

# REGULATIONS CONCERNING ABSENCE

## 1. Reporting sick

In the event of incapacity for work, you must report sick personally before your shift, but no later than 09:00 a.m. the same day, first to your manager and subsequently to Mettom via telephone number 040- 82 00 398. If Mettom is not available by telephone, you must leave a clear voicemail message. If you become ill during working hours, you also must report this to both your manager and to Mettom before you go home. It is important for your manager that you indicate which business appointments with customers, suppliers, colleagues and such like should be handled by someone else or postponed.

When reporting sick, you should at least state:

- The likely duration of the illness.
- Your (nursing) address and telephone number.
- Whether there is work that you could perform.

Should you not be capable of ringing yourself, you can ask someone to ring for you.

NB: in connection with the right to continued payment of wages or a benefit under the Sickness Benefits Act, it is important that you report sick on the first day of incapacity for work, irrespective of whether you are rostered in for this day.

## 2. Remaining at home

After reporting sick, you must remain at home until you have recovered. You are only permitted to leave the address to visit your general practitioner or the Health and Safety Service company doctor, to resume work or upon Mettom's explicit permission. Should the Health and Safety Service not find you home, without this having been reported to Mettom, you will be charged for the related costs. Note: the costs could be as high as € 200 per visit.

During the company doctor's check-up, you must provide the information concerning the nature and causes of the complaints, engagement of your general practitioner and the medical treatment. You may also be asked about any relation between your illness and the working conditions.

## 3. Frequent absence

A more detailed consultation will take place after repeated absence due to illness.

## 4. Nursing address

If you should move house during your period of incapacity for work or temporarily be staying elsewhere or change your nursing address (for example upon admittance to or discharge from a hospital) you must report this to Mettom within 24 hours.

## 5. Assistance from Mettom

Mettom will contact you regularly and enquire about your progress. This could take place by telephone or by house call. Agreements may then be made concerning your return to work or the frequency and manner of contact between you and Mettom.

## 6. Medical examinations

If a medical examination is required to assess (in)capacity for work, you are obliged to cooperate. The medical examination will be performed by or upon referral from the Health and Safety Service's company doctor.

You must respond to a summons for the company doctor's consultation. Even if you intend to resume work the day after the consultation. You can also seek Mettom's absence service assistance to request a consultation with the company doctor.

If you have a valid reason for being unable to attend, you should report this to Mettom immediately. Naturally, you should then not leave your house/nursing address, except for a visit to your attending physician or to resume work. If you should not appear at the company doctor's consultation without stating a valid reason, you will be charged for the company doctor's costs.

#### **7. Problem analysis, advice and action plan**

Within six weeks from reporting sick, the Health and Safety Service performs a problem analysis based on all the information available and provides Mettom and employee with advice concerning the path back to resumption of work. This information is provided to both Mettom and the employee. Of course, the rules on who receives which information will be observed. Based on the problem analysis and the related advice, Mettom and the employee will prepare an action plan aimed at recovery. As soon as this plan has been set by both parties, the Health and Safety Service will receive a copy.

#### **8. Reintegration file and WIA application, application under the Work and Income (Capacity for Work) Act**

The Dutch Gatekeeping Improvement Act binds Mettom and the Health and Safety Service to record all efforts undertaken to achieve successful resumption of work in the reintegration file. This may include conversation/meeting reports, but also feedback from (evaluation) consultations and amendments to the set action plan, as well as the first-year evaluation. In a very small percentage of all absence cases, return to work within two years is not possible. In that case, Mettom, employee and Health and Safety Service will have to submit a WIA application. The Health and Safety Service uses the details from the reintegration file to compile the reintegration report, which is required for applying for the WIA by employee.

#### **9. Liability**

If the incapacity for work was caused by third parties who can be held liable for this, you must report this to Mettom immediately and lend your full assistance to the procedure to be followed by Mettom.

#### **10. Not impeding recovery**

You must cooperate with an as rapid as possible recovery and refrain from activities that could impede or delay the recovery. If you should not do so, Mettom may refuse continued payment of wages.

