



UvA-DARE (Digital Academic Repository)

Employment and Industrial Relations in the Hotels and Restaurants

Grünell, M.

Publication date

2012

Document Version

Final published version

Published in

EIROOnline: European industrial relations observatory on-line

[Link to publication](#)

Citation for published version (APA):

Grünell, M. (2012). Employment and Industrial Relations in the Hotels and Restaurants. *EIROOnline: European industrial relations observatory on-line*, 2012, NL1109019Q. <http://www.eurofound.europa.eu/eiro/studies/tn1109011s/nl1109019q.htm>

General rights

It is not permitted to download or to forward/distribute the text or part of it without the consent of the author(s) and/or copyright holder(s), other than for strictly personal, individual use, unless the work is under an open content license (like Creative Commons).

Disclaimer/Complaints regulations

If you believe that digital publication of certain material infringes any of your rights or (privacy) interests, please let the Library know, stating your reasons. In case of a legitimate complaint, the Library will make the material inaccessible and/or remove it from the website. Please Ask the Library: <https://uba.uva.nl/en/contact>, or a letter to: Library of the University of Amsterdam, Secretariat, Singel 425, 1012 WP Amsterdam, The Netherlands. You will be contacted as soon as possible.

→ Employment and Industrial Relations in the Hotels and Restaurants

Disclaimer: This information is made available as a service to the public but has not been edited by the European Foundation for the Improvement of Living and Working Conditions. The content is the responsibility of the authors.

The horeca sector is a small, dynamic sector of the Dutch economy. It is a vulnerable sector. Nearly 90% of companies are small and employ less than 10 employees. The collective labour agreement, which is extended to the whole sector, comes close to legal minimum standards. The economic crisis has had a major impact on the sector. Since 2009 the sector has shrunken by 30.000 jobs. With the sector producing mainly for the internal market the crisis is being felt over a longer period. The sector has a bad imago. Many young employees seem not very enthusiastic to remain working in the sector. The social partners are in co-operation trying to improve working conditions and to make career possibilities more transparent. The expected shortage of personnel might give an impetus to change.

1. Key developments and trends in the Hotels and Restaurants sector: trends, employment and working conditions

1.1 Please provide information on key trends in Hotels and Restaurants

A brief description of any significant shifts within the last four years affecting the Hotels and Restaurants sector, for example:

- The impact of the crisis on the sector

The economic crisis has had a major impact on the sector. The sector has shrunken since 2009 with 30.000 jobs. Since the sector produces mainly for the internal market – Dutch consumers having less to spend - the consequences of the crisis will be felt over a longer period.

- Main drivers of change

The shortage of personnel in the near future might be a main driver of change, both social partners underscore. Youngsters are encouraged to gain interest in the sector. The employer respondent stresses that one out of ten scholars enters the sector after finishing their vocational training.

- If there are specific developments affecting the following subsectors in terms of economic activity and employment, please add the information according to the following classification:
- Hotels and other short stay accommodations
- Restaurants, bars and cafes
- Horeca and canteens

No.

1.2. Please provide information on the views of the major social partner organisations (trade unions and employer organisations) on trends and changes in the Hotels and Restaurants sector.

The Horeca Union of the Dutch Federation of Unions, the FNV, emphasizes that the economic crisis had a major impact on the sector; it gave a downward pressure on collective bargaining results. The actual agreement is a crisis agreement. In 2011 the sector has started to recover. A main driver of change might be the shortage of personnel in the near future.

The employer organisation Royal Dutch Horeca, Koninklijke Horeca Nederland (KHN), also stresses that the economic crisis had a major impact on the sector. The sector has shrunken since 2009 with 30.000 jobs; many labour contracts were not renewed. Only a few companies in the Horeca sector have made an appeal on the temporary short-time working Act. The economic shrinkage meant

About this document

ID: NL1109019Q

Author: Marianne Grünell

Institution: University of Amsterdam

Country: Netherlands

Language: EN

Publication date: 24-04-2012

Sector: Hotel Restaurant and Catering

EIRO Keywords: Collective bargaining, Health and safety, Migration and mobility, Skills and training

Related Links

- [Netherlands: country profile](#)

companies (and consumers) had less to spend, so companies invested less, less costumers implied less personnel. (So the downward pressure on collective bargaining results has to be seen in a chain of negative developments that hit the sector.) Results are still disappointing. While the economic sectors, working for the export, are recovering, sectors such as the Horeca, working for the Dutch internal market, are still vulnerable.

