

NOW
Noodfonds
Overbrugging
Werkgelegenheid

What phase are you in?

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Phase 2

I want to apply for
NOW. How can I
prepare?

Phase 3

What is the process for
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We let you know when
we know!

Phase 1

I'm thinking about
NOW.

What questions should I
ask myself?

Phase 1

I'm thinking about NOW

What questions should I ask myself?

Click on the question

Communication is key! How?

What are the Game Rules for NOW I have to think about before applying?

If I decide to continue this process and apply for NOW, what is the effect for my employees?

Can I ask my employees to do other work than their official job?

For which employees can you apply?

I have a Works Council (Ondernemingsraad). Do I need their consent?

Can I ask my team member to use vacation days or unpaid leave?

What is the length of the period that I can make use of NOW?

What is the Noodfonds Overbrugging Werkgelegenheid (NOW)?

What is the impact of NOW?

Communication is key! How?

We received many questions how, when and what to communicate with your people. In this period of insecurity for you as an entrepreneur and your employees, it is more important than ever to be transparent.

So the best advice we can give you is:

1. Set up a daily corona update call with your team
2. Check in how everyone is doing, what is going on in your department, what are your struggles and how can we help you?
3. And give them a short company update

Can I ask my employees to do other work than their official job?

Before immediately applying for “Noodfonds Overbrugging Werkgelegenheid” ask yourself if the employees who temporarily have less work, can perhaps help out in another department or with different projects/tasks.

Is this allowed by law?

If there is a clause in the contract you have with the employee which says the employee must perform all occurring and / or reasonably assignable tasks, then you can ask him/her to temporarily perform different tasks.

If there is not such a clause then several legal rulings say that an employee may not simply react negatively to a reasonable proposal from the employer. And we strongly believe that in crisis times like this, a proposal of such sort is reasonable.

Can I ask my team member to use vacation days or unpaid leave?

There is not one solution or answer to the question if you can ask your employee to use their vacation days or unpaid leave. We all know this is not a vacation and we are all forced in this situation. We have to help and take care of each other. You have to look at every situation individually, there is no law for this situation.

It depends

- how is your company doing financially, can you make use of the NOW
- is there a reduction of the workload
- is your team member also responsible for the care of their children at home (with partner or without partner)

Of course you can always ask your team member to use their vacation days or take unpaid leave. If this is financially difficult for your team member then maybe a 50/50 agreement works better. Look at the possibilities together with your team members.

What is the Noodfonds Overbrugging Werkgelegenheid?

“Noodfonds Overbrugging Werkgelegenheid” also referred to as NOW is a temporary measure to gain a substantial compensation for the salary costs. This is to cover the salary costs of your employees with a permanent or fixed term contract, including employees working flexible hours.

As an employer you can apply for a substantial contribution in wage cost, based on a revenue reduction of at least 20% (note this is different than the 20% reduction in working hours you needed for the Werktijdverkorting). You will receive the compensation by the UWV.

The allowance can in any case be applied for for 3 months, with the possibility of extension (possibly under other conditions) by another 3 months.

If you already applied for the Werktijdverkorting you will receive an email from SZW.

You can find all the actual information on the [website](#) from the national government.

What are the **conditions** for NOW I have to think about before applying?

- You see a significant drop in revenue starting from 1 March 2020 (at least 20%).
- You commit in advance to the obligation to not apply for dismissal on grounds of economic reasons for your employees during the period for which the allowance is granted.
- You can apply for substantial contribution in wage costs for all employees under employment contract with your organisation. Temporary employment agencies can apply for wage costs for workers who work for them.
- If NOW is granted, the UWV will provide you with an advance payment which is 80% of the calculated allowance. Please note that you need an auditors report to substantiate the allowance.

For which employees can you apply?

- Employees with a permanent contract
- Employees with a temporary contract
- On-call workers with a zero-hour contract (oproepkrachten met een nul-urenovereenkomst)

Temporary workers staffed by a staffing agency, are not formally employed by you as an employer. Their staffing agency has the ability to apply for NOW themselves. Please point your temporary workers to their own staffing agency. This also goes for payrollers and self employed consultants.

What is the length of the period that I can use NOW?

