



On 2 March, the Werkgeversvereniging Banken (Employers Association for Banks), referred to below as the WVB, and the trade union organisations CNV Vakmensen and De Unie reached agreement on the Collective Labour Agreement for Banks 2022 (CLA Banks). The main themes of the 2022 CLA are agility, vitality and engagement.

### **Term**

The CLA Banks has a term of one year, from 1 January 2022 to 31 December 2022.

### **Salary increase**

As stated in section 6.8 of the CLA Banks, the job grade salaries and salary scales are being increased by 2.5% with effect from 1 March 2022.

### **Time and Place Independent Working (TPIW)**

The parties to the collective labour agreement have agreed the following working conditions framework with regard to time and place independent working:

- TPIW is an opportunity to work flexibly in terms of working hours or location and not a right or an obligation.
- The employee and the employer will agree on the extent and frequency of TPIW, mutual access, work location, and any working hours outside standard working hours.
- If employees shift their working hours on their own initiative to a period outside the agreed working hours, this does not constitute overtime.
- The employer addresses the organisation of the work, the balance between work and private life, taking breaks, dealing with work pressure, social cohesion within the organisation and the sustainable employability policy.
- The employer has a duty of care and responsibility to furnish the (home) workplace in accordance with the occupational health and safety standards. The employee will make every effort to comply with the occupational health and safety standards.

It will also be stipulated in the CLA Banks that the employer, in consultation with the employee representation, will draw up a scheme for TPIW that covers the following elements:

- Providing or reimbursing occupational health and safety equipment for setting up the workplace.
- Providing or reimbursing communication and/or ICT facilities.
- Instruction on how to arrange the workplace based on the legal standards with reference to the Working Conditions Act and the joint responsibility of the employer and employee for occupational health and safety.

- An allowance for TPIW that covers the additional costs of working from home. The employer determines the amount and form of the allowance in consultation with the employee representation. The Nibud standard for working from home is the guiding principle here. Use can be made of current tax facilities e.g., for internet use.
- Provisions on the evaluation and adjustment of the scheme.

During the collective bargaining period, the WVB will make an inventory of the various schemes among employers and inform the trade unions about them.

### **Flexible work & overtime**

The fixed meal allowance of €11.80 will be abolished and replaced by a system for declaring expenses.

### **Holiday and other leave schemes**

- *Holiday hours*

The number of hours of extra-statutory annual leave is being increased from 64.8 to 72 hours as of 1 January 2022. This entitles an employee with an average working week of 36 hours to six weeks' holiday annually, namely four weeks of statutory and two weeks of extra-statutory leave. Employees have the right to sell their extra-statutory hours every year.

- *Birth leave after the partner gives birth*

With effect from 1 July 2020, the statutory birth leave provision after the partner gives birth will be supplemented to one workweek of fully paid, plus five weeks of birth leave at a continued payment of 70% of the maximum daily wage. The parties to the CLA have agreed to extend the continued payment to six weeks of fully paid maternity leave for the partner as of 1 January 2022.

- *Parental leave*

On 2 August 2022, the Paid Parental Leave Act will enter into force, entitling employees to nine weeks of paid parental leave during the first year after the birth at a payment level of up to 50% of the maximum daily wage, to be paid by the UWV. As of the effective date of the new law, the employer will provide a financial supplement up to four weeks of fully paid parental leave if taken in the first year after the child's birth. The existing scheme for a financial supplement to parental leave will be maintained until that date.

- *Leave savings*

The parties to the CLA have agreed on a study into the possibility and desirability of saving leave. The parties to the CLA will look into whether the framework character of the CLA Banks lends itself to a future CLA agreement on this subject, what design options are available and the impact on implementation. It will also be assessed whether leave saving can effectively contribute to the further growth and reduction of accrued leave entitlement.

### **Vitality**

- *Vitality plans*

In 2022, the employers will deliver an updated vitality plan that zooms explicitly in on vitality in relation to the topicality of Time and Place Independent Working. The text of the CLA Banks 2022 et seq. will clarify the content of these vitality plans. This CLA agreement can be seen as a follow-up to the vitality plans drawn up in 2019, which focused on the three pillars: 'fit for life', 'fit for the job' and 'fit for the future'. Recently, a fourth challenge was added by the large-scale change in the way we work, triggered by the Covid-19 pandemic.