The main driver for change is indeed the shortage of personnel in the near future, and the position of the employer in the Horeca sector. This issue is in the long run of greater importance than the economic crisis.

1.3 Please provide the absolute number and shares of employment for the following indicators for the NACE code I (Accommodation and food service activities) in 2010 (if not available the most recent year with data available)

Source question 1.3: Central Bureau for Statistics/Statline.

- Share of employment of the HORECA sector as compared to the national economy

In 2009 in the Horeca sector 318.000 people are employed (that is 163.000 full time equivalence thus full time jobs, the employment figure). In the sector about 4% of the total of employees work.

- Total employment in the sector and percentage of employees, employers, self employed and family workers

In 2010, in total 386.515 companies were registered.

The national figures do not give information on self employed or family run businesses, they do on the size of companies. In 2010 of the 38.500 Horeca companies in total 34.275 are small (less than 10 employees).

- Number and share of temporary employees in 2009

Of the 318.000 employees 134.000 had a permanent contract, while 179.000 had a fixed term contract. No temporary workers were registered, and 62.000 employees had a zero sum contract. (A zero sum contract is a labour contract without hours; the employer can ask you within a reasonable time to work a certain amount of hours.)

- Number and share of workers in part time employment

Of the 318.000 in 2009 78.000 employees have a fulltime contract. Thus, 240.000 have a part time job (more than 75%). Notably, 131.000, one third of employees has a job for less than 12 hours a week.

- Number and share of female workers in employment

On the total in 2009 there are 168.000 female workers (55%), and 150.000 male workers.

- Number and share of foreign workers in employment

In 2009 302.000 employees are nationals, 7.000 are member of a EU member state, and 9.000 come from a non-EU country.

Source: Central Bureau for Statistics/Statline.

1.4 With regard to the following employment and working conditions, could you provide relevant information on the main issues and developments since 2006

The aim is to provide a general picture of the key issues with regard employment and working conditions in the Hotels and Restaurants sector in your country

With the exception of 'Qualifications and Skills development' all the issues mentioned below have been a recurrent issue in the Labour Inspectorate research. In particular undeclared work has been covered several times

Undeclared work

In 2009 the Labour Inspectorate conducted research into the Law on labour of Foreigners and compliance with the Law on minimum pay, a recurrent issue. In 2009 the Labour Inspectorate concluded that 16% of Horeca companies had violated the rules; one or more violations were recorded. The research under 2.280 employers showed that in 568 cases the rules were broken. In 514 cases an employment permit was lacking. (Labour Inspectorate, 2009) This was a slight decrease compared to the 2007 records of violations.

In 2007 these violations were observed more often, in 20% of the cases in the Horeca sector violations of these laws were registered. (Labour Inspectorate Horeca 2007)

Young people and illegal workers were the focus of attention in the Labour Inspectorate research.

Youth employment and conditions for young people in the sector

Access for young people in the sector is easy. Of the 318.000 employees in 2009, 157.000 employees were 27 years or younger. About 28% is even younger than 20 years. Thus, about half of all employees are young. (CBS/Statline). Given the young age of the employees, the working conditions have been a topic of research of the labour Inspectorate; see under Seasonal work and working hours.

Seasonal work and working hours

The legislation on working time and minimum wages is the responsibility of the government. The labour inspectorate supervises its compliance.

The Labour Inspectorate conducted research on seasonal work. In July and August 2007 the Inspectorate conducted inspections in to the working conditions and labour hours of holiday workers, who were younger than 18 years. In addition to the sector horeca, agriculture and retail were investigated. (Labour Inspectorate 2008) Working hours is a topic of research since the working day for youngsters is ruled to be shorter than normal. On the base of this research the Inspectorate makes information brochures for employees and employers in the sector.

Qualifications and Skills development

See answers social partners, under 3.

Health and safety

The Labour Inspectorate made an information brochure on the health and safety risks in the sector (2007). In the brochure the Inspectorate informs employers which safety to establish and which risks to avoid; on these issues the Inspectorate will give special attention during the inspections. In the horeca sector the safety of the young employees working occasionally with machines is an safety issue.

Research, published in 2011, shows that in 2009 on 221.000 employees 12.000 accidents happened; that means a risk of 5.300 accidents on 100.000 employees (Bakhuys Roozeboom et al TNO, 2011).

