



# Decent work for a fair wage

## Tips for employees temporarily working in the Netherlands

Are you temporarily working in the Netherlands? If so, this flyer is meant for you. By doing your work, you contribute to the Dutch economy. So it's only logical that you should be able to work in safety and get paid what you're entitled to.

Most companies in the Netherlands comply with the regulations concerning foreign employees. The government performs regular inspections to monitor this. Such inspections are performed by the Inspectorate SZW of the Ministry of Social Affairs and Employment. The Inspectorate SZW cracks down on employers who violate the labour laws, especially in cases of fraud or exploitation. Sadly, it still is possible that you will experience shady practices. This flyer gives you useful tips to prevent such problems.

The first - and possibly most important - tip:

- Keep proper records starting on your first working day. Also note down the name and the number you are registered under. Keep records on paper or digitally, or both! You'll have all information sorted should you come to have a dispute with your employer. And having everything in writing also helps if you would like to file a complaint later on.

In addition to tips, this flyer also lists your rights as an employee and explains what steps you can take if your employer does not respect those rights.

### General tips

- Make sure your employer knows both your address in the Netherlands and your address in your home country.
- Are you employed by a temporary employment agency? If so, note down the name of the company you work for, and the name of the agency.
- Never sign blank forms. Never sign forms that have already been (partially) completed in pencil.
- Never sign forms you do not fully understand, for instance because you do not completely understand the language. Demand that your employer provides a translation and an explanation.
- Did you sign a form? Always demand a copy of the form and keep it with your records.

### Tips on working hours

- Keep proper records about your work from your very first day.
- Each day, record the time you started work that day and the time you stopped working.
- Also record how often you took a break and how long those breaks were.
- Are you paid by how much you pick, harvest or make? If so, also record your daily production. Write down the kilos or number of products made. Also write down how much time you needed for this work.

### Tips on your salary

- Only start working when you know exactly how much you will be paid and what your working hours will be.
- Is this amount the gross or the net wage? Does your wage include 8% holiday allowance and paid holidays? Ask your employer if you're not certain.
- Write down all agreements made about your wages, especially if you do not possess a written employment contract.
- Do not accept payment in cash. This is no longer allowed in the Netherlands since 1 July 2015. Your employer has to transfer your wages to your bank account.

### You are entitled to the minimum wage, a holiday allowance and a free annual income statement

Are you employed by a Dutch employer? If so, you are entitled to:

- A minimum salary based on the statutory minimum wage (For more information, visit: <http://www.inspectieszw.nl/english>).
- An annual holiday allowance of 8% of your gross wage.
- A free annual income statement. You need this statement when filing your tax return.

These rights are yours by law. If your employer does not comply with them, you can take action.

### When you have a complaint

Do you have a complaint about the payment of your salary, about the working hours or the working conditions?

Visit the Inspectorate SZW website:

<http://www.inspectieszw.nl/english> (click on "Contact and digital complaint form"). You can also complete the complaint form if you're employed by a non-Dutch company.

In your complaint, write down what you believe is the matter in as much detail as possible. Add evidence (wage slips, labour contracts, photo's, et cetera). Also provide your contact details (telephone number, email address or postal address). And state the language the Inspectorate SZW is to use to communicate with you. Do you prefer to file your complaint by telephone? Ring the Inspectorate SZW: **0800-5151** (free of charge).

You can also file an anonymous complaint. Unfortunately, this does make it more difficult for the Inspectorate to do something about it.

*What happens when the company has violated the law?*

The Inspectorate SZW will carefully assess your complaint. If there are indications that the law may have been violated, an inspector will start an investigation. It is possible that the inspector will first contact you and ask some additional questions. If the inspector finds that the company has committed one or more violations, the Inspectorate imposes sanctions on the company. The more severe the violation, the more severe the sanction. If it becomes clear that you have been underpaid, your employer has to pay what you're owed.

*You have a complaint, but you are employed through a temporary employment agency?*

Are you employed through a temporary employment agency? In this case you also have certain rights, based on the collective agreement for the employment agency sector. If your employer does not comply with the terms of the collective agreement, you can report this to the SNCU, the organisation responsible for monitoring compliance with the collective agreement for the employment agency sector. You can file your complaint on: [www.sncu.nl](http://www.sncu.nl). File a complaint if, for instance, your employer does not pay the proper wages or does not properly remunerate overtime.

The SNCU reporting centre is multilingual. The SNCU forces temporary employment agencies to pay the disadvantaged temporary agency workers what they are due.

## Reporting works!

Filing a complaint is not a fun task. Especially in a foreign country. It's also understandable that you may be worried about possible consequences.

Still, reporting misconduct will help you. And it's not only in your own interest, but also for the good of your colleagues, now and in the future. By filing your complaint, you help the Inspectorate SZW to detect and crack down on fraud and exploitation. Reporting works!

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