

Protocol of the basic collective labour agreements (CAOs) in the metalworking and electrical engineering industry (Metalektro) of 19 April 2011

The parties to the collective labour agreements in the Metalektro reached a basic agreement on 19 April 2011 on the renewal of the collective labour agreements in the Metalektro.

The points agreed in this basic agreement which lead to changes in the collective agreement for the metalworking and electrical engineering industry (Metalektro) automatically apply to the CAO Senior Staff in the Metalektro if the text in question is the same in both collective agreements or has the same purpose.

Duration

The duration of the new collective agreements will be 26 months.

The duration of the collective agreement, the collective agreement for Senior Staff and the supplementary collective agreement SAO (working conditions) is from 1 May 2011 to 1 July 2013. The duration of the A+O collective agreement is from 1 January 2012 to 1 January 2014.

Sustainable employability

The parties are being faced with the challenge to contribute to increasing labour participation and sustaining the long-term employability of employees in the face of demographic ageing and a shrinking labour market. The parties are opting for a common agenda at branch level that aims at ensuring that employees with the right competences are healthy, motivated and flexible in their work and will remain so. Sustainable employability of the workforce is fundamental to the Metalektro with its internationally operating companies that need to be competitive and innovative. For employees this means that they can continue to develop and work on their career and close their working life in good health and vigour.

Promoting participation and employability is primarily the responsibility of the employer and the employee. Sustainable employability requires agreements and operational plans that are tailored to employees. The parties can advance and support this at branch level with their joint approach.

Given its importance, the parties have placed sustainable employment high on the agenda of the Metalektro Consultative Council (ROM) and will monitor the agreements that have been made on this. The parties will organise a conference in 2011 to launch the implementation of the joint agenda and thus involve all interested parties within the Metalektro in this joint agenda.

The parties will earmark a budget from existing funds for tackling sustainable employability.

The results of the approach to tackling sustainable employability at branch level will be communicated widely throughout the branch.

The parties have reached the following agreements as part of the efforts to tackle sustainable employability.

Training days

The collective agreement stipulates that employees are entitled to two training days in 2010 en 2011. The parties agree that the same number of training days will apply in 2012 and 2013.

Moreover the parties will devote more attention to the entitlement and the importance of actually using the training days. Training after all is a crucial support in ensuring employees' employability.

The parties will have a survey carried out into the use of the training days and any obstacles that may occur to these training days being used. The number of Stichting A+O consultants for the training days will be increased should it become apparent from the survey that this is desirable. Moreover the parties (via the Stichting A+O) will make a deliberate effort to increase the number of modular training programmes to enhance their availability and accessibility, paying attention to modules that allow employees to orient themselves with regard to training courses (so-called introductory modules) other than those relating directly to their own work. The development of the form and content of these modules will be supervised by the Stichting A+O in conjunction with Kenteq.

The parties will also set up a pilot to gain experience and knowledge with the career check. This will be done to enhance employees' insight into their own career path and the training that is desirable. Two hundred thousand euro (€ 200.000) per year will be earmarked for this within the Stichting A+O in 2012 and 2013

Personal employability scan

The parties will make an agreement in the ROM about the organisation and use of the personal employability scans including the Workability Index. The ROM will formulate an assignment for this for the Stichting A+O. The scans provide a better idea of employees' workability and the need and options for further training, for instance if the employer and the employee conclude that the current function entails an enhanced risk of the employee becoming sick or absent and/or offers insufficient prospects of participation and employability.

Accreditation of Prior Learning

The parties have for some time encouraged employers and employees to work on the Accreditation of Prior Learning. The amount quoted in article 3.13 of the collective agreement will be raised to € 850 gross.

The parties will draw the attention of employers and employees to the experiences gained with the Accreditation of Prior Learning and the opportunities that this offers them.

Different working patterns

Experiences are being gained in various sectors with different patterns of work such as trio jobs and the “80-90-100” scheme, that ensure that older employees are employable longer in specific situations.

The parties have agreed to explore the experiences that have been gained with this and to organise a pilot in at least ten companies.

Part time retirement can help to increase labour participation; the parties will therefore request the Metalektro Pension Fund (PME) to draw the attention of pension fund members and employers more explicitly to the options offered by part time retirement. The ROM will also monitor progress and obstacles arising with regard to part time retirement.

