

## **The Dutch compliance office in the temporary agency sector**

### **SNCU**

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### **1. Background and motivation**

The compliance office SNCU (StichtingNaleving CAO voorUitzendkrachten - Foundation for the compliance of the collective agreement in the temporary agency sector) was created in February 2004 by the trade unions (FNV Dienstenbond, CNV Dienstenbond and De Unie) and the employers' organisation in the sector (ABU). It was created in the slipstream of the negotiations for the renewal of the collective agreement for the agency sector. A second employers' organisation NBBU joined in 2007. SNCU has a Dutch/Polish website. The reason for the foundation was the joint wish to fight against unfair competition and wage dumping in the sector. Starting point is respect for the collectively agreed working conditions.

### **2. Aims**

The aims of SNCU are:

- To provide information and guidance to user undertakings, temporary agency workers and agencies on:
  - o Provisions based on the collective agreement for the sector and the connected social fund for the temporary agency sector.
  - o Other prescriptions related to labour conditions.
- In cooperation with other authorities:
  - o Promotion of compliance of the collective agreed conditions and the social fund provisions.
  - o Monitor the compliance of these conditions and provisions, also in relation with other applicable legal provisions and conditions.
  - o Monitoring the exempted parts of the collectively agreed conditions.

### **3. Partnership - collaboration/cooperation with other authorities**

SNCU cooperates with the Inspection Services of the Ministry of Labour and Social Affairs and with the Tax authority. A cooperation agreement has been signed with the Expert Centre Human Trafficking. Further cooperation includes regular contacts with the pension funds, with the paritarian fund for the agency sector (for education, working conditions and collective affairs), with the paritarian fund/bargaining secretariat for the construction sector and with the Fund for Norms and Standards in the agency sector.

### **4. How was the Dutch Compliance implemented?**

The compliance office has a helpdesk & hotline, a website and a special site for alerts [www.meldenhelpt.nl](http://www.meldenhelpt.nl) that can be used by everyone: companies, workers and the general public. In case disrespect of the collective agreement is suspected, this can be signalled through this website and /or the other communication channels. The office investigates and controls and, if necessary, starts juridical procedures. The founding fathers, the social partners, have handed over the competence to act in this field to the office. The office also performs risk-assessment analyses. Special attention is also given to the dissemination of information. Documentation about the provisions of the collective agreement is provided in three languages. The website is in Dutch and Polish.

### **5. What specific actions have been conducted?**

Resumed:

- Dissemination of information and awareness-raising,
- Notification address,
- Investigations, checks on compliance and reporting,
- Initiating procedures,
- Sanctioning of breaches,
- Following up of cases.

## 6. The impact of the action on practical problems on the ground

Result of Work - data

Results				
Year	2009	2010	2011	2012
Questions about contract compliance	2000	2500	3067	3415
Alerts on possible breaches	1025	836	1150	1050
Number of investigations	225	280	461	340
Compensation fines (reports to the tax authorities that lead to fines are excluded, for instance in 2012 approximately €10 million)	€3.999.835	€5.067.871	€6.450.700	€7.230.000

## 7. The impact on the dynamics of the stakeholders

The general attitude of the partners is a positive one. They see the office as a method to fight against dishonest and fraudulent agencies that appear on the market.

## 8. Feedback

In the sector the office is labelled the 'contract-police' (or the collective agreement police). The government is very positive about the office and has decided to recognise the role of the office. The exchange of information between inspection services and the office is actually assured in the relevant legislation.