

## Maternity leave

### *Maternity leave*

Explanatory notes concerning Article 4.12 of the Collective Labour Agreement and Article 9 of the Sickness and Disability Scheme for the Dutch Universities (ZANU).

1. Duration of leave and options for flexible periods of leave
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#### 1. Duration of leave and options for flexible periods of leave

Under Article 3:1 of the Work and Care Act, each female employee is entitled to maternity leave from six weeks prior to the expected date of delivery. The standard plan involves sixteen weeks of maternity leave: six before the birth and ten after. Some degree of flexibility can be incorporated into the period of leave. This means that the female employee can choose to start her leave anywhere from four to six weeks prior to the expected due date. Maternity leave must start no later than four weeks before the expected due date. The female employee in question is entitled to a period of 10 weeks' of post-natal maternity leave, commencing from the day after delivery. The period of post-natal maternity leave will be extended to a maximum of 16 weeks or 112 days if and insofar as factors other than illness caused the period of maternity leave prior to delivery to be reduced to less than six weeks. The last period of post-natal maternity leave can be taken in parts. This applies to leave that remains after six weeks following delivery. In consultation with the supervisor, this part of the leave can be taken in instalments spread across a period of no more than 30 weeks.

#### 2. Multiple pregnancy

Female employees pregnant with multiple children, by way of derogation from the above, may commence their leave between 10 and 8 weeks before the expected delivery date. Their period of leave must start no later than eight weeks before the expected due date. Female employees are also entitled to post-natal maternity leave lasting a full ten weeks following delivery, in the same way as female employees pregnant with a single child. With regard to post-natal maternity leave, the same rules apply as for a single birth.

#### 3. The actual due date differs from the expected due date

If the birth takes place prior to the expected due date for reasons other than illness, then the amount of pre-natal maternity leave entitlement that has not been used is added to the period of post-natal maternity leave. This brings the total leave entitlement (both pre-natal and post-natal) to 16 weeks. If the birth occurs later than the due date, then the period of pre-natal maternity leave will be extended by a corresponding amount and the 10-week period of post-natal maternity leave will commence from the day after the delivery. In that case, therefore, the female employee in question will have had more than 16 weeks of leave.

#### 4. Additional post-natal maternity leave in the event your child is hospitalized

If your child has been hospitalized for more than 7 days following delivery, the female employee may be entitled to additional post-natal maternity leave. See the [UWV](#) website for more information.

#### 5. Financial implications

During periods of maternity leave, female employees continue to receive their full salary (including any allowances). Entitlement to holiday allowance and an end-of-year bonus also continues to accrue in full.

#### 6. Holiday leave accrual during maternity leave

Holiday leave accrual continues as usual during periods of maternity leave.

Nor does maternity leave have any impact on the accrual of holiday leave as part of optional long-term leave accrual. Accordingly, saving holiday leave continues as usual during periods of maternity leave.

## **7. Occupational disability in relation to flexible periods of leave**

Any pregnancy-related occupational disability that occurs in the period four to six weeks prior to the expected due date may result in changes to the date of commencement of the pre-natal maternity leave as originally planned. The period of pre-natal maternity leave generally commences on the date of occupational disability. If that moment predates the agreed date of commencement, then the agreed period of flexible post-natal maternity leave will be reduced by an amount of time corresponding to the period by which occupational disability caused the pre-natal maternity leave to be brought forward. In extreme cases, the option for flexible periods of leave will be replaced by the standard leave pattern of six weeks prior to the expected due date, and 10 weeks thereafter.

## **8. Childbirth after termination of employment**

If the female employee's employment ends and the birth is due (or takes place) within 10 weeks, then the employee in question is entitled to receive her remuneration for a period of 16 weeks.

## **9. Procedure**

1. A female employee must notify her manager about her pregnancy no later than eight weeks before her expected due date and request maternity leave using the self-service option *Request maternity leave and report child birth*. The female employee completes the form including the expected delivery date and indicates the period in which she wishes to take maternity leave. The female employee is kindly requested to keep a copy of the certificate of pregnancy issued by her doctor of midwife in the event the university requests to see it.
2. The unit receives benefits under the Work and Care Act (Wazo) for the duration of the female employee's maternity leave.  
During any pregnancy-related illness occurring immediately before or immediately after the period of maternity leave, the unit will receive an allowance under the Sickness Benefits Act (ZW). In this connection, the HRM Servicedesk makes formal application to the UWV.
3. Human Resource Management sends the female employee in question written confirmation of the date of commencement of her period of maternity leave. This is necessary because, under special circumstances, the Department of Occupational Health, Safety and Environment is authorized (after consulting the employee in question) to bring forward the date of commencement of the period of leave to no more than six weeks before the expected due date.
4. If pregnancy-related complaints compel the female employee to stop work less than 42 days prior to the birth but before the date on which she had elected to commence her maternity leave, she has to report in sick using the relevant self service. The Department of Occupational Health, Safety and Environment contacts the individual concerned to determine whether, in the light of their complaints, they wish to bring forward their period of maternity leave and, if so, what the new date of commencement should be. The employee in question, her unit and Human Resource Management are then notified of this decision in writing.
5. After giving birth, the employee will also give notice of the date of birth using the self-service option *Request maternity leave and reporting child birth*. Should the employee wish to make use of the option to take post-natal maternity leave in parts and the supervisor approves this request, then please contact the HRM Servicedesk.