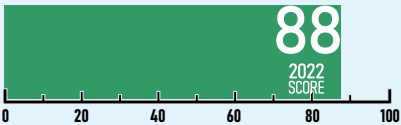


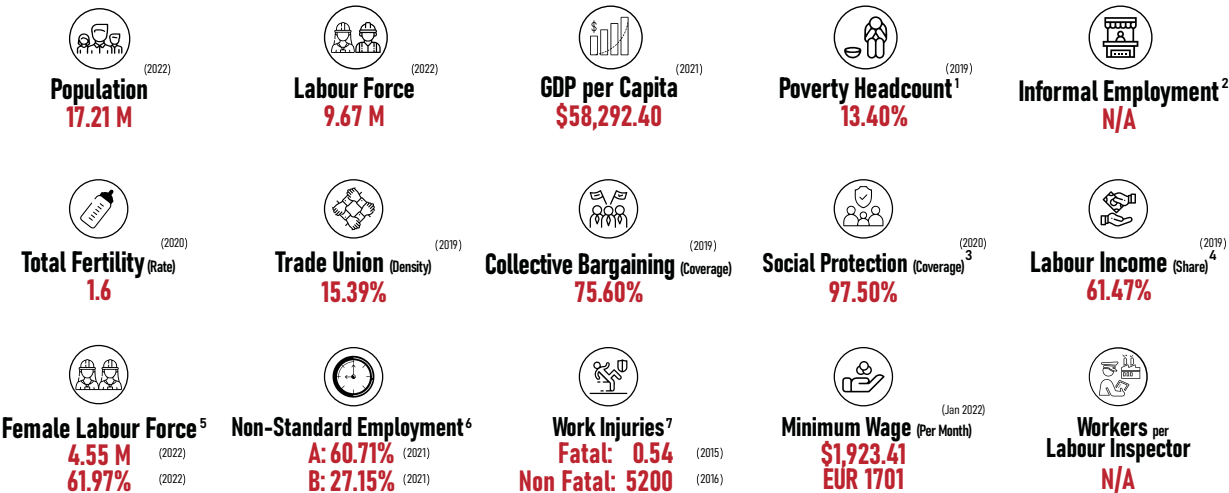


Netherlands



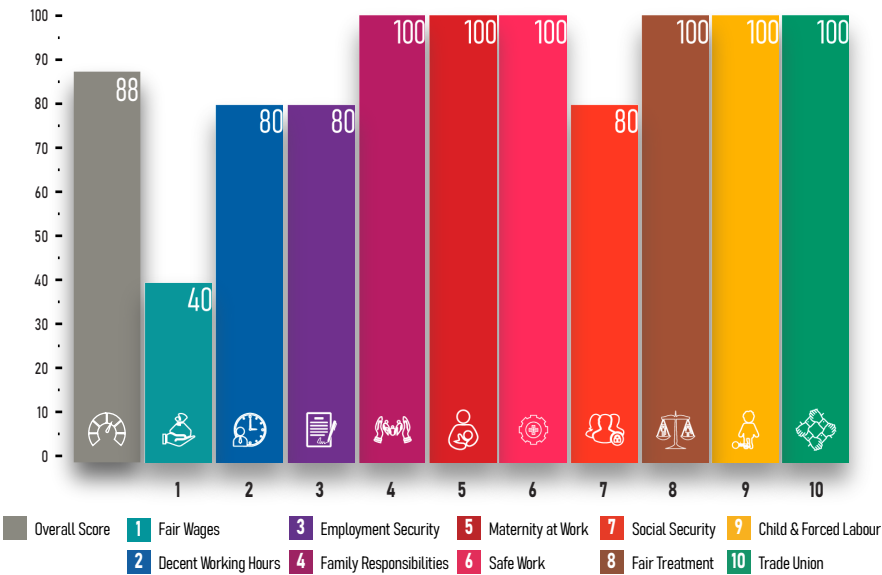
88 2020 SCORE
Western Europe
High Income
Approaching Decent Work
LRI RATING

Contextual Indicators



Sources: World Bank
International Labour Organization
WageIndicator Minimum Wages and Living Wages Database
M = Million

Legislative Performance Indicators



Introduction

The Labour Rights Index 2022 (LRI 2022) is a de-jure index covering 135 economies and structured around the working lifespan of a worker. In total, 46 questions or evaluation criteria are scored across 10 indicators. The overall score is calculated by taking the average of each indicator, with 100 being the highest possible score. The Index uses a rating system, ranging from "Total Lack of Decent Work" to "Decent Work". The Labour Rights Index aims at an active contribution to the Sustainable Development Goals, by providing necessary (complementary) insights into de jure provisions on issues covered in particular by SDG8 (Decent Jobs), SDG 5 (Gender Equality), SDG 10 (Reduced Inequalities) and SDG 16 (Strong Institutions). The Index is based on national labour legislation, applicable on 1 January 2022. The Index does not take into account COVID-19 related labour market measures in its scoring.

Netherlands' overall score is 88 out of 100. The overall score for the Netherlands is lower than the regional average observed across Western Europe (89). Within the Western European region, the highest score is observed for Belgium (96).

