

LABOUR CONDITIONS FOR PHDS

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PNN

PROUT
PhD Network Utrecht

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PROMOVENDI
NETWERK NEDERLAND

VAWO
*The union for the whole
academic community*

TODAY

- ▶ What types of PhD are there?
- ▶ What kind of rules apply?
- ▶ What are these rules?

- ▶ Beware:
 - ▶ Not exhaustive, but some key points
 - ▶ Still it's a lot of information
 - ▶ During presentation, only general/clarifying questions please
 - ▶ We can get to the personal questions afterwards

TODAY (PARTIALLY DEPENDENT ON YOUR INTERESTS)

- ▶ Types of PhDs
- ▶ Levels of labour rights
- ▶ Maternity leave
- ▶ Parental leave
- ▶ Sick leave
- ▶ Internships & board work
- ▶ Supervision
- ▶ Conflict
- ▶ End of contract (incl. transition allowance)

NOT TODAY!

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PNN



- ▶ PNN = PhD Network Netherlands
- ▶ Lobbying group at national and international level for PhDs
 - ▶ Fair labour conditions
 - ▶ Putting mental health on the agenda
 - ▶ Professional PhD Program
 - ▶ Talking with members of parliament, other advocacy groups, players in the field of higher education
 - ▶ Always looking for new board members 😊

VAWO



- ▶ Union for everybody working in academia
- ▶ Negotiates collective labour agreements
- ▶ Negotiates local labour regulations
- ▶ Gives advice and (legal) support

- ▶ For more information www.vawo.nl or info@vawo.nl

WHAT & WHY

- ▶ For PNN, focus on behind-the-scenes lobbying
- ▶ Recently, increased focus on providing information for PhDs
- ▶ Reasons:
 - ▶ PhDs don't seem to know much about basic rights
 - ▶ This leads to increased chance of mental health issues
 - ▶ May lead to abuse
 - ▶ Emancipation: stand up for yourself!

TYPES OF PHD (BASED ON VSNU, 2013)

- ▶ **Type 1: employee PhD**
 - ▶ gets paid for doing PhD by university (possibly via an external funder, e.g. NWO / ZonMw)
 - ▶ has an employment contract with the university
 - ▶ **formal status is employee**
 - ▶ falls under collective labour agreement (cao)

TYPES OF PHD

- ▶ Type 2: scholarship/bursary PhD
 - ▶ gets paid for doing PhD by external funder
 - ▶ non-native to the Netherlands (or even EU)
- ▶ **formal status is student**
 - ▶ does NOT fall under collective labour agreement

TYPES OF PHD

- ▶ Type 3: contract PhD
 - ▶ gets paid for doing PhD by employer who is NOT university, research institute or UMC
 - ▶ works part-time
- ▶ **formal status is external PhD**
 - ▶ falls under collective agreement of employer sector

TYPES OF PHD

- ▶ Type 4: external PhD
 - ▶ does not get paid for doing PhD work: PhD as a 'hobby'
 - ▶ often pays university for supervision
 - ▶ very unclear how many and where
- ▶ **formal status is external**
 - ▶ does not necessarily fall under any collective agreement

BUT FIRST

- ▶ Scholarship/bursary PhDs do not have a labour agreement with the university. This is not without consequences:
 - ▶ They do not fall under collective agreement
 - ▶ They might have an agreement with a (non-Dutch) employer
 - ▶ This has ramifications for tax paying, insurances and other matters
 - ▶ May effect sick leave, parental leave etc
 - ▶ Other benefits may apply, such as rental or health care allowance
- ▶ Extremely complex and pluriform situation, so no clear-cut solutions
- ▶ Contact officers at your university
- ▶ When you have conflict, contact info@hetpnn.nl or info@vawo.nl

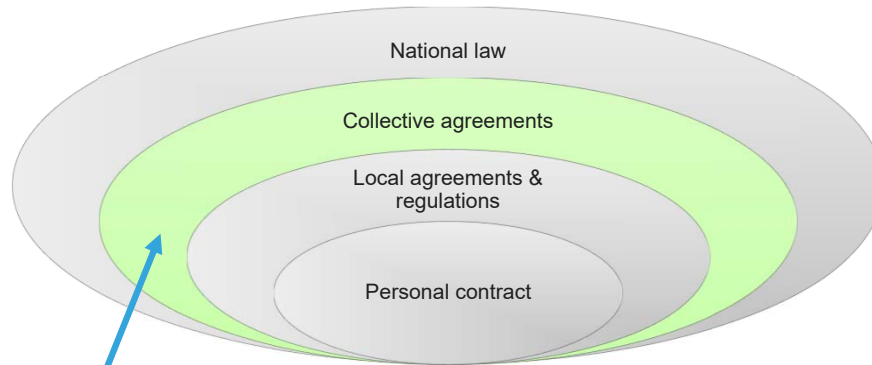


FOUR LEVELS OF LABOUR RIGHTS



1. National laws (for all employees (and sometimes students) in the Netherlands)
2. Collective agreement (for all employee PhDs)
3. Local agreements and regulations (mostly about minor things, e.g. exercising)
4. Personal contract (may contain agreements based on personal situation)

FOUR LEVELS OF LABOUR RIGHTS



More important than the others!

