

[Non-official translation in English; the Regulation in Dutch is official and decisive]

**TU DELFT IMPLEMENTATION REGULATIONS for the Sectoral Scheme Covering Ancillary Activities (*Sectorale regeling nevenwerkzaamheden*)**

THE EXECUTIVE BOARD OF DELFT UNIVERSITY OF TECHNOLOGY

Whereas:

It is desirable to establish implementation regulations to supplement the Sectoral Scheme Covering Ancillary Activities by those employed at Dutch Universities – part of the Collective Labour Agreement of the Dutch Universities ('CAO NU') – (hereinafter: Sectoral Scheme)

The TU Delft Ancillary Activities Regulations (2013) can be repealed as a consequence of this Sectoral Scheme

And:

In view of Article 1.14 (4) of the CAO NU, as well as the Sectoral Scheme Covering Ancillary Activities by those employed at Dutch Universities in Appendix J (under J.3)

Having heard the views of the Works Council (meeting of 20 November 2017 and the letter with code 17.OR-UIT.036 dated 27 November 2017)

With the consent of the employee organisations in the local consultation body (meeting of 27 October 2017, No. LO496)

Hereby adopts:

**Article 1 Duty to report also applies to short-term appointments (Article 7 of the Sectoral Scheme)**

The obligation to report ancillary activities also applies to persons with an employment contract or appointment of six months or less. Article 7 of the Sectoral Scheme does not apply to TU Delft.

**Article 2 Publication duty for academic staff (Article 16 of the Sectoral Scheme)**

All academic staff must report authorised ancillary activities on their publicly accessible webpage, in any case mentioning the nature of the activities and the organisation for which they are performed.

### **Article 3 Procedure for reporting, permission, and publication (Article 21 and 9 of the Sectoral Scheme)**

1. An employee who performs ancillary activities subject to the duty to report upon their appointment, or intends to start such activities during the term of their appointment, must report this before the commencement of the appointment, or well before commencement of the ancillary activities, using the reporting form. This report is also a request for permission of these activities.
2. An employee who does not perform ancillary activities subject to a duty to report at the start of their appointment must declare this in the reporting form.
3. When reporting ancillary activities, in addition to the information stated in Article 14 of the Sectoral Scheme, the employee must in any case specify:
  - a. The expected times and duration of the ancillary activities
  - b. The significance of the ancillary activities for TU Delft
  - c. Possible conflicts with TU Delft's interests
4. The employee will submit the reporting form to their supervisor. Deans report their ancillary activities to the Executive Board, and members of the Executive Board report their ancillary activities to the Supervisory Board.
5. The following applies in addition to Article 9 of the Sectoral Scheme, which states that permission is granted by the employer: This permission is granted by the Dean or the manager of the University Corporate Office after advice has been obtained from the supervisor. Deans are granted permission by the Executive Board (Rector Magnificus), and members of the Executive Board are granted permission by the Supervisory Board.
6. In addition to the conditions stated in Article 12 of the Sectoral Scheme, the following condition may also apply to permission being granted: the manner in which the work involved in this position is to be performed.
7. The permission is normally granted for a maximum period of two years.
8. If the competent person approves the ancillary activities, they will sign the form, and the employee will henceforth be authorised to perform the ancillary activities.
9. If the ancillary activities are not approved, or approved under certain conditions, the competent person will inform the employee of this decision in writing.
10. Permissions will be logged in a register based on the information provided by the employee. For the sake of completeness, the declarations of employees who do not perform ancillary activities subject to a duty to report will also be logged.

### **Article 4 Repeal**

The TU Delft Ancillary Activities Regulations (2013) are hereby repealed.

### **Article 5 Date of commencement**

These Regulations will enter into force on 1 January 2018.

### **Article 6 Title of the Regulations**

These Regulations are cited under the title 'TU Delft Implementation Regulations for the Dutch Universities' Sectoral Scheme Covering Ancillary Activities'.

These Regulations and their publication on the website will be announced in the TU Delft digital newsletter *TU News*.

Thus adopted at the Executive Board meeting of 19 December 2017.

Prof. T.H.J.J. van der Hagen  
President of the Executive Board

## NOTES

In the most recent Collective Labour Agreement of the Dutch Universities (CAO NU, 2 July 2016 to 30 June 2017, extended to 30 June 2018), the provision in the fourth paragraph of Article 1.14 (Ancillary Activities), concerning the local establishment of further regulations, has been cancelled.

Article 1.14 (4) of the CAO NU refers to the Sectoral Scheme Covering Ancillary Activities by those employed at Dutch universities in Appendix J (under J.3) of the CAO NU, which entered into force on 1 July 2017. The transitional provision in Article 1.14 (4) of the CAO NU stipulates that the local regulations will apply until 1 January 2018 at the latest in cases where these conflict with the Sectoral Scheme.

In order to implement the Sectoral Scheme, TU Delft may adopt and flesh out a procedure or administrative arrangement in the form of Implementation Regulations, and TU Delft has done so. This has taken the form of the TU Delft Implementation Regulations for the Sectoral Scheme Covering Ancillary Activities, which Regulations will become effective as of 1 January 2018.

The Netherlands Code of Conduct for Academic Practice, established by the Association of Universities in the Netherlands (VSNU) in 2005, and most recently amended in 2014, also discusses ancillary activities of academic staff. This code stipulates that universities must state in their annual reports how they have arranged the reporting of ancillary activities.

According to the definition of 'Employee in question' in Article 2 (b.) of the Sectoral Scheme, the Regulations also apply to a person without an appointment at TU Delft who has been appointed Professor by the Executive Board (e.g. professor by special appointment), and to other persons whom the Executive Board has declared to be subject to these Regulations.

In connection with the option provided for in Article 7 of the Sectoral Scheme, Article 1 stipulates that the requirement to report ancillary activities also applies to employees of TU Delft and other parties with an employment contract or appointment of six months or less. Article 7 of the Sectoral Scheme does not apply to employees of TU Delft because it is undesirable, in the interests of integrity, to distinguish between employees based on the length of their appointment

In connection with the option provided for in Article 16 of the Sectoral Scheme, and in accordance with the Netherlands Code of Conduct for Academic Practice of the VSNU (most recently amended in 2014), Article 2 stipulates that all academic staff are required to publish all authorised ancillary activities on a public webpage.

For all other matters, we refer to the 'Appendix to the Sectoral scheme on work for third parties for Dutch Universities and the corresponding TU Delft Implementation Regulations'. This version of the 'Frequently asked questions for employees' format in the Sectoral Scheme has been specifically adapted for TU Delft.