¹ Proportion of population living below the national poverty line (%), as measured under SDG 1.2.1
² Share of informal employment in total employment (%), as measured under SDG 8.3.1
³ Proportion of the country population covered by social protection floors, as measured under SDG 1.3.1
⁴ Labour income (income of employees + partly income of the self-employed) as a percentage of GDP, as measured under SDG 10.4.1
⁵ The female labour force is shown in absolute number along with the female labour force participation rate
⁶ Non-Standard Employment has been defined as Part-Time Employment (A) and Temporary Employment (B)
⁷ Rate of fatal and non-fatal injuries per 100,000 workers, as measured under SDG 8.8.1

LABOUR RIGHTS INDEX 2022

	Question ⁹	Answer	Legal Basis	Trend ¹²
1. Fair Wages	Does the law prescribe minimum wage rates in the country?	Yes	Minimum Wages and Minimum Holiday Allowances Act of 27 November 1968	●
	Does the law require regular payment of wages?	Yes	§616-633 of Book 7, Title 10 (Employment Contracts) of Dutch Civil Code (Burgerlijk Wetboek)	●
	Does the law require overtime compensation be at least 125% of the regular hourly rate?	No	Working Time Act (Arbeidstijdenwet), 1995; Working Hours Decree (Arbeidstijdenbesluit), 1995	●
	Does the law require additional compensation for working on a weekly rest day?	No	No applicable legal provisions could be located	●
2. Decent Working hours	Does the law require additional compensation for night work?	No	§17, 4-9, and 5-8 of Working Time Act, 1995; §4:7 of Working Hours Decree, 1995	●
	Does the law stipulate general working hours as 48 hours or lower?	Yes	Working Time Act, 1995; Working Hours Decree, 1995	●
	Does the law restrict maximum working hours including overtime to 56 hours per week?	Yes	Working Time Act (Arbeidstijdenwet), 1995; Working Hours Decree (Arbeidstijdenbesluit), 1995	●
	Does the law require a weekly rest of at least 24 hours?	Yes	§5:3, 5:5, and 5:6 of Working Time Act, 1995	●
	Does the law require paid public holidays?	No	No applicable legal provisions could be located	●
3. Employment Security	Does the law require at least three working weeks of paid annual leave?	Yes	§639 of the Book 7 of the Dutch Civil Code	●
	Does the law require written employment contracts or at least written employment particulars?	Yes	§610 & 654-655 of Book 7, Title 10 (Employment Contracts) of Dutch Civil Code	●
	Does the law restrict the hiring of fixed-term contract workers?	Yes	§667 & 668 of Book 7, Title 10 (Employment Contracts) of Dutch Civil Code (Burgerlijk Wetboek)	●
	Does the law limit the length of probation period including renewals to a maximum of 3 months?	Yes	§652 of Book 7, Title 10 (Employment Contracts) of Dutch Civil Code (Burgerlijk Wetboek)	●
	Does the law require a 30-day notice before contract termination?	Yes	Dutch Civil Code; Extraordinary Decree on Labour Relations 1945 (BBA); Dismissals Decree	●
4. Family Responsibilities	Does the law require severance pay at the rate of at least 2 weeks of wages for every year of service?	No	Dutch Civil Code; Decree conditions deduct costs from transition compensation. Stb. 171 (May 11, 2015)	●
	Does the law require parental leave for parents?	Yes	Chapter 6 (Parental Leave) of the Work and Care Act of 16 November 2001	●
	Does the law require at least one week of paid paternity leave for fathers?	Yes	§4:2, 4:2a and 4:2b of the Work and Care Act of 16 November 2001 (Wet arbeid en zorg)	●
	Does the law require flexible work arrangements for workers with family responsibilities?	Yes	Flexible Working Act (Wet flexibel werken), 2000	●
5. Maternity at Work	Does the law require paid nursing breaks?	Yes	§4:8.1-3 of the Working Time Act, 1995; §3:48 of the Working Conditions Decree, 1997	●
	Does the law prohibits inquiring about pregnancy during recruitment?	Yes	Section 7:646 of the Dutch Civil Code; §1 of the Equal Treatment of Men and Women Act, 2015	●
	Does the law require paid maternity leave of at least 14 weeks?	Yes	§3 & 4 of the Work and Care Act of 16 November 2001 (Wet arbeid en zorg)	●
	Does the law require cash maternity benefit be at least 67% of a worker's former wage?	Yes	§3 & 4 of the Work and Care Act of 16 November 2001 (Wet arbeid en zorg)	●
	Does the law require maternity benefit be paid through contributory social insurance or universal benefits system?	Yes	§3 & 4 of the Work and Care Act of 16 November 2001 (Wet arbeid en zorg)	●
6. Safe Work	Does the law protect workers from dismissals during or on account of pregnancy?	Yes	§667:8, 670:2 & 7 of Book 7, Title 10 (Employment Contracts) of Dutch Civil Code	●
	Does the law require provision of free personal protective equipment to workers from employer?	Yes	§3, 8 & 11 of the Working Conditions Act, 1999; §4 of the Working Conditions Decree, 1997	●
	Does the law require the employer to train workers on health and safety issues?	Yes	Working Conditions Act, 1999; Working Conditions Decree, 1997	●
	Does the law restrict work that is prejudicial to the health of the mother or the child?	Yes	§4:5 & 4:7 of the Working Time Act, 1995; §1:41 & 1:42 of the Working Conditions Decree, 1997	●
	Does the law provide for employment injury benefit?	Yes	The Disability Insurance Act, 1966; The Work According to the Labour Capacity Act, 2005	●
7. Social Security	Does the law provide for an old age pension?	Yes	General Old Age Pensions Act (Algemene Ouderdoms Wet-AOW) of 31 May 1956	●
	Does the law provide for a dependants/survivors' pension?	No	General Surviving Relatives Act (Algemene Nabestaanden Wet-ANW) of 21 December 1995	●
	Does the law provide for unemployment benefit?	Yes	Unemployment Benefits Act (Werkloosheidswet-WW) of 6 November 1986	●
	Does the law require paid sick leave for the first 6 months of sickness?	Yes	Dutch Civil Code; Sickness Benefits Act, 1913	●
	Does the law provide for invalidity benefit?	Yes	The Disability Insurance Act, 1966; The Work According to the Labour Capacity Act, 2005	●
8. Fair Treatment	Does the law require equal remuneration for work of equal value?	Yes	General Equal Treatment Act, 1994; Equal Treatment (Men and Women) Act, 1980; Civil Code	●
	Does the law prohibit sexual harassment in employment?	Yes	Dutch Civil Code; Working Conditions Act, 1999	●
	Does the law prohibit discrimination in employment matters? ¹⁰	Yes	Dutch Civil Code; General Equal Treatment Act, 1994; Equal Treatment in Employment (Men and Women) Act, 1980	●
	Does the law allow women to do the same jobs as men?	Yes	Equal Treatment (Men and Women) Act, 1980; Decree on Gender Related Occupational Activities, 1989	●
	Does the law guarantee basic labour protections for gig economy workers?	Yes	General Old Age Pensions Act (Algemene Ouderdoms Wet-AOW) of 1956; MISSOC Comp. Table for Netherlands	●
9. Child and Forced Labour	Does the law prohibit employment of children?	Yes	§3:2 of the Arbeidstijdenwet, 1999	●
	Does the law set employment entry age equal to or higher than the compulsory schooling age?	Yes	Paragraph 2 and 2a of the Compulsory Education Act (Leerplichtwet), 1969	●
	Does the law prohibit the employment of children in hazardous work under the age of 18 years?	Yes	§3:2 of the Arbeidstijdenwet, 1999	●
	Does the law prohibit forced labour?	Yes	§197b-197d & 273-f of Dutch Penal Code, 1881	●
10. Trade Union	Does the law allow workers to form and join unions of their own choice?	Yes	§1 & 8, Dutch Constitution of 1815; Works Councils Act of 28 January 1971; §5, European Social Charter	●
	Does the law allow workers to bargain collectively with employers through their representative unions?	Yes	Collective Agreements Act, 1971; Act on Declaring Provisions of Collective Agreements Generally Binding and Non-Binding, 1937	●
	Does the law provide for the right to strike?	Yes	Dutch Supreme Court Ruling of 1986; §6(4) of the 1961 Council of Europe Social Charter	●
	Does the law prohibit employers from terminating employment contracts of striking workers?	Yes	§6 of the European Social Charter	●

