

Know Your Rights Session 15/10/2024

The aim of this event was to inform doctoral candidates of relevant regulations and laws for employees of the University and in the Netherlands. Further, we wanted to highlight the different support structures and contact points available to them in case of issues. This is only a short summary of the points mentioned with a focus on information that is not on the presentation slides. P-NUT cannot guarantee the correctness of the content.

For more details, please have a look at the slides from the various talks.

Presentation TGS (Ariana Need):

- TGS created two documents to guide the interaction between supervisors and doctoral candidates
 - Expectations regarding the supervision of doctoral candidates
 - UT Guide to Supervision of doctoral candidates
- Strong recommendation to discuss expectations about supervision early on in the doctoral trajectory with your supervisor(s) and promotor(s).
 - Don't just think about your rights, but also about your needs! You can ask for more than what you are legally entitled to
- Recommends the course "Pleasantly assertive" → learn to set boundaries and communicate them in a polite and professional manner
- If an issue comes up, talk to your supervisor first and more help is in your support structure
 - Others can advise you, but they cannot solve the problem for you.
- Speak up early if you see an issue coming. Don't wait for it to become big. It's easier to solve the earlier you tackle the problem.

Introduction of P-NUT

- The PhD & EngD Network of the UT (P-NUT) is one of the contact points for you in case you run into problems.
- Our goal is to represent, connect and inform doctoral candidates at the UT.

Presentation Rector Magnificus (Tom Veldkamp)

- PhDs are the focus of the doctoral board → shape the doctoral experience
- There is a shift towards journey and development above delivering a thesis
- Focus more on well-being and becoming independent researcher → this will also be the focus of the new ILOs
 - *Audience question: Do the ILOs also apply to external PhDs?* Answer: Yes, the ILOs apply to all doctoral candidates. And all PhDs (apart from part-time) should finish within 4 years. This just requires planning.

- Restructuring of courses is currently taking place
 - We will not compromise on quality
 - *Audience question: Some mandatory courses have been cancelled due to budget cuts. Will this happen more often?* Answer: Course was not cancelled, just paused so it can be remodeled to exclude external staff (due to budget cuts). The new course structure will be more efficient and reliant on supervisors. Higher efficiency should be reached through more exceptions.
- *Audience question: Will some PhDs be terminated due to the budget cuts?* No, PhD candidates will not be affected in their employment due to the budget cuts.

PhD counselors (Marjolein Drent)

- PhD counselors can help you with confidence, communication, stress, organization, etc.
- Individual and easily accessible coaching
- They offer a neutral view, vent, helper
- Confidential, free, short notice

Collective labour agreement (CLA) by PNN

- What is PNN? Promovendi Netwerk Nederland → National PhD association
 - Represents PhD candidates at the national level for over three decades already
 - Advocacy group for doctoral candidates
- Your contract
 - Every PhD candidate should have a 4 year contract, with part time option (can only be refused if it has serious harmful consequences for your employer)
 - Trial period of 2 months. In this time, the contract can be terminated with little explanations from either side
 - Probationary period of up to 18
 - *Audience question: Is the Qualifier the end of the probationary period?* Answer: Qualifier is only a UTwente thing, it could also be a project plan or something else --> check the charter for details on the end of your probationary period.
 - Supervision is not really in the CLA
 - A training & supervision plan (TSP) is mandatory from the CLA
- Teaching
 - As an employed doctoral candidate the university can require you to teach
 - If you teach more than 50% of your time, your function profile changes and you need to be compensated according to a different function profile (e.g. junior lecturer)
 - Preparing and executing and grading tutorials for **pre-structured** lectures
 - You do not have to develop new lectures yourself! (But you are allowed to if you would like)

- *Audience question: How much teaching is mandatory at the UT?* Answer: There is no minimum amount of teaching required. Maximum amount is 20% according to the doctoral charter.
- *Audience question: What if I was promised no teaching in the beginning? Can I be forced to teach now after the budget cuts?* Answer: Depends. Is there a written agreement or stated before the contract was signed? Then you cannot be forced to teach. If not stated different in the contract, you can be forced to teach.
- *Audience question: To which timeframe do the 20% refer? Per year? For the duration of the contract?* Answer: This is not clearly defined.
- *Audience question: Do external PhDs have to teach?* Answer: The CLA does not apply to them. If they start teaching (=work for the university), their contract with the university becomes an employment contract → they need to be paid by the university.
- Leave
 - Maternity leave: leave before and after birth (minimum 16 weeks total)
 - Partner leave: 5 days of fully paid partner leave. Up to 5 weeks of (partial or non-consecutive) additional leave paid at 70% of daily wage.
 - Pregnancy related sickness after maternity leave is 100% paid
 - Parental leave: up to 26 weeks' worth of unpaid leave for the first 8 years, 9 weeks in the first year are paid at 70%
 - *Audience question: do these leave types also apply to adoption?* Answer: parental leave yes, the others no.
 - Sick leave
 - Sickness: mental or physical inability to work
 - First 39 weeks 100 % covered
 - No proof needed for short-term illness (also no doctor's note)
 - Contract extensions
 - Mandatory for pregnancy, partner, parental leave
 - Optional in the case of sick leave longer than 9 weeks or time spent in co-participation (university council...)
 - Optional: unfinished work
 - Ketenregeling does not apply (Ketenregeling: after 3 years/3 temporary contracts, you must receive a permanent contract)
- End of contract
 - Beware half a year before contract ends to protect yourself
 - Make sure you receive your **transitional allowance** (1/3 monthly wage*years of employment)
 - Apply for unemployment benefits (might not apply to job search abroad, also if a follow-up is in line)
 - **Careful:** If you continue working on your thesis while asking for unemployment benefits, you can be charged with fraud. This is because you still have work as long as you are working on your thesis, even if you are not paid for this work.
- External & Scholarship PhD