Working conditions

The parties are positive about the '5x Better, working is healthy' project and want to continue it in the coming agreement period. Hence the parties will earmark an amount of up to € 1 million per year for the project for this period.

The parties are convinced that by demonstrating and explaining that good health and safety services produces benefit overall this will result in a better choice of health and safety services packages. The parties will therefore have a survey made of the costs and the returns from the various service packages that are on offer. Employees' opinion of the quality of the services will also be considered in the survey.

The parties will also have a study made of the jobs involving 'heavy work' with a view to the continuing employability of employees. The study will ascertain how a more targeted use of health and safety policy can prevent or reduce absenteeism of both younger and older employees in the short and long term and how employees doing 'heavy work' can qualify themselves through training for less demanding jobs.

Stichting A+O Labour Market Policy and Vocational Training

In the past years parties have come to agreements and taken initiatives to encourage training in the sector. The parties will continue their efforts in the field of training in the Stichting A+O for labour market policy and vocational training, enhancing the effectiveness of the funds invested. The parties want to place more emphasis on the intake in the entire technical column, the relationship between companies and schools, inter sector mobility, the retention and the development of qualified employees and support for a regional approach to the labour market. The regional initiatives and the results achieved with these, for instance the Maasland- en Deltametaal model projects, will be mapped out for all the regions and the

experiences with these projects shared. New promising initiatives in the regions will be actively supported.

TechniekTalent.nu

The parties take the view that improving the sector's image and enhancing the intake of youngsters into the technical professions can best be done by cooperating with other sectors. The Stichting A+O will continue its efforts for TechniekTalent.nu and Bureau TOP, both ventures to encourage intake and retention of young people and others in technical jobs.

Disablement Benefits for Disabled Young People (Wajong)

The parties will set up a project for young people with a Wajong benefit so that these youngsters can be given proper guidance and training. The project is intended to relieve employers and train young people receiving a benefit for work in a technical job or for a technical training place. The parties in the ROM will monitor the project to ensure there are concrete results.

Practical trainers

The parties believe that practical trainers play a crucial role in training young prospective, skilled personnel. To stimulate them in this role the projects that are already currently under way in the Stichting A+O, such as the HBO AD training path, will be continued. New projects can be launched on the basis of the experience gained.

WIA-Metalektro insurances

The WIA-basic insurance (under the Work and income according to labour capacity act (WIA), the WGA-gap Standard insurance (under the Return to work of partially incapacitated workers act (WGA), and the WGA-gap Supplementary were introduced on 1 January 2009. In recent years most employees have taken out one or more of these insurance policies. The parties have come to the conclusion that these insurance products meet a need, offer security of income in the case of disability for work and contribute to a positive image of the sector.

The parties have therefore decided to continue with these insurances and to commence negotiations on renewing the contracts with the insurer (Achmea Schadeverzekering N.V.) and the administrator (Mn Services N.V.).

The parties have moreover agreed that some aspects of the insurance arrangements will be improved and extended using existing resources:

- By offering cover in the WGA-gap insurance Standard for redundancy of the partially incapacitated employee by deleting the condition 'working',
- To give full premium waiver in the WGA-gap insurance for partial incapacity for work;
- To stipulate in de WGA- gap insurance that if employees use at least half of their residual earning capacity, they will receive 5% more benefit;
- To co-insure the employers charges for the WGA-gap insurance Standard;

- To add a supplement 5% of the WGA benefit in the WGA-gap insurance in the case of non-permanent disability for work of 80% or more;
- To include the stipulation in the WIA-basic insurance that if the disability for work falls below 15% as a result of more income through re-integration that a benefit will still be awarded in the case of disability for work of at least 10%.

The parties will examine the possibilities of reducing the premium for the WIA-Metalektro insurances. The parties have the intention of offering a WIA-*excedent* or surplus insurance and will also look into a WIA-*uitstap* insurance against the financial consequences of partial disability for work.

