



Reassignment Committee Procedure

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1 Setting up a reassignment committee

In 1996, the Executive Board set up a reassignment committee with the power to make decisions on the reassignment of a candidate. This was confirmed in 2007. As a result of the the Wnra entering into force on 1-1-2020 and the application of employment law, there will be a change in the working method of the reassignment committee, but without the task of the reassignment committee changing substantially.

2 Task of the reassignment committee

The task of the reassignment committee is to conduct a reassignment search for employees who have been designated as candidates for reassignment aims to find a suitable position within UT.

This means that the reassignment committee has the task of answering the following 3 questions:

1. Is there a suitable position available? This question can be answered on the basis of the vacancies that are submitted to the reassignment committee before they are published internally/externally.
2. Can a suitable position become available through training? With regard to this question, the reassignment committee will consult with those advertising a vacancy.
3. Will a suitable position become available within a reasonable period of time? This question can be answered as the subject is regularly discussed in meetings of UCB (portfolio holders operations and service directors), HR team and, where applicable, units will be questioned by the reassignment committee via email about expected vacancies.

3 Reassignment candidate

An employee of UT can be designated as a candidate for reassignment by the administrator (department director, faculty board, Executive Board) in the following situations:

- a. Due to the termination of their position, which makes the employee redundant.
- b. Due to incapacity for work in consultation and coordination with the reintegration advisor.
- c. Due to intended dismissal due to the employee's incompetence and unsuitability for their position, which is not culpable.
- d. Due to circumstances in the personal sphere (e.g. a labour dispute).

In the event of culpable acts or omissions as referred to in Article 7:669(3) of the Dutch Civil Code, reassignment is not an option and an employee will not be registered as a candidate for reassignment (Article 7:669(1) of the Dutch Civil Code).

4 Reassignment periods

The reason a candidate is applying for reassignment determines the duration of the period during which a reassignment search is conducted. The duration of that period is stated in the guidance plan. This amounts to:

- If an employee is registered due to a reorganisation/organisational change and the continuous social plan applies to them, the reassignment period is 7 months (from 1-1-2025: 3 months) + 3 months' notice.
- If an employee is registered for the aforementioned reason (reorganisation) and the employee has been employed for 15 years and is 5 years or fewer away from their state pension age at the time of the written notification of the redundancy, a period of 8 months applies instead of the aforementioned period of 7 months (from 1-1-2025 the period of 8 months still applies instead of the 3 months noted above).
- If an employee is registered for this reason (reorganisation) and the employee has an employment contract of at least 15 years at the start of the notice period, a notice period of 4 months applies instead of the aforementioned notice period of 3 months.
- If an employee is registered due to incapacity for work, the reassignment period is 26 weeks.
- If an employee is registered due to other reasons (such as incompetence/unsuitability for the position and due to circumstances in the personal sphere), the reassignment period is a reasonable period, which is equal to the statutory notice period and is as follows:

Number of years of service:	Reasonable reassignment period (Article 10 of the Dismissal Regulations):
Up to 5 years	1 month
5-10 years	2 months
10-15 years	3 months

15 years and over	4 months
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A candidate for reassignment has priority in the event of vacancies. A vacancy is understood to mean: all vacant positions and those that are readvertised of 6 months or longer, which must be filled either on a temporary basis or for an indefinite period of time. Vacancies are also positions that have been newly created as a result of a reorganisation. The candidate for reassignment is obliged to actively cooperate with the search for reassignment and to accept an offer of a suitable position.

5 Authority of the reassignment committee

The reassignment committee is authorized to offer employees who have been designated as candidates for reassignment a suitable position within UT. With regard to an employee who is redeployed due to incapacity for work, this is done in close consultation with the reintegration advisor.

6 Appropriate function

Whether or not a position is suitable depends in part on the reason for applying as a candidate for reassignment.

- a. In the case of a candidate for reassignment who has been registered because of the termination of the position, as a result of which the employee has become redundant, there is a suitable position in relation to a reorganisation process as referred to in Chapter 9 of the NU collective labor agreement if, in the opinion of the employer, the candidate for reassignment:
 - possesses the knowledge and skills that are considered necessary to be able to perform the job properly; or
 - the candidate for reassignment can be retrained, reeducated or gain additional qualifications within 12 months;
 - they can reasonably be assigned to this post in view of their personality, circumstances and prospects, unless there are compelling business interests that oppose their placement.
- b. In the case of a candidate for reassignment who has been registered as incapacitated for work, pursuant to Article 20 of the ZANU, the first consideration is given to a position with suitable work (= all work that is calculated for the strengths and abilities of the person concerned, unless acceptance cannot be required of them for reasons of a physical, mental or social nature) and then to a position with normal work (= all generally accepted work within the strengths and competences of the person concerned), undertaken in close cooperation with the reintegration advisor.
- c. For a candidate for reassignment who has been registered due to incompetence/incapacity or personal circumstances, the employment law framework and the applicable case law will be examined to determine whether there is a suitable position.

