

WORK PLACEMENT SCHEME FOR THE CONSTRUCTION INDUSTRY 2018-2019

Valid from 1 August 2018 until 31 July 2019

Bouwend Nederland (Constructing Netherlands) issues guidelines for work placement students for academic year 2018/2019. This is done on the advice of the **Commissie Stages in de Bouw** (Committee Work Placements in Construction), represented in which are:

Bouwend Nederland, the Association for Construction and Infrastructure Companies

BouwTalent, foundation for Mbo- and Hbo-students, active in the complete construction vertical

BNA, Royal Society for Advancement of Construction Dutch Architects (koninklijke maatschappij tot bevordering der Bouwkunst Nederlandse Architecten)

Vereniging Stadswerk Nederland (Association Citywork Netherlands), association of professionals in the area of physical environments

NLingenieurs, industry association of advice, management and engineering firms

Rijkswaterstaat, executing agency of Ministry of Infrastructure and Transport (Ministerie Verkeer en Waterstaat)

Vereniging Hogescholen (Association of Colleges), the representative

organisation of the colleges **Delft University of Technology & Twente University**

1. Scope

Considered as work placement students, and to whom the Work Placement Scheme for the Construction Industry applies, are those students who perform a period of practical work in the construction industry (research, design, supervision, execution, work preparation, management & maintenance) within the framework of a work placement scheme and who study at one of the following educational institutions: Technical University, college with a technical study, Regional Training Centre (Regionaal Opleidingencentrum) (BOL 2 – BOL 4). The scheme also applies to foreign students who perform work placement in The Netherlands.

Not considered to be part of the scope of this Work Placement Scheme are the Construction Site and Infra Assistant (Bouwplaats- en Infra-assistent – a separate scheme 'BPA-INA' exists for this BOL1 and BBL1 training), VMBO learn and work schemes, holiday work and work placements by students at Dutch educational institutes who perform work placement abroad.

2. Definitions

Work Placement: The work placement forms part of the learning process, under educational end responsibility of the educational institute the learning takes place in practice. The student should be enrolled at a recognised training institute.

Graduation: The Commissie Stages in de Bouw decided, as a result of requests from the field, to issue a guideline concerning allowances for graduation. A measure for the allowance is the extent to which the company and student make use of each other's expertise, set off against the company's efforts to allow the graduation project to be completed successfully.

The Commissie Stages distinguishes:

- a. within the company the student performs an assignment that was pre-defined within the framework of the learning process, the company only forms the practical environment. There is a best effort obligation here but no guaranteed result. The compensation is a gross amount per month.
- b. on invitation of the company, for example as follow-up to a previous work placement at that company, the student performs further research into a relevant business topic. Thereby the advised compensation would be at least the established gross compensation per month.

- c. the company invites educational institutes for performance of a graduation project centred around a relevant business topic, multiple students may be invited for this. To that effect a performance contract is entered into between company and college, the compensation for the student(s) depends on their actual performance and will be provided for in the contract.

3. Remuneration

It is not intended that the work placement student is remunerated for the activities performed within the framework of the work placement, the work placement student only receives compensation towards the additional expenses resulting from the work placement. Work placement students do not have an employment contract within the meaning of the Dutch Civil Code, fiscally a fictitious employment applies. Advised for MBO work placement students is a compensation of € 400.- gross per month, for HBO and WO (university) work placement students € 550.- gross per month, or respectively € 92.31, or as the case may be, € 126.92 per week; the work placement host is responsible for withholding taxes over these amounts.

For work placements with a consecutive duration of less than eight (8) weeks it is advised not to provide any compensation. Within the framework of the Work Placement Scheme for Construction there is no room for compensation from work placement host companies to educational institutes for providing work placement students (except for performance contracts in case of graduation).

Different rules may apply to foreign students who perform their work placement in The Netherlands regarding their fiscal position and social security. Students from non-EU countries should have a "COSPA Trainee Agreement". It deals with liability and accident insurance. This document should be present in the administration of the work placement host company for benefit of the labour inspectorate. www.nuffic.nl.