Covid 19 and Labour Market in Netherlands*

Total Covid Cases	8.30 Million
Total Covid Deaths	22,526
Partial Vaccinated	75.0%
Fully Vaccinated	70.0%

Wage Subsidies	✓
Social Security Contributions (deferrals/waivers)	✓
Paid Sick Leave	✗
Add. Unemployment Benefits	✓

Protection from Dismissals	✗
Telework/flexible work	✓
Improved Health Access	✗
Training (activation measures)	✓

⁹ The Index has 10 indicators and 46 evaluation criteria or questions.

¹⁰ The prohibited grounds for discrimination are "race, colour, sex, religion, political opinion, national extraction or social origin, age, disability and trade union membership".

A score of 1 is assigned only if a country has prohibited discrimination on at least 7 of the above 10 grounds.

¹¹ A country's score on LRI's Trade Union indicator must also be read together SDG indicator 8.8.2 which measures the level of national compliance with labour rights (freedom of association and collective bargaining) based on ILO textual sources and national legislation. It has a range from 0 to 10, with 0 being the best possible score (indicating higher levels of compliance with FACB rights) and 10 the worst (indicating lower levels of compliance with FACB rights). The score of Netherlands on SDG 8.8.2 is 0.38 (2020)

The Index uses Observations/Direct Requests from ILO CEACR and the US Department of State's Country Reports on Human Rights Practices (US DOS CRHRP) to measure a country's compliance on the Trade Union indicator.

¹² In order to measure the trend in country's legislative performance over the last edition of the Labour Rights Index (2020), the legislative table indicates improvement or worsening of labour rights in country through the following colours.

- Score increase
- Score decrease
- Score adjustment
- No change