agreements with the employee about leave for preparing for classes, tests and/or examinations.

Article 5 Training facilities that contribute to career development

For this type of training, the compensation for costs and other training expenses is 50%. The manager and employee may make additional agreements about the 50% compensatory leave, if so desired. In principle, employees must take unpaid leave to prepare for classes, tests and/or examinations.

Article 6 Applying for training facilities

If an employee wishes to be considered for training facilities, he or she should submit an estimate outlining the costs associated with the training in advance, also stating the duration of the training. Only after the request has been made (see Article 4) or permission (see Article 5) to participate in training has been given in writing and the budget has been approved is the employee entitled to training facilities. When deciding whether an employee may participate in a training activity for which facilities are provided, the unit's available training budget and the business interests of the organisation will be carefully considered.

Article 7 Employee's duty to inform

The employee will provide the manager with regular progress reports on the training and the results achieved.

Article 8 Repayment obligation for non-job-related training

In the situations referred to in this article, the employee effectively incurs a debt and is liable to repay this debt. Once training has been successfully completed, the amount owed will be reduced by 1/24 for each month that elapses from completion of the training activity, so that the obligation to repay is reduced to zero at the end of two years. Although by providing training facilities the manager is making an investment in the employee, and it is therefore perfectly reasonable to expect (at least some) return on this investment, under certain circumstances a repayment obligation may nonetheless be considered undesirable. For those situations other agreements can be made regarding the repayment obligation based on the hardship clause of Article 9 of the Training Facilities Regulations. It may, for example, be agreed that no repayment or only a partial repayment is required.

Article 9 Hardship clause

The hardship clause in this article makes it possible, in special cases, for the manager to deviate from the regulations for the benefit of the employee. Deviations may include providing training facilities in a situation where training has been requested by the employee that the manager feels does not contribute to the employee's career development, or does not directly contribute to this, but that may nevertheless be important for the wellbeing and work ethic of the individual concerned.