



**September 2023 - September 2024
Annual Report of the University of Twente
Disputes Committee**

Adopted on 30 October 2024



University of Twente Disputes Committee

The University of Twente Disputes Committee (hereafter referred to as: the 'Disputes Committee') commenced its activities on 1 November 2020. The members of the Disputes Committee are professionals, act independently, do not work for the University of Twente and are tasked with investigating and handling disputes. The Disputes Committee presents its recommendations concerning a dispute to the Executive Board, which will ultimately reach a decision on the matter.

During this reporting cycle, the following committee members were active:

- Ben (B.J.) van Beek
- Jolanda (J.) Höfte-Nijen Twilhaar (chair)
- Guus (G.A.) Vermeulen

During the 2023/2024 academic year, no changes were made to the composition of the Disputes Committee.

Ms V. Trifunovic LLB supported the Disputes Committee in its official duties in 2023 and 2024, up until 15 May 2024.

Ms R.C. Klein Woolthuis supported the Disputes Committee in its official duties during this reporting cycle, from 15 May 2024.

Regulation on Disputes

The Regulation on Disputes of the University of Twente ([UT Regulation on Disputes](#)), which was adopted by the Executive Board on 1 November 2020 and which took effect retroactively from 1 January 2020, applies to the working practice of the Disputes Committee. The Regulation expands on the Sectoral regulation on disputes for Dutch universities. The Regulation sets out further procedural/administrative rules within the meaning of Article H.4 (3) of the Collective Labour Agreement (CAO) for Dutch Universities and Article 2 (4) of the Sectoral regulation on disputes for Dutch universities.

Handling of disputes in 2023/2024

New disputes submitted in 2023/2024

In the period between 1 September 2023 and 1 September 2024, two disputes were submitted by employees to the Disputes Committee for review and recommendation.

Dispute 2023/2024-01 was in reference to a dispute following the refusal to promote an employee to a certain job scale and also concerned the manner in which the decision was reached as well as irregularities in the objection procedure that was followed.

Dispute 2023/2024-02 was in reference to adherence to leave entitlements. The request pertains to the decision by the manager not to grant an exemption within the meaning of Article 8 (8) of the Leave Regulations University of Twente to be allowed to retain holiday entitlement due to exceptional circumstances.

Issue of recommendations 2023/2024 and disputes handling by the Executive Board

The Disputes Committee handled two disputes in 2023/2024. One of these was withdrawn by the employee during the procedure. The Disputes Committee issued a recommendation to the Executive Board in respect of one dispute:

Dispute 2023/2024-01 was in reference to a dispute following the refusal by a faculty board to promote an employee to a certain job scale and also concerned the manner in which the decision was reached as well as irregularities in the objection procedure that was followed.

Following an investigation by the Disputes Committee and a hearing with the parties involved, the Disputes Committee concluded that the assessment procedure regarding the promotion was not properly applied, resulting in a failure to uphold the principle of hearing both sides and a lack of sufficient reasoning and justification for the decision.

The Executive Board fully accepted the Disputes Committee’s recommendation and nullified the contested decision. The Executive Board further instructed the faculty board to review the employee’s promotion request with an independent expert.

Withdrawal of dispute

In 2023/2024, one case was later withdrawn by the employee.

Dispute 2023/2024-02 was withdrawn by the respective applicant before the scheduled hearing. A settlement was reached between the parties in this case.

Summary of the Disputes Committee’s activities

The table reflects the work performed by the Disputes Committee in figures. For the sake of completeness, the table also provides the figures since 2020, the year in which the Disputes Committee in its current form began to advise the Executive Board on disputes.

Table: *Quantitative overview of the Disputes Committee’s activities*

	2023/2024	2022/2023	2021/2022	2020
New disputes	2	0	4*	0***
Issued recommendations on disputes	1	0	2	0
Withdrawal of disputes	1	0	1	0
After reaching a settlement	1	0	1	0
Without reaching a settlement		0	0	0
Termination of disputes procedure (no recommendation/not withdrawn by complainant)	0	0	2**	0
Still ongoing (expected to be handled the following year)	0	0	0	0

* Reporting applies for a longer period compared to the year before and the year after.

** Two disputes have not been investigated by the Disputes Committee because they were in reference to matters that do not fall under the purview of the Disputes Committee.

***Zero new disputes were submitted in 2020. For more information about this, please see

Other items

In 2023/2024, the Disputes Committee handled two disputes. One of these was withdrawn by the employee during the procedure. A recommendation was issued to the Executive Board for one complaint. The number of new disputes was higher during the last academic year than in previous years.

The Regulation on Disputes lays down which matters the Disputes Committee is permitted to rule on. This limits the scope of the competency of the Disputes Committee. In 2022, the performance of the Sectoral regulation on disputes was evaluated by Universities of the Netherlands (UNL). The evaluation showed that the regulation in the Collective Labour Agreement remains unchanged and will be reassessed in 2027.

In 2023/2024, the Executive Board requested the Disputes Committee -for experience as independent lawyers- to conduct an investigation of the facts in a Complaints Procedure. The Executive Board considered a further investigation of the facts desirable following the advice issued by the Complaints Committee. The investigation was conducted by a member of the Disputes Committee and a report was submitted to the Executive Board.

Every six months there is a meeting for all officials within the support structure of the University of Twente. This is a broad consultation in which the officials get to know each other and learn about each other's roles and also discuss developments/dilemmas. The Secretary of the Disputes Committee takes part in this consultation to enhance alignment with the support structure.