CONTRACT

- ▶ Fixed term temporal employment
- ▶ In principle four years, in practice not always
 - ▶ Other forms are sometimes possible: six years
- ▶ Contract entails all activities that lead to your dissertation, including doing research and writing
- ▶ Usually part of appointment meant for other activities, such as teaching or valorisation
 - ▶ Sometimes specified, more often not

MATERNITY LEAVE

- ▶ In total maximum of 16 weeks, at least 10 weeks post-natal
- ▶ Employee is entitled to full remuneration during leave
- ▶ Father has right of 1 week of working hours
- ▶ In addition, contract of doctoral candidate is extended with pay with amount of maternity leave taken
- ▶ **PhD candidate needs to take initiative**



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PARENTAL LEAVE

- ▶ Parents have a right of 13 times working hours per week parental leave
- ▶ cao-NU:
 - ▶ In addition, contract of doctoral candidate is extended with pay with amount of parental leave taken (if taken after July 2018)
- ▶ **Again, PhD candidate needs to take initiative**

SICK LEAVE

- ▶ First 39 weeks 100% of salary, then until 104 weeks 76%
- ▶ After 104 weeks of sick leave in principle dissolution of contract
- ▶ University can extend contract if duration of illness is 8 weeks or longer
- ▶ More specific regulation: [ZANU 2013](#)

INTERNSHIPS AND BOARD WORK

- ▶ Labour agreement makes room for PhDs for wider development
- ▶ 1. 'Partaking in a work placement', i.e. internship
 - ▶ Max. 6 months
 - ▶ Contract can be temporarily suspended or modified in terms of working hours
- ▶ 2. Performing a management position
 - ▶ Extended with the term of your management position
 - ▶ 'Acknowledged by the Board of Governors', e.g. employee participation body.

SUPERVISION

- ▶ You have a right to supervision,
- ▶ Local PhD regulations may stipulate detailed rights and obligations for employee and employer
- ▶ Often, no clear rules about manner and frequency of supervision
- ▶ If not, make clear arrangements about supervision
- ▶ There is an uneven power relation, but this should not prevent you from standing your ground

CONFLICT

- ▶ Who to contact?
 - ▶ Internally
 - ▶ Supervisor/supervising team
 - ▶ Faculty/graduate school confidential advisor
 - ▶ Ombudsman: Paul Herfs (UU)
 - ▶ Mediator/formal complaint (last resort)
 - ▶ Externally (mostly advisory)
 - ▶ Local PhD Council (Prout)
 - ▶ Labour union (info@vawo.nl). Ask for conditions of legal advice and support
 - ▶ PNN (info@hetpnn.nl)
 - ▶ (Well-kept secret: [Rechtswinkel Utrecht](#))



END OF CONTRACT

- ▶ Two situations:
 - ▶ you are finished
 - ▶ you are not finished
- ▶ Finished? Great!
- ▶ Not finished? No shame in that!
- ▶ Your contract ends with your dissertation. Planning and deliverables should reflect this

END OF CONTRACT

- ▶ What happens when your contract ends but you're not finished?
 - ▶ PhDs are excepted from the so-called 'chain provision' from Dutch law
 - ▶ Your contract as a PhD can always be extended (theoretically)
 - ▶ WW: unemployment benefits. Not intended for working, intended for you to find a new job
 - ▶ For the hours that you are unemployed, you have to be available for the job market.
 - ▶ If you work on your thesis, sometimes no right to benefits, but if you don't tell the government, it may be considered to be fraud. Still, lot of PhDs use it for finishing up

END OF CONTRACT

- ▶ Plan ahead!
 - ▶ Talk to your supervisor
 - ▶ university wants you to succeed, if only for the bonus
 - ▶ start planning in your final year
 - ▶ agree upon clear goals as well as contingency plans
 - ▶ for example: no more data collection with 2 months to go
 - ▶ sometimes you not finishing is bad for supervisors (less publications), but you must be firm: you should finish in time

TRANSITION ALLOWANCE

- ▶ From 2018, PhD candidates at universities and research institutes are entitled to a transition allowance
- ▶ Rule of thumb: for every (full) year of employment, you will receive 1/3 of the monthly gross salary as a transition allowance
- ▶ Some caveats:
 - ▶ Some universities only provide it if asked for
 - ▶ Right to allowance expires if you get offered a new contract – regardless of whether you accept it!

IN CONCLUSION

- ▶ Tip of the iceberg
- ▶ Most important:
 - ▶ inform yourself
 - ▶ emancipate yourself
 - ▶ if you disagree, do something about it!

THE FUTURE

- ▶ PNN wants to help with providing information in three ways:
 - ▶ meetings
 - ▶ leaflet
 - ▶ questions? info@hetpnn.nl or info@vawo.nl

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