



Statement - Executive board of FEM Maastricht

Current 25% rule will negatively affect the flexibility and work-life balance of border workers

The Executive Board of FEM urges the task force Future of Working @UM and the Executive Board to take into account the special needs of border workers when drafting and implementing their vision.

Although we applaud the creation of a working group to think about the Future of Working @UM beyond the COVID-19 pandemic, we regret that the special needs of border workers, which represent an important part of the UM community, are forgotten.

In particular, the current guideline of working two days at home and three days on campus is highly problematic for border workers. If these workers would work more than 25% from home, they will incur a severe pay cut (in their net salary) due to EU social security legislation. This will become evident after 1 January 2022, when the law will become effective again and the pause that was in place due to the pandemic will come to an end. To avoid incurring potentially major (financial) consequences for social benefits including pension, sickness leave, parental leave, unemployment, etc. border workers will be severely disadvantaged with respect to their Dutch-resident colleagues, creating disparity and discontent that might have severe consequences on the work climate. We are aware that this is not a decision that comes from UM, but as it has several HR repercussions, we urge the task force to further consider the following complications.

First, the current 25% rule seriously hampers the freedom and flexibility of employees to work from home as they see fit, contradicting the overall vision and spirit of the Future of Working @UM. It will negatively affect the work-life balance of commuting border workers, especially employees with caring responsibilities, who might leave campus early for their caring duties and continue working at home in the evening. Second, as part of the new hybrid working, office spaces might be reduced, resulting in employees not having proper workspace when they would be on campus more often than the general guideline imposes (to which the office spaces will be dimensioned). Third, many employees are very productive at home, they have more focus time, non-shared office space, and do not lose their commuting time. The 25% rule will force border workers to come to campus more, likely resulting in a reduction in productivity. Fourth, the 25% rule results in a de-facto disparity between border workers and non-border workers at UM. **Which actions will UM as an employer take in order to minimize these negative consequences?**

The second set of problems relates to the proof needed from the countries of residence. The creation of the helpdesk and additional information on the intranet is surely helpful for the workers affected, but it does not address a set of practical problems, e.g. the fact that the burden of proof is on the employee. We strongly believe that UM and its HR department should support the cross-border workers with a document that could serve as proof in case of inspection (e.g. through an official declaration). In the medium-long term, we hope that the university will take action in order to find a solution that does not create disparities among employees. We truly hope the above request can be taken into consideration to ensure a fair and flexible work environment, enabling a proper work-life balance for all. We are of course very willing to be involved in the discussions of (future) implementation plans regarding the Future of Working @UM.

Sincerely,

The Executive board of FEM Maastricht University