Under instructions from the parties the possibilities will also be examined of developing products for the Metalektro in the field of prevention, reintegration and care using existing resources in conjunction with the WIA-insurances. Examples that spring to mind are models for health management, training courses geared to re-integration and setting up a service desk by insurers to answer questions about absenteeism and reintegration. The parties take the view that this can also be a major help in ensuring that employees are sustainably employed.

Young people and salary scales

The parties want to offer young employees better prospects salary-wise. Hence the parties have agreed that for the salary scales for fully qualified employees the age at which the minimum salary in any event will be paid for 0 years of service is set at 23 years as of 1 January 2013. Companies must amend their salary scales accordingly by 1 January 2013 at the latest.

Pension

The parties agreed during the previous collective agreement negotiations (CAOs Metalektro 2010-2011) to examine the pension scheme in relation to the costs and the support (affordability) for the longer term. Shortly after this the Labour Foundation (*Stichting van de Arbeid*) agreed in the Pension Accord of 4 June 2010 on the necessary adjustments to occupational pensions. The Labour Foundation is still working on realizing the plans set forth in the Accord. The results of the discussion are not known at present so we will have to await developments.

In any event the parties agree that as soon as the outcome is clear the study that has been decided on will be carried out. The parties also agree that it will be stipulated in the collective agreement that the employee organisations' obligation not to call for strikes or any other industrial action will not apply if these strikes or industrial action relate to matters that derive from the arrangements worked out on the basis of the Pension Accord of 4 June 2010.

Conditional extra pension (under 55 scheme)

Employees born in the period 1950 to 1972 inclusive are conditionally entitled to a transitional arrangement (the so-called under 55 scheme) in accordance with the agreements reached in 2005 about a new pension scheme for the Metalektro, that came into force on 1 January 2006. These employees, if they comply with the conditions, are entitled to a conditional extra pension. The actual award depends on the financial position of the Metalektro Pension Fund, the PME.

As of the end of 2005 the PME began forming a reserve to finance the under 55 scheme. The financial crisis has meant that the PME has insufficient resources to pay for the under 55 scheme from the reserve fund.

Hence the parties decided in 2010 to levy a premium to strengthen the reserve. In 2011 the premium is 2%, a maximum of 50% of which will be paid by the employee. It has also been agreed that for every year of birth a decision will be taken on the actual financing of the conditional extra pension on the date on which the pension comes into force.

New developments have occurred since these arrangements were agreed.

The parties together with the PME have concluded that the existing arrangements are vulnerable and that both employers and employees have a need for greater clarity as to the future of the under 55 scheme.

At the same time the parties have seen that the costs of the scheme over the years have drastically increased as a result of the significant rise in life expectancy. No account was taken of this in setting the level of the conditional extra pension. The value of the conditional extra pension at the moment is higher than the parties had intended at the time.

Bearing this in mind the parties have agreed as follows taking into account expectations, costs and the solidarity of employees who have no entitlement to a conditional extra pension:

- In financing the conditional extra pension the actual purchase will be corrected for the effect of the higher life expectancy;
- The premium for financing the under 55 scheme for the PME for 2012 will be raised from 2% to 2.5% of the pensionable base. The PME will determine the premium for the subsequent year at the end of the current year so for the first time at the end of 2012. The premium will be a maximum of 3% of the pensionable base. The premium can be levied until 2020 inclusive.
- The parties have agreed - partly in conjunction with the agreements made on income and duration - that the premium for the under 55 scheme for the PME will be entirely paid for by the employer as of 1 January 2012;
- The PME will be entitled to finance the corrected conditional entitlements for the years of birth 1950 to 1972 inclusive from the reserve and the premium;
- The PME will annually purchase the conditional extra pension for a particular year of birth at the point at which the award of the corrected conditional extra pension is made.
- The age at which the conditional extra pension may be awarded early will immediately be raised from 60 to 61 years in conjunction with the above. This means that the year of birth 1951 may have the conditional extra pension commence on 1 January 2012.

Temporary employees

The collective agreement stipulates that employers may only use NEN certified temporary employment agencies for work to be carried out in the Netherlands. Since this was agreed the Stichting Normering Arbeid, the labour standards organisation that checks whether temporary employment agencies comply with the NEN rules, has developed rapidly. Consequently the parties have now agreed that as of 1 January 2012 temporary employment agencies must also be registered with the Stichting Normering Arbeid as an additional condition.

