

3.8 Paid sick leave and incapacity for work

3.8.6 WGA gap insurance

- a. With effect from 1 January 2009, the employer is obliged to offer the employee a WGA gap insurance under the Resumption of Work (Partially Disabled Persons) Regulations (WGA) to cover the financial risk of incapacity for work for at least 35% but less than 80%. This insurance entitles the employee to claim a periodic benefit to supplement the WGA follow-up benefit until they reach Dutch state retirement age. The amount of the benefit is equal to 70% of the daily wage under the Sickness Benefits Act, up to the maximum daily wage pursuant to the Sickness Benefits Act, multiplied by the percentage of incapacity for work and less the WGA follow-up benefit.
- b. The obligation to offer a WGA gap insurance does not apply for employers who bear the risk referred to in 3.8.6(a) themselves or who decide to assume the risk on the advice of the works council.
- c. The premium for the WGA gap insurance was paid by the employee until 1 January 2011; from 1 January 2011 the employer and employee must each pay for 50% of the premium evenly.¹⁶
- d. If the employer already offered employees a WGA gap insurance on 1 November 2007, the insurance must be amended to comply with the conditions stipulated in 3.8.6(a) and (c) on the occasion of the first contract extension.



3.8.7 WIA lower threshold insurance¹⁷

If the employee takes part in a WIA lower threshold insurance to be determined by the Consultative Council in the Metalektro (ROM), the employer will pay 50% of the insurance premium for this. This applies from 1 January 2009.

Notes to 3.8.7

A WIA lower threshold insurance has been provided in the industry since 1 January 2009. Employees have the option of joining this scheme. The WIA lower threshold insurance covers the financial risk in the event of incapacity for work of between 15% to 35% (i.e. the lower threshold). This insurance provides the employee with a regular benefit equal to 100% of the daily wage under the Sickness Benefits Act, up to a maximum of said daily wage, multiplied by the percentage of incapacity for work during a specified period.

¹⁶ The amount withheld must not lead to payment of a salary that is less than the minimum wage.

¹⁷ WIA is the Dutch abbreviation of the Work and Income (Capacity for Work) Act.