



## Occupational disability due to illness, pregnancy or occupational accident, what are my rights and obligations?

### Contact details of the SZW RCN-Unit

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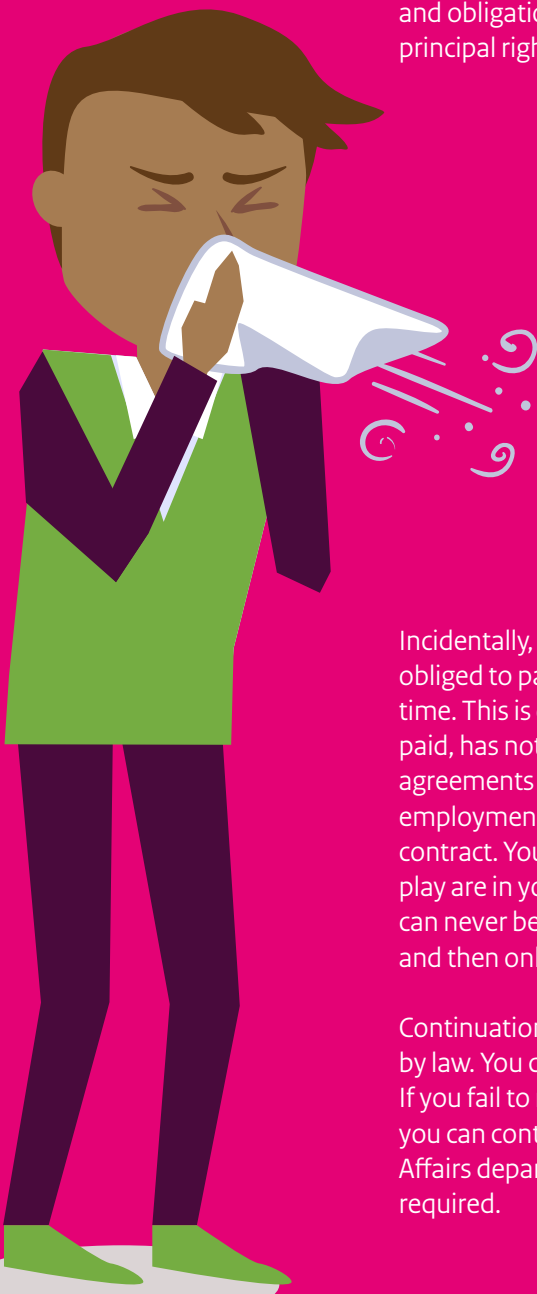
If you are an employee, then you probably are entitled to sick or accident pay in case of an occupational accident. The period of the legal pre and post maternity leave is considered to be equal to illness.

It is important to know that you have several rights and obligations. Please find a brief explanation of the principal rights and obligations below.

As a result of occupational disability, a claim arises for sick or accident pay. The sick pay is 80% of the daily wage which you earn per day. In case of accident pay (in case of an occupational accident) this is 100% but after 52 weeks this also is 80%. The employer can get a fine imposed if he does not pay you an amount which is at least equivalent to this. During the legal pre and post maternity leave, the employer should continue to pay the entire wage in total 16 weeks (until January, 1st 2017 this was still 12 weeks).

Incidentally, also in case of illness the employer is obliged to pay the full wage for a short period of time. This is obliged by law. How long the full wage is paid, has not been laid down by law. It is possible that agreements have been reached on this in a collective employment agreement (CAO) or an employment contract. You can ask your employer what the rules of play are in your situation. In case of illness your wage can never become lower than 80% of what you earned and then only after some time.

Continuation of payment by the employer is obliged by law. You can call your employer to account on this. If you fail to reach an agreement with your employer, you can contact the SZW Unit's Labor and Social Affairs department. They can contact your employer if required.



## YOUR OBLIGATIONS AND CONDITIONS

for payment are, amongst others:



In case of illness, you should report to the arbo nurse for a check-up on the first day of your illness.



If the first day of illness falls in a weekend, as a result of which you cannot visit the arbo nurse, you should report to your arbo nurse on the next working day.



When visiting the arbo nurse, you should bring the 'yellow card', which is signed and initialled by the arbo nurse.



If the illness persists, you should report to the arbo nurse for a check-up during working days on the third day of illness with your yellow card, even if the third day of illness is on a weekday when you have the day off. If you have been hospitalised, you should report to the arbo nurse as soon as you have been discharged from hospital.



The arbo nurse will assess your illness and based on the examination they will determine the expected duration of illness. Should you be unable to return to work on the date which the arbo nurse has indicated, then you should again report to the arbo nurse on that date.



If the arbo nurse expects that the illness will last a longer period of time, they can make an appointment with you for a second check-up. Sometimes agreements are reached, in consultation with the employer - about partial resumption of work.



In case of pregnancy, you should bring the 'yellow card' a certificate of the obstetrician, stating the presumed due date and the date on which maternity leave starts.



You have a notification obligation. This means that you should notify the arbo nurse immediately if there are matters which may affect the entitlement to payment. This is for example when you can resume work earlier than has been discussed with the arbo nurse.



You are not allowed to leave the island on which you reside without the consent of the arbo nurse. This is important for the check-up.



In case of an occupational accident, the same obligations as above apply.

If you do not observe the conditions, this could affect the entitlement to payment.