Workx Advocaten

EMERGENCY LEAVE AND ITS DIFFERENT FORMS

WORK AND CARE ACT

Short leave, with pay

Sometimes an employee has to take time off unexpectedly and immediately: a child suddenly falls ill, there is a fire or burglary at home, or voting is only possible during working hours. The law offers a solution for this: **emergency leave (calamiteitenverlof)**.

WHAT IS **EMERGENCY LEAVE?**

Under the Wet arbeid en zorg (Work and Care Act), an employee is entitled to **short-term leave with continued pay** if work is not possible due to a special cause.

To be taken when an employee must take time off immediately because of unforeseen circumstances.

SHORT ABSENCE

a few hours to a few days at most

DEPENDING ON THE SITUATION

HOW LONG **DOES IT LAST?**

No fixed period: the law limits the leave to 'a short period, to be determined on the basis of fairness'. Often a few hours to several days.

WHERE NECESSARY CARE FOR SOMEONE ELSE IS INVOLVED

If longer leave is needed, the emergency leave turns into short-term care leave (kortdurend zorgverlof) after just one day.

CONTINUED PAYMENT **OF WAGES**

- During emergency leave, the employee retains the right to pay.
- The employer may **not withhold or set off the pay**.

01. EXAMPLES OF SITUATIONS IN WHICH EMERGENCY LEAVE IS POSSIBLE

- A child or family member who suddenly falls ill and needs immediate care
- A flood, fire or burglary at home
- An unexpected accident or death of a close relative
- Registering a birth with the municipality
- Attending your partner's childbirth
- Casting a vote, if this can only be done during working hours

02. PRACTICAL ADVICE FOR EMPLOYERS

- Set out clearly in the staff handbook in which cases employees are entitled to emergency leave.
- Make sure a colleague can temporarily take over the work.
- Limit the administrative hurdles: the very purpose of the leave is to allow quick action.
- Check afterwards whether the duration and circumstances were reasonable.

Emergency leave is intended for unexpected, urgent situations. **A good policy prevents disputes and promotes trust** within the organisation.

Based on our article on emergency leave, 22 October 2025 — workxadvocaten.nl (in Dutch)
www.workxadvocaten.nl/en/artikel.html?a=stemmen-onder-werktijd