Others

With the exception of 'Qualifications and Skills development' all the issues mentioned above have been a recurrent issue in the Labour Inspectorate research. In particular undeclared work has been covered several times

2. Industrial relations structures in the sector

2.1 Please provide details on the structure of trade union representation in the hotels and restaurants sector.

- The name of each relevant trade union active at national level in the sector and their overall number of members within the sector.

The FNV Horeca Union has about 22.000 members in the sector.

It is estimated that the CNV Vakmensen Union has around 2.500 members and De Unie about 100 members or even less. The FNV Horeca union plays an active role in the sector.

By its structure the sector is difficult to organise; comparable to the retail sector. Many SMEs exist and are coupled by a few large (chains of) companies. In the chains the employee participation had been well organised.

- Total number of members of trade unions in the sector, the membership share (%) among the employees in the sector (e.g. 20% of employees in the sectors are members of trade unions), which occupations and which employees – according to company size – are typically covered.

Less than ten % membership share is an even optimistic estimate. Figures on which occupations and which employees are lacking.

2.2 Please provide information on the structure of employer organisations in the hotels and restaurants sector.

- The name of each relevant employer organisation active in the sector at national level, overall number of members in terms of companies and number of employees working in member companies.

The Royal Dutch Horeca, de Koninklijke Horeca Nederland (KHN) is the main employer association, organising around 50% of employers in the sector (15.800). Of the employees (344.250) 72,5% is employed at these companies.

- The total number of companies members of employers organisations in the sector (if available), the membership share (%) among all the companies, excluded companies with no employees and the self employed (e.g. 30% of companies in the sector are members of employers organisations) and breakdown by company size: micro companies 1-9 employees, small size companies 10-49 employees, medium size companies 50-249 and more than 250 employees, excluded companies with no employees and the self employed (e.g. 20% of companies between 1 and 9 employees are members of employers organisations in the country)

In 2010 the sector consists of 30.500 companies in total; companies can have several establishments. There is no information on the size of the companies (members pay a flat rate), but all large companies are members. Of the large companies 100 (member) companies are obliged to establish a works council. (see question 1.3. on the large number of SME's who are active in the sector).

- Are self-employed in the sector organised? If so, please develop on the key aspects (nature, coverage, role in collective bargaining).

Self-employed are not organised in the sector as they hardly exist in the sector; even for the smallest company at least two persons are required.

2.3 Please provide information on the structure of collective bargaining in the hotels and restaurants sector.

- At what level are collective agreements in the hotels and restaurants sector concluded (company and/or sectoral level)?

Collective agreements are concluded on sectoral level

- At national level, which trade unions and employers organisations are involved in the negotiations of collective agreements?

At union side: FNV Horeca union, CNV Bedrijvenbond/Vakmensen and union De Unie. At employer side KHN, (official name: KVH, Koninklijk Verbond van Ondernemers in het Horeca- en aanverwante bedrijf Horeca Nederland) is the (only) represent at employer side.

- Estimate the coverage rate of collective bargaining in terms of a) companies and b) employees.

The coverage rate is 100% in terms of companies and in terms of employees, since the Horeca collective agreement is extended. (Staatscourant, Horeca- and related companies 2010/2012 Ministry of Social Affairs, 17-9-2010)

- Is there a practice of extending sectoral agreements to employers who are not affiliated to the signatory employer associations?

Yes, see above.

2.4 Is there a forum for social dialogue dealing with matters of the Hotels and Restaurants sector? (Bi-partite and/or tripartite social dialogue at national or regional level?). What are the aims of these bodies? Specify which unions and/or employers organisations are involved.

The social partners are active in a Commodity Board. The so-called Landelijke Bedrijfscommissie Horeca, the LBH. This bi-partite committee is settled in the collective agreement. In the LBH the social partners confer on a regular basis. With regard to training the LBH has been the initiator, but the social partners themselves have also a managing role in their own national training institutes, kenwerk and SVH, School for the Horeca

2.5 Summarise about the incidence of industrial action in the past four years within the hotels and restaurants sector (increase or decrease, nature of industrial action, the main reasons for conflict and main outcomes)

There have been no industrial actions in the past four years in the sector.