4. Travel Compensation

If the work placement student regularly travels back and forth to the work placement location with consent of the work placement host, the travel expenses incurred may be compensated in accordance with compensation scheme that is applicable at the work placement host. This compensation by the work placement host does not apply when a different scheme already provides for this. Students not possessing a public transport subscription, including foreign students, will receive travel compensation customary in the industry.

5. Compensation Housing Costs

In case the work placement is performed in a location where the person concerned incurs (extra) housing costs, then the work placement host may provide additional compensation to the work placement student.

6. Payroll Taxes, Industry-Specific Schemes, Notification

Payroll Taxes: The work placement host should apply payroll taxes to the compensations. The work placement student usually remains below the exemption threshold, meaning that the payroll taxes withheld can be claimed back through a tax return.

Industry Specific Schemes: Work placement students do not take part in industry specific schemes (with exception of the COV). Therefore deductions in that respect do not apply. The work placement student does not receive a holiday allowance and does not accrue holidays or holiday rights.

7. Work Placement Students and Social Security Contributions

Social Security premiums: Premium under the Healthcare Insurance Act (Zvw) will be payable over the part of the compensation that is indicated as liable for Social Security premiums. No WW (unemployment) and WIA (disability) premium will be payable.

WW and WIA: Work placement students do not fall under compulsory insurance for WW and WIA. In case of disability they can appeal to the Law on provision of incapacity benefit to disabled young people (Wet arbeidsongeschiktheidsvoorziening jonggehandicapten).

Healthcare Insurance Act: With respect to healthcare costs the work placement student will be required to take out insurance independently. The work placement student must register individually with a health insurance provider. The work placement host includes the income dependent Zvw contribution in the payroll statements. In addition to that premium there is a nominal premium for Zvw. This is a fixed amount per month that the work placement student has to pay to the health insurance provider. People under 18 years of age do not have to pay this nominal premium.

8. Liability in Case of Accidents

Work placement host: Every employer can be held liable for occupational accidents, the work placement host will usually have taken out relevant insurance. Companies may refuse access to construction and infrastructure works with an increased risk to work placement students who do not possess a certificate of Elementary Safety (VCA). Identical requirements apply to work placement students as to other employees, Health and Safety Act (Arbowet), art.1, par. 2.

Work placement student: Work placement students should check for themselves whether an accident insurance was taken out on their behalf by the work placement host and/or educational institute. It is recommended that the work placement student takes out a private public liability insurance; being included in a family policy usually no longer suffices when the work placement student is at least 18 years of age.

COV: Once the work placement student has been registered with APG by the work placement host, then the work placement student will have been included in the executing construction company as insured person in the Collective Accident Insurance Construction Industry (Collectieve Ongevallenverzekering Bouwbedrijf).

9. Labour Conditions

Work placement host: Based on the Labour Conditions Act (Arbeidsomstandighedenwet) art. 1 par. 2 the work placement host is considered to be the employer. In this act and the provisions based thereon the following is understood to be:

- a. employer: the person who, without being employer or employee within the meaning of the first paragraph, lets another person perform labour under his supervision;
- b. employee: the other, intended under a, with exception of the person who performs labour as a volunteer. With regards to how and what concerning safety and health at work, please contact Vollandis foundation, www.vollandis.nl, 0341 499 299.

10. Work Placement Quality Assurance

The work placement host gives the work placement student the opportunity to achieve the educational objectives. Within secondary vocational education (BBL and BOL) a work placement host must be approved. With regards to the 'how and what' concerning the approval of learning companies, please contact the foundation for Collaboration of Vocational Education and Business (stichting Samenwerking Beroepsonderwijs Bedrijfsleven, SBB), www.s-bb.nl, 088 338 0000.

11. Leave

The work placement student will be able to enjoy paid time off: during officially recognised national holidays in The Netherlands.

Unpaid leave in case the company closes for holidays and during days off scheduled by the

company. Company holiday, scheduled days off and lost-time days do not count towards work placement time, unless substitute activities are available within the context of the work placement.

Extraordinary and other leave should be arranged by the work placement student in consultation with the work placement host company and (if customary) with the work placement coordinator.

12. Additional Arrangements

Additional arrangements concerning the handling of confidential business data and premature termination of the work placement can be made in the work placement agreement, which will be signed by the work placement host, the educational institute and the work placement student.

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