



Country: **Netherlands**

1 Introduction

The Netherlands is administered by a national government; this is then divided into 12 provincial executives and 403 municipalities.

The Ministry responsible for occupational health and safety is the Ministry for Social Affairs and Employment (Ministerie van Social Zaken en Werkgelegenheid). Its Directorate General for Employment (Directoraat-Generaal van de Arbeid) is in charge of occupational health and safety issues.

The Working Conditions Inspectorate (Inspectie ZSW), which is part of the Directorate General for Employment, is in charge of supervising compliance with the Working Conditions Act 1998 and assisting in its implementation.

Parliament and government pass Acts (Wetten) which generally only provide a framework for legislation. These framework Acts state general objectives, but do not provide details of implementation or standards to be applied. Framework Acts usually delegate authority to executive authorities to fill in the framework.

Following a Framework Act, the government adopts General Administrative Orders (Algemene Maatregel van Bestuur - AMVB), Provincial and Municipal Authorities adopt regulations (Verordeningen). The relevant Ministry may also use more informal instruments, such as Circulars and Guidelines concerning the implementation of specific legislation.

As a member of the EU, the Netherlands observes Community treaties and secondary legislation; mainly Directives and Regulations.

Dutch is the only official language.

1.1 Institutions and links

Ministry of Social Affairs and Employment ≡ Ministerie van Sociale Zaken en Werkgelegenheid

Address: Anna van Hannoverstraat 4, 2595 BJ Den Haag

Tel: 070 - 333 4444

4400 Public

Information Service :

1. within the Netherlands: 1400 (local rates)
2. from abroad: +31 77 465 67 67

Website: www.government.nl/ministries/szw

The Labour Inspectorate ≡ Inspectie SZW

Address:

Postbus 820

3500 AV Utrecht

Tel:

Calling from within the Netherlands: 0800 - 5151 (free)

Calling from outside the Netherlands: +31 70 - 333 44 44

Website: www.inspectieszw.nl/english/index.aspx

The Working Conditions Platform ≡ Arbo Platform

Aim: advancement, and improvement of knowledge available to employers and occupational health and safety services.

The Arbo Platform is a collaboration between public authorities, employer and employee organisations, Working Conditions Services (Arbo diensten) and research bodies.

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The website of the Arbo Platform is intended as the starting point for all information and advice on occupational health and safety.

Website: www.arbo-online.nl/

The Working Conditions Commission of the Socio-Economic Council Commissie Arbeidsomstandigheden SER is the national consultative and advisory body for occupational health and safety.

Address: Postbus 90405, 2509 LK Den Haag

Tel.: 070-3499499, Fax: 070-3832535

Email: ser.info@ser.nl

Website: www.ser.nl/en/

Ministry of Infrastructure and the Environment = Ministerie van Infrastructuur en Milieu

Address: Plesmanweg 1-6, 2597 JG The Hague

Tel: +31 (0)70 456 00 00

Website: www.government.nl/ministries/ienm

Institution	Link
Ministry of social affairs and Employment	www.government.nl/ministries/szw
The Labour Inspectorate	www.inspectieszw.nl/english/index.aspx
The Working Conditions Platform	www.arbo-online.nl/
The Working Conditions Commission of the Socio-Economic Council	www.ser.nl/en/
Ministry of Infrastructure and the Environment	www.government.nl/ministries/ienm

1.2 Health & Safety Law references

In the Netherlands, there are three levels of Health and Safety legislation, which are as follows:

- The Working Conditions Act 1998 (Arbowet);
- The Working Conditions Decision (Arbobesluit);
- The Working Conditions Rule (Arboregeling);

The Working Conditions Act 1998, the Working Conditions Decision and the Working Conditions Rules all contain binding obligations. Therefore there is no difference between them regarding their legal force.

Social Partners, representing employers, industry sectors and associations, and worker unions, take a lead in determining methods of compliance. They produce industry sector catalogues (an arbocatalogus) containing guidelines and advice which do not have a legal basis, but are used by the Labour Inspectorate to uphold legislation.

Practical information on legislation and guidelines are provided in Health and Safety Information sheets (Arbo-Informatie Bladen) which are categorized by subject.

The main pieces of Health & Safety Law:

Full name	Abbreviation	Content
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The Working Conditions Act 1998 Arbeidsomstandighedenwet 1998	WCA Arbowet	This is a framework Act which contains broad provisions relating to working conditions.
The Working Conditions Decision Arbeidsomstandighedenbesluit	WCD Arbobesluit	The Decision contains more specific guidelines regarding, amongst other things, the reporting of workplace accidents and diseases, work safety report, Working Conditions Services (Arbodiensten), general workplace requirements, hazardous substances, physical agents, work equipment and PPE etc.
The Working Conditions Rule Arbeidsomstandighedenregeling	Arboregeling	The Rule contains the most specific provisions of the Working Conditions legislation including, amongst others, provisions relating to emission limit values, training requirements and health and safety signs and signals, etc.
Health & Safety Guidance Documents Arbocatalogi		There are around 170 industry specific guidance documents to assist with compliance.
Health and Safety information sheets Arbo Informatie bladen	AI-blad	Practical information on health and safety regulations and guidelines.

Aside from the main Health and Safety legislation there are other laws concerning employees:

The Working Hours Act Arbeidstijdenwet		Regulations on the amount of hours per day / week employees are allowed to work.
The Working and Care Act Wet Arbeid en Zorg		Concerning holidays allowance and other types of leave time
Wet Verbetering Poortwachter		Prevention of long-term absence due to illness
Equal Treatment Acts		There are several Equal Treatments Acts concerning men-women, age, and disabled people.
Tobacco Act		Regulates the right to a smoke free work place
The Works Councils Act of 17 September 1999 Wet op de Ondernemingsraden		Under the Works Councils Act, a Works Council (ondernemingsraad) has to be created in companies with more than 50 employees.