3. Contribution of collective bargaining, social dialogue and social partners to addressing the challenges facing the Hotels and restaurants sector

3.1 Please indicate whether collective bargaining / social dialogue at national

sectoral level, has contributed to address the challenges facing the hotels and restaurant sector since 2006. Has collective bargaining / social dialogue introduced specific clauses/instruments/initiatives to address these challenges? Please illustrate the most important of such clauses/instruments/initiatives and include a brief assessment of their impact. If there are relevant clauses/instruments/initiatives at regional or company level (bigger companies) covering a large share of employees, could you please add the same information for those agreements?

3.1. 1 Include clauses/instruments/initiatives for the following issues:

- Agreements on working time and minimum wages

For the other issues mentioned I would like to refer to 1.4.

- Improvement of gender equality (including improvement of work-life balance arrangements);
- Improvement of access to career development/lifelong learning/qualifications in the sector.
- The sector has its own training institute (for the Horeca), the SVH, development and training are important (see above: to reach and interest young people for the sector) The social partners have a managing role in their own national training institutes, kenwerk and SVH, School for the Horeca.
- Addressing risk factors at work, including health risks, ergonomics, violence and harassment;

These are important topics, for unions as well as for the employer organisation. Safety and harassment at the work floor are subject of training programmes.

- Addressing risk factors at work, including health risks, ergonomics, violence and harassment;

These are important topics, for unions as well as for the employer organisation. Safety and harassment at the work floor are subject of training programmes.

- Measures dealing with migration (including any agreements on ethical recruitment; measures for the better integration of migrant workers, etc.);
- Measures with the aim to tackle undeclared work in the sector
- Improvement of the working conditions of seasonal workers
- Promotion of employment for young workers
- Other measures with regard employment and working conditions (if relevant)

The social partners deeply agree about the imago problem of the sector for the younger generation, so the employees of the future. The sector and its professions are not very popular; the idea is that people work from morning til dawn, so work hard, and have to start at the bottom of the line. Illustrative is also that many young people follow the training for the horeca sector, but only a few in fact start to work in the sector. Both (together) the social partners try to change the picture in a more positive way.

3.1.2 Illustrate the most important of such clauses/instruments/initiatives and include a brief assessment of their impact

3.2 Please indicate whether there are specific unions' initiatives to address the challenges facing the hotels and restaurant sector since 2006. Please illustrate the most important of these initiatives.

3.2.1 Include initiatives for the following issues:

- Improvement of gender equality (including improvement of work-life balance arrangements);

According to the FNV Horeca union this is not an issue in the negotiations. As stated above, the collective bargaining agreement is meagre. In the agreement no extra arrangements are concluded; agreements stay close to legal provisions. However, this will become an urgent issue, because the sector has an imago problem: young people are not willing to work in the sector.

- Improvement of access to career development/lifelong learning/qualifications in the sector.
- Measures dealing with migration (including ethical recruitment; measures for the better integration of migrant workers, etc.);
- Measures with the aim to tackle undeclared work in the sector

The issues - migrants and undeclared - work are thoroughly covered by the Labour Inspectorate; the FNV union has to admit that is not well informed out of first hand on these phenomena, as migrants and illegal workers are rather close-lipped about their situation and may form their own closed communities. As stated above, the Labour Inspectorate tries to discern this phenomenon and tries to tackle the problems by inspections and fines.

- Improvement of the working conditions of seasonal workers

Working conditions for seasonal workers differ from standard workers; this can be in the sort of contract, the agreed hours, the salary, pay and other aspects of remuneration. The unions are sceptical, in particular on the rules governing contracts, which differ in a negative way from the rules governing fixed term employment. (At the other hand it is known that students fill in these vacancies for the holiday period, so conditions may differ somewhat. Nevertheless employers and employee representatives disagree about the length of the working day; in particular with regard to young people.

- Promotion of employment for young workers
- Other measures with regard employment and working conditions (if relevant)

3.2.2 Illustrate the most important of such initiatives and include a brief assessment of their impact

3.3 Please indicate whether there are specific employer organisations' initiatives to address the challenges facing the hotels and restaurant sector since 2006. Please illustrate the most important of these initiatives.

3.3.1 Include initiatives for the following issues:

- Improvement of gender equality (including improvement of work-life balance arrangements);

According to employer association KHN gender equality is not an explicit issue, since working in the Horeca differs completely from a 9 to 5 job. By its nature employees in the Horeca work when others do not. So, there is one main issue: how to combine work with life in general. As a consequence there is from the start a selection of employees and a self-exclusion of potential employees who want to combine work and the care for children.