#### **11. Holiday or stay abroad**

If you should become ill during your holidays, you must report this to Mettom as soon as possible (by telephone or e-mail), stating the holiday address and telephone number where you can be reached. After return from your holiday address, you must submit a medical statement, drawn up by a doctor during the illness, to the company doctor. This medical statement should list the duration, nature and treatment of the incapacity for work. Based on this statement, the company doctor will advise Mettom concerning the ratio between absence due to illness days and holidays.

If you wish to go on holiday during the period of illness, you will need permission in writing from the company doctor. Together with this permission, you must subsequently submit a request in writing to Mettom for being permitted to go on holiday. Mettom subsequently decides whether the holiday will be granted.

#### **12. Performing work**

During your incapacity for work period you may not perform paid or unpaid work, unless this concerns work offered by Mettom.

If, due to illness, you should be (partially) incapable of performing your own work, but be capable of performing other work, Mettom may offer you other (temporary) work:

- If this concerns suitable work, you are obliged to accept this work.
- If there is no suitable work with hirer, Mettom will search for suitable work outside the hirer's organisation.
- Mettom will request the company doctor's advice concerning the suitability of the work offered. Reasonable proposals must be accepted by you.

### 13. Resuming work upon recovery

As soon as you are capable of resuming your work, you should take up these activities immediately. You are expected to contact your manager yourself. You do not need to await special instructions to do so.

### 14. Reporting recovery

You are required to report your recovery to Mettom before 11:00 a.m. on the day you are better. If you should not do so, you may be charged for any planned Health and Safety Service activities.

### 15. Expert opinion

If you should not agree with any rulings by the company doctor or actions and proposals by Mettom, you shall be obliged to discuss this with the company doctor immediately. You can also make use of the complaints procedure for the Health and Safety Service or the reintegration company involved. You may subsequently request a second opinion from the UWV's insurance doctor. The costs of this second opinion are to be paid by you. A second opinion is not binding and will be considered as advisory by Mettom.

### 16. Ill-after-employment stipulation

- a. An employee who becomes ill within 4 weeks from the end of employment and who is not working for another employer or receiving an unemployment (WW) benefit, reports sick with employer immediately in conformity with the employer's applicable regulations concerning reporting sick;
- b. An employee who is ill at the moment he or she leaves employment and an employee who meets the stipulations in subclause a, must:
  - respond to a summons from the employer's company doctor and/or occupational health expert;
  - provide employer with all the information he or she is required to provide to employer as excess bearer or to the employee insurance agency UWV pursuant to the Sickness Benefits Act or Work and Income (Capacity for Work) Act (WIA). If the employee does not grant permission to provide medical information to employer, he or she must provide this to a company doctor or physician and authorized representative.
  - meet all obligations under the Sickness Benefits Act and the WIA Act;
  - cooperate with a reintegration programme or trial placement offered on behalf of employer;
  - apply for an (early) Full Invalidity Benefit Regulations (IVA) benefit if and as soon as the company doctor considers this possible.

The obligations stated above in item b remain as long as the employee remains incapacitated for work and enjoys a benefit under the Sickness Benefits Act. Once the employee has recovered completely, the obligations will cease, unless the employee should become incapacitated for work again within 4 weeks from recovery.

- c. If the employee violates the stipulations in subclause a or subclause b of this clause, he shall forfeit to the employer an immediately payable penalty of € 2,500 for each violation, as well as an amount of € 500 for every day the violation continues. The penalty shall be owing due to the mere fact of the violation or non-fulfilment, but the employer's right to demand fulfilment and to claim full compensation will remain intact. The penalty

is due directly to the employer and is to his benefit. This is an explicit deviation from the provisions in Article 7:650 paragraphs 3 and 5 of the Civil Code.

#### **17. Sanctions**

It is important that you follow the instructions laid down in these regulations concerning absence. In the event of violations, Mettom shall be entitled to enforce sanctions. These sanctions may consist of:

- Charging any costs incurred.
- Serious cases, including the refusal to cooperate with the recovery or resumption of work, may be (an urgent) reason for Mettom, besides the previously mentioned sanctions, to terminate the employment contract (with immediate effect).

#### **18. Relationship with the employment contract**

Employee receives these regulations concerning absence with the employment contract and they are part of the employment contract. By signing the employment contract, the employee indicates to be familiar with the contents of these regulations and to agree to them.