- *Vitality leave*

Employees who have been employed with the employer for at least seven years before the date of commencement of employment will be able to apply for vitality leave for the first time after five years of employment with the employer, effective from the date of the Banking CLA 2022. The usual seven years apply to any subsequent application for vitality leave. The application is granted in consultation with the employer and according to the existing vitality leave scheme conditions. That way, the vitality leave scheme can contribute more effectively to the vitality of employees who have been active and mobile on the labour market for a longer time.

- *Work-life balance in relation to long-term informal care*

Combining work and care tasks can be demanding for an informal carer, affecting the employee's vitality and work-life balance. The parties to the CLA believe it is important for long-term carers to be supported with their caregiving tasks and will conduct a joint study in 2022 into possible parties who can be deployed for informal care support and bring this to the attention of employers.

### **Assessment and development**

One of the current criteria for an appraisal system is that agreements are made between the employee and the appraiser about the subjects of the appraisal at the beginning of the year. Current developments concerning appraisal show an increase of continuous dialogue between appraiser and employee. To align this with current developments, an additional sentence will be included in the collective agreement: "The agreements made are followed up by evaluations during the year and are adjusted as necessary. Manager and employee can both take the initiative to evaluate."

### **Sustainable employability**

- *Career switch scheme*

The parties to the CLA believe it is important for employees to be able to change careers, even if they are not affected by a reorganisation. A career switch increases the employee's individual employability and contributes in a broader sense to mobility on the labour market. The parties to the CLA have agreed to conduct a joint study during the term of the Banks CLA 2022 to establish whether a structural career switch scheme is desirable and, if so, in what form.

### **Supplementary**

- *New pension system*

During the term of the CLA Banks 2022, the CLA parties will continue to discuss the progress and implementation of the pension agreement and the implications for the CLA Banks and strive to reach

new (interim) CLA agreements on pensions no later than 1 November 2022. The starting point will be the existing financial frameworks in the 2022 CLA Banks and the results of the pension study conducted in 2021 between the parties to the CLA, taking into account the principles of the new pension system.

- *Early Retirement Scheme (RVU Scheme)*

The RVU scheme will be included in the 2022 Banks CLA. This offers employees who are three years or less away from their state retirement age the opportunity to make use of the temporary extension of the RVU (early retirement) scheme under the pension agreement. The amount of the benefit is € 1,874 gross per month for full-time employment. Employees wishing to make use of this must have been with the employer for at least ten consecutive years. The employee must apply to the employer for the RVU scheme at least six months before the intended commencement date, and the employee takes the initiative to discuss with the employer his reasons and how the RVU scheme contributes to their vitality. The employer decides whether to grant the scheme and will give reasons if the application is turned down. The CLA agreement on the RVU scheme applies to the current CLA, after which it will be evaluated by the parties to the CLA. If the statutory extension of the RVU scheme ends, so does this CLA agreement.

### **Incapacity for work**

The parties to the CLA have agreed on a number of adjustments to the provisions for incapacity for work to bring them up to date and align them more closely to the market. The intention is also to achieve more uniformity in terms of concepts. The envisaged changes in financial supplements apply to employees whose first day of sickness is on or after the commencement date of the CLA Banks 2022. Current cases of sickness on the effective date of this CLA are governed by the CLA Banks 2021.

- *Incapacity for work in general*

The CLA uses different terminologies to calculate bases for income supplements, such as IVA benefit threshold (Article 10.3) and WGA benefit threshold (Article 10.4). As both terms refer to the social insurance wage (SV wage), they are replaced in the CLA text by the concept of SV wage, with the following definition: the maximum (gross) amount for the calculation of the WIA benefit (see Article 13 of the Work and Income (Capacity for Work) Act and Article 17(1) of the Social Insurance (Funding) Act).