- Improvement of access to career development/lifelong learning/qualifications in the sector.

This issue is of great importance for the sector and the future of the sector; in the national bi-partite Commodity Board Horeca (Bedrijfscommissie Horeca Nederland) and in the training Institute SVH many opportunities are developed.

- Addressing risk factors at work, including health risks, ergonomics, violence and harassment;

These issues are taken very seriously in the sector. In addition to the work of the Labour Inspectorate the social partners have made a Health and Safety catalogue, an inventory of risks has been made and also harassment has been scrutinized. This information is free to use by employers, members are expected to apply, but its content is not mandatory.

- Measures dealing with migration (including ethical recruitment; measures for the better integration of migrant workers, etc.);

This is at the moment not an issue; the integration – with the exception of some ethnic groups - has become general.

- Measures with the aim to tackle undeclared work in the sector

The employer organisations and the individual employers are opposed to undeclared work, and will help with spreading information and will always inform the authorities, but compliance has to be accomplished by the Labour Inspectorate, and fines have to come from the authorities. There is a continuing lobby towards the government and the authorities to be more explicit in rules, taxes and fines.

- Improvement of the working conditions of seasonal workers

The sector has an own responsibility to arrange the flexibility needed; the authorities have to make rules (explicit) and make plausible that rules are reasonable.

- Promotion of employment for young workers

This is a big issue, as it is seen as crucial for the future of the sector. The sector tries to be more transparent in career establishment, so positions, performing and the process of assessment has been more explicitly developed. At this point – see above – the co-operation with the unions is obvious.

- Other measures with regard employment and working conditions (if relevant)

3.3.2 Illustrate the most important of such initiatives and include a brief assessment of their impact

4. Commentary

The economic crisis has had a major impact on the sector. Since 2009 the sector has shrunken by 30.000 jobs. With the sector producing mainly for the internal market and with Dutch consumers having less to spend, the consequences of the crisis will be felt over a longer period. It is a vulnerable sector. Nearly 90% of companies are small and employ less than 10 employees. Labour conditions are – generally speaking - poor. The collective labour agreement, which is extended to the whole sector, comes close to legal minimum standards. The sector has a bad image. Many young employees seem not very enthusiastic to remain working in the sector. The expected shortage of personnel might give an impetus to change. The social partners are in co-operation trying to improve working conditions and to make career possibilities more transparent.

Marianne Grünell, University of Amsterdam, HSI

Respondents

- Mrs. M. Boldrik (Horeca Union FNV Bondgenoten)
- Mr P. Schoormans (Employer association Koninklijke Horeca Nederland, KHN)

References

- *Links can be found via* Central Bureau for Statistics; Labour Inspectorate and *Ministry of Social Affairs*
- Bakhuys Roozweboom, M., K. Oude Hengel, M. van der Klauw, M. de Weerd., Ch. De Stam, S. Nijmand en A. Venema (2011), *Monitor Arbeidsongevallen 2009*, Sectorprofielen arbeidsongevallen – Bijlage bij de Monitor Arbeidsongevallen 2009, Hoofddorp: TNO 2011
- Central Bureau for Statistics.
- Labour Inspectorate Horeca (2007) *AMF Projectverslag Horeca 2007*, Den Haag 2007
- Labour Inspectorate (2006) *Naleving Wet arbeid vreemdelingen Horeca sector 2006*, Den Haag: 2006
- Labour Inspectorate (2007) *Arbeidsrisico's in de horeca* (information brochure), Den Haag 2007
- Labour Inspectorate (2008) *Vakantiewerk 2007. Jong geleerd is oud gedaan*. Den Haag: 2008
- Labour Inspectorate (2008) *Inspectie naleving Wet arbeid vreemdelingen en Wet minimumloon en minimum vakantiebijslag in de sector Horeca 2007*, Den Haag: 2008
- Labour Inspectorate (2009) *Verslag programma directie Arbeidsmarktfraude 2008. Naleving Wet arbeid vreemdelingen en Wet minimumloon en minimumvakantiebijdrag in de detailhandel, bouw, schoonmaak, land- en tuinbouw, vlees & vis, horeca en autobedrijven*, Den Haag 2009
- Staatscourant, *Request to extend collective agreement Horeca- and related companies 2010/2012 to Ministry of Social Affairs*, 17-9-2010

 [Useful? Interesting? Tell us what you think.](#)