The allowance is granted for a period of 3 months. This can be extended **once** by another 3 months. At this time it is not clear yet how and under what conditions you can apply for extension.

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What is the impact of NOW?

If you are entitled to NOW allowance you will receive an allowance to compensate your labour costs. The **maximum** compensation is 90% of the labour costs.

The amount of the allowance depends on the drop in revenue. The following list has been published by the government:

- If 100% of the revenue is lost, the allowance amounts to 90% of the total salary costs of an employer;
- If 50% of the revenue is lost, the allowance amounts to 45% of the total salary costs of an employer;
- If 25% of the revenue is lost, the allowance amounts to 22.5% of the total salary costs of an employer.

Based on the application, the UWV will provide an advance of 80% of the expected contribution. The actual decline in revenue (and so the actual amount of the allowance) will be determined afterwards.

If I decide to continue this process and apply for NOW, what is the effect for my employees?

- You will pay them a normal salary as you are used to do. The allowance you receive from the government is to compensate you in the labour costs during these stressful times under the condition that you continue to pay 100% wages.
- Indifference with the former “Werktijdverkortingsregeling”, this new NOW doesn't have any impact on your employees rights for unemployment benefits (WW-rechten).
- You can still discuss with your employees if they are willing to take (unpaid) leave. This allowance is focused on compensating labour costs. If there is still less work to be done, talk to your employees about any form of (unpaid) leave.

I have a Works Council (Ondernemingsraad). Do I need their consent?

We don't know yet, as this is all brand new. We will update you once we have more details on this subject.

Our advice is as follows:

It is important to keep the communication lines with your works council short, because you want to act quickly when needed. Discuss this in advance with your works council. Discuss the risks and consequences. But be aware that the consequences for the employees which we had in de Werktijdverkorting are gone. For example the consequences of using employment benefit rights by using the “Werktijdverkorting”.

Phase 2

I am applying for NOW. How should I prepare?

[Click on the question](#)

What information do I need to apply for
"NOW"?

What information do I need to apply for NOW?

- Proof that your revenue will decrease by at least 20%. We advise you to collect:
 - Confirmation that contracts with clients are terminated due to the Corona virus
 - Confirmation that sales meetings are being cancelled
- Overview of revenue of the past months, or the cost relevant months, by auditors report, to confirm you had a healthy business before the Corona virus
- And the wage bill (loonsom) of the company.
- A comprehensive explanation of the cause of applying for NOW
- Related to this is a realistic estimate of how long you expect to need NOW
- A total overview of your employees, including their regular weekly working hours. In difference with the “Werktijdverkortingsregeling” employees working flexible hours and temporary workers are **included**

Phase 3

What is the process for applying?

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I have applied for Werktijdverkorting (WTV) in the old situation. What happens now with NOW?

Do you need the newly introduced e-herkenning?

I have applied for “Werktijdverkorting” but things have changed and I want to make a change to my application. Is this possible?

I have applied for Werktijdverkorting (WTV) in the old situation. What happens now with NOW?

You will receive an email from the ministry of social affairs stating the following:

1. You have applied for and received a WTV permit: the permit applies to you according to the old regulation. Renewal of this permit is no longer possible. You can submit an application based on the new regulation. The new regulation will provide insight into the course of action in the event of a convergence of the WTV with the possibility of using this new regulation.
2. Your application was initially rejected: you can submit another application on the basis of the new NOW regulation.
3. You have submitted an application that has not yet been processed: you receive an email from the ministry of SZW in which they mention your application will be considered as an application based on the new regulation and will also be handled according to this new regulation. As soon as the new NOW regulation starts, you will receive a message from the Ministry of SZW about the additional information to be supplied.

I have applied for NOW but things have changed and I want to make a change to my application. Is this possible?

In the “Werktijdverkorting” the situation was as follows: you could still adjust the application via the application form. If you have already submitted the application, you have been assigned a file handler via the Ministry of Social Affairs and you can approach them to discuss the desired changes and how best to do this.

For NOW:

We do not know yet if the same will be the case. We expect a similar process.

Do you need the newly introduced e-herkenning?

As far as we know you don't need e-herkenning to apply.

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Do you need advice or do you have any questions? Call our
“NOW Squad” leader Susanne Boot +31 6 334 251 36