- *Occupational disability, first and second year of sickness (CLA Article 10.1)*

To clarify the concept of extra-statutory benefits, reference will be made to Article 629 of Book 7 of the Dutch Civil Code. Since a lower sickness benefit within two months of employment is not on market terms, the two-month term is being dropped. Structural wage increases are standard in absence insurance, and benefits are not indexed. Therefore, the phrase "unless a fixed percentage has been agreed with the insurer" can be deleted. The collective agreement text will add as a criterion that the employee who performs reintegration activities in consultation with the company doctor is eligible for a supplement to 100% in the second year of sickness. In consultation

with the company doctor, employees who temporarily do not perform any activities are also eligible for this supplement.

- *Permanent disability (IVA)  $\geq 80\%$ , from 3rd year of sickness (CLA Article 10.3)*

The parties to the CLA have agreed to abolish the distinction between a supplement of 70% and 80% in the event of an annual income exceeding the social security wage. In all cases, the supplement amounts to 80% of the annual income above the social insurance wage (in accordance with the definition in the CLA), in proportion to the incapacity for work. The criterion that the employee must have been with the employer for at least five years has been dropped.

- *Incapacity for work, WGA-entitled, from 3rd year of sickness (CLA Article 10.4.2)*

The parties to the CLA have agreed to extend the duration of the supplementary benefit until the state retirement age in the case of incapacity for work between 35 and 80% or in the case of non-permanent incapacity for work between 80% and 100%. The employer supplements the annual income over the incapacitated part up to the maximum daily wage, whereby the benefit percentage is adjusted to 70%. The employer no longer assesses culpability when it comes to utilising less than 50% of the residual capacity. The parties to the CLA have also agreed that in the event of an annual income exceeding the social security wage, the distinction between a supplement of 70% and 80% will be dropped. In all cases, the supplement amounts to 80% of the annual income above the social insurance wage (in accordance with the definition in the CLA), in proportion to the incapacity for work. The criterion that the employee must have been with the employer for at least five years has been dropped.

- *Statutory WGA premium*

In accordance with the Social Insurance (Funding) Act, Article 34, paragraph 2 and Article 122b, the employer is entitled to withhold a maximum of 50% of the statutory WGA premium (differentiated WGA premium or insurance premium in the event of self-insured treatment of the WGA) from the employee's net salary.

## **Developments in employment opportunities**

- *Verification clause*

Temporary employees who work for the employer and perform the same work as employees in the employer's permanent employment are subject to the provisions of the CLA Banks 2022 concerning salary and salary adjustment, overtime payments and expense allowances, such as travel expenses, from the start of the temporary employment contract. The hirer will ensure that hired temporary agency workers are paid at least in accordance with the CLA Banks 2022 with regard to these employment conditions.

- *Work code*

The parties to the CLA will put the principles of the Working Code on the agenda for the regular consultations in 2022, and together they will look into how WVB members can give substance to this and what the ratio of fixed to flexible is.

- *Participation Act*

The parties to the CLA will continue to address the objectives of the Participation Act and have agreed to resume the partnership with EveryDay Heroes. It has been agreed that every employer will

purchase at least one Power Certificate from EveryDay Heroes. EveryDay Heroes will be asked to pay specific attention to people with a (non-Western) migration background when deploying people with a distance to the labour market.

- *Financing the third year of unemployment*

The current collective agreements for the Private Supplement to the Unemployment Insurance Act and the Disability Insurance Act (PAWW) expire on 1 October 2022. The parties to the CLA intend to continue this arrangement after this end date and have agreed to apply to the PAWW Foundation for an extension no later than 31 March 2022.

### **Reorganisation**

The CLA states that in cases of minor job losses or where no social plan has been drawn up, an employee dismissed for economic reasons, in addition to the statutory transition compensation, is also entitled to an outplacement programme with a CEDEO recognised company to the value of € 4,000 (excluding VAT). The CLA Banks 2022 offers employers and employees the opportunity to make joint agreements on alternative use of (part of) this amount for facilities that can contribute to finding other work. The employee can take the initiative towards the employer.