- CLA does not apply, very few guidelines
- Everything is locally arranged
- External PhDs still have an agreement with the university for their PhD
- Bench fees are allowed (paid to university to access university facilities, sometimes covered by scholarship)
 - *Audience question: How is this regulated at the UT?* Answer from Ariana: there is a tuition fee. The fee can be waived at the discretion of the faculty dean. The specifics of this should be noted in the study agreement.
- Expectations are different; teaching etc. cannot be expected
- You do have access to social benefits such as rent and healthcare benefits. Childcare allowance can be difficult (this depends on whether or not you are paying taxes in the Netherlands)
- Final notes from PNN
 - Internationalization of higher education: we want to hear your voice
 - Less opportunities for PhDs because teaching might have to be in Dutch, more hostile environments
 - **There are open positions at PNN → if you are interested in representing doctoral candidates at the national level, apply!**
 - There will be a protest against the budget cuts on November 14 → sign up now!
 - AOb gives cheap memberships at the moment for the month of the union
 - You can also use the optional model from the university to pay for part of the labor union fee.
 - If you want to join a union do it now, **join before you have issues**, also for external PhDs

The power of unions robin van Emmerloot

- Why join a union?
 - Vote on CLA and other agreements
 - Legal advice and assistance
 - Tax service
 - Content: workshops & magazines
- In the Netherlands, you are **not automatically part of a union**.
- There are multiple unions to choose from:
 - FNV: largest, 19,22 €
 - CNV: Christian union, softer approach, 20,50 €
 - AOB: part of FNV, focus on education, 20,60 €
 - FBZ: healthcare professionals, not at UT, not known
- Costs: tax reimbursement possible through optional model, not with 30 % ruling
- *Audience question: Could it have a negative impact on my employment if I join a union?* Answer: It will not be negatively viewed if you are part of a union. The opposite, it might be advantageous!

- *Audience question: Why should I join if I get the benefits (such as salary increase) anyways?*
Don't be a free rider, make sure you are being represented → you get to vote on CLA, the union also has more power with more members
- *Audience question: If the union strikes, do I have to strike, too?* Answer: Nothing is mandatory!
However, if you do strike, the union will protect you!
- *Audience question (on budget cuts protest): When will a strike be called?* As escalation of negotiations, so far there have not been any negotiations
- There are alternative ways of striking: as a PhD e.g. only work on your research, no work for the university such as teaching / grading papers, etc.

Confidential advisor (Laura Vargas)

- Confidential advisors offer help in cases of inappropriate behavior in the workplace (bullying, sexual assault, intimidation, racism, ...). They will always take your side.
- Very short waiting time for the appointment. Appointments are free!
 - Reach out before it escalates, just pass by or send an email
- You do not need any evidence, follow-up steps are agreed with you, could be anything from nothing to holding your hand during meetings or a formal complaint, everything is confidential
- *Audience question: What is the difference between a confidential advisor and the PhD counselor?* Answer: The advisors are for inappropriate behavior whereas the counselors address more general issues of well-being

Ombuds Officer (Han Warmelink)

- Always takes a neutral position. The focus is on finding a solution, not taking a side.
- The service is free and confidential until actions are taken where it will likely be necessary to mention your name.
- Activities: contact person at hand, gather required parties (HR, Finance, boards, ...) → will always try to solve problem at lowest possible instance. The problem is only escalated to the next level if it cannot be solved on a smaller scale.
 - Convinces, mediates, escalates --> as informal as possible
 - 70 % of the cases manage to continue at UT
- The ombuds officer is employed by the UT but always stays neutral. University relies on honest answers and requires neutrality, also cannot fire him for 6 years.
- Role is clearly defined at UT (and also at other universities in the Netherlands)
 - Ombuds officer works alone, but is embedded in the support network of the UT
- To get in contact, just send an email or go by his office for advice