The existing information on collective agreement rules for foreign employees on the ROM website will be updated on this point.

The parties think that it is important to make a contribution to the training of temporary employees to become qualified skilled workers and to the reintegration of temporary employees who are disabled for work. The parties will launch projects for this purpose and will make the financial resources available.

Holiday legislation

Accrual of holiday days continues during illness as a result of an amendment to legislation on holidays that is expected to come into force on 1 January 2012. There will then be no difference between holiday entitlement built up by healthy and sick employees. The parties therefore think that it is appropriate that the collective agreement should stipulate that the holiday days fixed by the employer in accordance with the wishes of a sick employee should also be deducted. Collective holiday days will not be deducted in the case of sick employees unless they wish to be exempted from their reintegration obligations.

Saving holiday days

If employees wish it, they can save holiday days over and above the legal requirement up to a maximum of 13 times the agreed working time per week (65 days for a full time employment contract). The saved holiday days do not expire or lapse.

Uniform wage definition

The draft legislation to simplify the concept of wage [Wetsvoorstel Uniformering Loonbegrip] is with parliament. The draft legislation may have an impact on the provisions of the collective agreement, such as the definition of Sickness Benefits Wage. The parties agree that if the concept of wage is made more uniform and this has an impact on one or more of the provisions of the collective agreement they will conduct further consultations on this during the term of the agreement. It is the intention of the parties that neither the employee nor the employer should suffer negative consequences as a result of a more uniform concept of wage, for example

in connection with the possible knock-on effect of the notional income for a lease car on the obligatory wage supplement in the case of illness.

Short-term absence

A text will be included in the collective agreement as note to article 6.1 para. 2 sub c which states that the employee in addition to short-term absence in the event of the partner's confinement is also entitled to maternity leave by virtue of legislation.

Introduction of the Integrated Job Grading System ISF

The ISF system owner will shortly be rounding off a project to update the ISF 'Model book'. All job descriptions have been updated, obsolete jobs have been deleted and new jobs added. The system owner will be giving widespread publicity to the new Model book. In conjunction with this the Metalektro Consultative Council (ROM) will actively approach all companies to ensure that they regularly update the ISF and introduce the system in so far as they have not done so already.

Levies

The amounts to be paid by the employer in 2011 and 2012:

- 0.03% for secretariat costs at branch level;
- 0.055% for the Social Fund.

In 2012 and in 2013 a levy of 0.4% will be levied for the labour market and vocational training. The ROM will determine the points at which the levy will actually be imposed.

The aforementioned levies will be calculated on the Wfsv Wage Bill applying to the employer for his company for the year in question.

Income

The parties have agreed on the following wage increases in the collective agreements:

The actual salaries will be increased as of 1 July 2011 by 1.15%. For employees aged 23 and above the increase will amount to at least € 20.62 gross per month for full-time employment;

The actual salaries will be increased as of 1 January 2012 by 1%. For employees aged 23 and above this increase will be at least € 18.11 gross per month for full-time employment.

Moreover as of 1 January 2012 the employer will pay the full premium of 2.5% on the pension base for the conditional extra pension.

To raise the actual salaries as of 1 July 2012 by 1.10%. For employees aged 23 and above this increase will be at least € 20.14 gross per month for full-time employment;

To raise the actual salaries as of 1 July 2013 by 1%. For employees aged 23 and above this increase for full-time employment will be at least € 18.49 gross per month;

The minimum holiday allowance for employees aged 23 and above will be raised as of 1 July 2011 to € 158.24 gross per month, as of 1 January 2012 to € 159.83 gross per month, as of 1 July 2012 to € 161.58 gross per month and as of 1 January 2013 to € 163.20 gross per month for full-time employment.

Thus agreed on 19 April 2011, Zoetermeer:

Vereniging FME-CWM
FME-CWM Association:

FNV Bondgenoten
FNV-Unions:

J. Kamminga

J.P.M. Brocken

CNV Vakmensen
CNV Unions:

DE UNIE
Union for Industry and Services:

P.K. de Jong

G.W.E. ter Welle

VHP2
Association for middle & senior staff:

Mrs. E.H. Winkels-Erpelink