If the same position is suitable for several employees, the person with the longest length of service will be placed first where possible.

7 Composition of the reassignment committee

The reassignment committee consists of at least 5 people, of which 1 person has the position of HR director and at least 2 people have the position of director of a department or portfolio holder for business operations. If a candidate for reassignment is registered due to incapacity for work, then the reintegration advisor will temporarily be part of the reassignment committee. Members of the reassignment committee are expected to have a relevant network within and outside UT and be willing to use this network in the reassignment efforts.

The reassignment committee is supported by a secretary.

8 Guidance plan

When a candidate for reassignment is registered with the reassignment committee, a support plan signed by the candidate and the manager of the notifying unit will be attached. The HR advisor of the unit concerned draws up this plan in consultation with the employee and ensures that it is signed. The content of the guidance plan is as follows:

- the justified reasons for the search for reassignment
- anticipated discharge date
- period of the reassignment search, which is also determined by the reason for the application
- current position and main tasks
- desires and possibilities
- abilities and skills
- possibly suitable (other) positions
- the efforts that may have already been made by the manager
- agreements made with regard to the accompanying policy (e.g. career guidance, training)

9 Reassignment search

The term of the reassignment search is stated in the guidance plan. The term depends on the reason for the search for reassignment or the agreements that are made about the term. In the event of reorganisations, the collective labour agreement for Dutch universities is leading. In other situations, an agreement is made for each individual, whereby the duration of the investigation is determined on the basis of a reasonable period.

During the reassignment search, the reassignment committee will look for a suitable position within UT. The committee does this by screening vacancies for suitability and by actively approaching units (for example in consultation with HR advisors and in consultation with service directors, directors of operations) with the aim of identifying opportunities in a timely manner.

10 Procedure

- The reassignment committee will inform the candidate for reassignment of the working method of the reassignment committee in writing.
- The reassignment committee will invite the candidate for reassignment for an introductory interview.
- The reassignment committee will base its reassignment search on the guidance plan and the documentation provided with it.
- The Executive Board is responsible for the registration of vacancies with the reassignment committee. The reassignment committee will screen the vacancies for suitability for the reassignment candidates. If the reassignment committee is of the opinion that a vacancy may be suitable for a candidate for reassignment, it will block the vacancy. The person advertising the vacancy will be informed about this by the reassignment committee.
- If the reassignment committee deems it necessary, the reassignment committee will conduct an interview with the candidate about the vacancy.
- The person advertising the vacancy will hold an exploratory interview with the candidate for reassignment. A representative of the reassignment committee will be present as an observer. Both the potential employer and the candidate for reassignment will then be given the opportunity by the reassignment committee to indicate their findings with regard to suitability, either orally or in writing.
- Partly on the basis of this information, the reassignment committee will make its own assessment and make a reasoned decision. The decision can be: no placement; trial placement with or without training; or placement with or without training. If the candidate for reassignment has not been reassigned after the end of the reassignment period, the reassignment committee will close the reassignment search and report its findings to the Executive Board and to the manager of the unit where the reassignment candidate worked.
- The reassignment committee will document the reassignment search in the by maintaining reports of interviews with the reassignment candidate, archives emails and other correspondence, so that it is clear which reassignment efforts have been made by the employer and employee.
- If, in the opinion of the reassignment committee, a candidate for reassignment does not cooperate sufficiently or does not make sufficient efforts of their own, the reassignment committee will report this to the manager of the unit where the candidate for reassignment has been registered with the request to take action in this regard.
- The candidate for reassignment will continue to belong to the unit that has registered the candidate for reassignment until the moment when the reassignment takes place and the notifying and receiving unit have made arrangements to this effect.

- If the search for reassignment does not lead to a new position, the candidate for reassignment will remain part of the unit that notified the candidate of reassignment and will be responsible for any follow-up steps. It is therefore important that if an employee is notified on grounds d or e (see Article 3 of the Procedure), the notifying unit has built up a file. It is not the responsibility of the reassignment committee to compile a file on the reason for applying.

11 Reporting

Every year, the reassignment committee will draw up a confidential report on its activities for the Executive Board. The Executive Board will inform the OPUT about this.