

No. 9833

**NETHERLANDS
and
GREECE**

Agreement concerning the recruitment, placement and employment of workers in the Netherlands. Signed at Athens on 13 September 1966

Authentic text: French.

Registered by the Netherlands on 30 August 1969.

**PAYS-BAS
et
GRÈCE**

Accord concernant le recrutement, le placement et l'emploi de travailleurs aux Pays-Bas. Signé à Athènes le 13 septembre 1966

Texte authentique: français.

Enregistré par les Pays-Bas le 30 août 1969.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE KINGDOM OF THE
NETHERLANDS AND THE KINGDOM OF GREECE CON-
CERNING THE RECRUITMENT, PLACEMENT AND EM-
PLOYMENT OF WORKERS IN THE NETHERLANDS

The Government of the Kingdom of the Netherlands and
The Royal Government of Greece,

Having regard to the bonds of friendship between the two countries and
to their respective requirements in the matter of employment,

Noting that it is in the interest of both countries to promote the placement
of Greek workers in the Netherlands,

Desiring to regulate the recruitment, placement and employment of Greek
workers in the Netherlands,

Have agreed on the following provisions:

GENERAL PROVISIONS

Article 1

The responsibility for the recruitment, placement and employment of
Greek workers in the Netherlands shall lie:

On the Greek side, with the Directorate-General for Labour in the
Ministry of Labour (hereinafter referred to as “the Directorate-General”);

On the Netherlands side, with the Office of Employment in the Ministry
of Social Affairs and Public Health (hereinafter referred to as “the Office”).

Article 2

1. In order that the competent Greek authorities may make in due time
the necessary arrangements to meet the demand, the Office shall supply the
Directorate-General, at least once every six months, with information on the
estimated requirements of the Netherlands economy for Greek workers,
classified by branch of economic activity, industrial category and occupation.

¹ Came into force on 13 September 1966 by signature, in accordance with article 23 (1).

2. The Directorate-General shall inform the Office, as soon as possible, of the extent to which the requirements can be met.

Article 3

1. The Office shall supply the Directorate-General with all information regarding the general conditions of remuneration and work, and regarding living conditions, which may be of assistance to the workers.

2. It shall in particular supply all information regarding the average remuneration and average working hours in the various branches of production, the amounts withheld from wages for payment of taxes, social security contributions and the like, and all information concerning prices and the cost of living in general.

3. This information shall be brought up to date as and when necessary.

RECRUITMENT AND PLACEMENT

Article 4

1. The Office shall notify the Directorate-General of offers of employment from Netherlands employers, taking into account the information referred to in article 2.

2. The offers of employment shall include precise information as to the nature, category and duration of the employment, the gross and net remuneration, the conditions of work and the facilities for housing and feeding the workers, as well as any other necessary and relevant particulars.

3. If an offer of employment is accepted, the Directorate-General shall promptly take the necessary steps to publicize the offer and any relevant information of interest to the workers concerned.

Article 5

The Office shall establish age-limits for Greek workers to be recruited for employment in the Netherlands.

These age-limits may be altered by mutual agreement in the case of individual workers whose services have been specifically requested or in special cases.

The minimum age shall not, however, be lower than eighteen years.

Article 6

1. Applicants for placement in the Netherlands shall be examined by the Directorate-General as regards their apparent physical condition, their vocational qualifications and any other matters specified by the Office.

2. The results of the examination of each individual applicant shall be entered on forms of a type to be agreed upon.

3. The Directorate-General shall ensure that applicants whose judicial records show that they have been sentenced to penalties involving deprivation of liberty for three months or more or who are known for their reprehensible moral or civic behaviour are excluded.

4. The list of applicants approved for placement shall be sent by the Directorate-General to the Office, together with the individual forms for each candidate listed.

An applicant who does not have a valid passport in his possession may not be entered on the list.

Article 7

The Office may send a delegation to Greece for the purpose of making a final selection from among the applicants proposed by the Directorate-General.

The delegation shall co-operate with the competent Greek authorities, which shall assist it in the performance of its task.

Article 8

The Office shall send to the Directorate-General, as soon as possible, a list of applicants finally approved and a list of applicants who are not approved.

Article 9

For each worker who is finally considered for placement, the Office shall send to the Directorate-General a contract of employment in triplicate, valid for one year, signed by the employer and drafted in Dutch and Greek, in accordance with a model to be agreed upon.

The contract must be signed by the worker before his departure from Greece and shall be certified by the Directorate-General.

Article 10

1. In order to be eligible for the benefits granted by Netherlands legislation to workers with families, a Greek worker must have in his possession an official certificate indicating his marital status and a document listing the members of his family who according to Greek law are dependent on him.

2. The Netherlands consular visa shall be entered in Greek passports free of cost.

Article 11

1. The Directorate-General shall be responsible for ensuring that the workers recruited are present on the dates and at the places of departure for the Netherlands agreed upon with the Office.

2. The travel of the workers from their places of residence in Greece to the places of departure for the Netherlands shall be arranged by the Directorate-General.

The costs, comprising:

- (a) The costs of travel,
- (b) The costs of food and accommodation during travel and at the selection centres,

shall be advanced by the Employment and Unemployment Insurance Agency designated for that purpose by the Directorate-General and shall be refunded by the Office in respect of each worker arriving in the Netherlands.

The amount of the costs referred to under (b) shall be set at a flat rate of 250 drachmas.

3. The travel of the workers from the places of departure for the Netherlands shall be arranged by the Office, with the agreement of the Directorate-General.

The costs, comprising:

- (a) The costs of travel,
- (b) The costs of food during travel,
- (c) The amount to be paid to the workers on their arrival in the Netherlands for their initial expenses,

shall be paid directly by the Office.

The amount of the costs referred to under (b) shall be set at a flat rate of 150 drachmas and the equivalent thereof shall be paid to each worker in currency.

The amount of the costs referred to under (c) shall be set a flat rate of 100 drachmas for each worker and shall be paid to him in Netherlands guilders on his arrival at the reception centre in the Netherlands.

4. The costs of medical examinations shall be borne by the Netherlands Party in respect of each worker examined.

The costs of pre-selection of workers in accordance with article 6 shall be borne by the Greek Party.

5. All costs of the Netherlands Party referred to in this article be borne by the employers, who must undertake to refund them to the Office.

Article 12

An administrative arrangement shall be concluded as soon as possible between the competent departments with a view to covering the travel risks of the Greek workers.

The cost of the relevant insurance premium shall be borne by the employers.

Article 13

In the event of requests by Netherlands employers for permission to engage specific Greek workers because of a personal relationship existing between them, the applicable selection and recruitment procedure shall be that prescribed in this Agreement.

However, the selection and recruitment procedure may be simplified by agreement between the Directorate-General and the Office.

Article 14

A Netherlands employer may notify a Netherlands labour exchange that he refuses to accept the judgement of the Office or of the delegation as to a worker's aptitudes only if the worker's unsuitability has become apparent in the course of the performance of his work.

In such cases, Netherlands labour exchanges shall endeavour to offer the workers concerned employment for which they are qualified.

GENERAL WORKING CONDITIONS

Article 15

1. The Greek workers shall be afforded in the Netherlands the same conditions of remuneration and employment as apply to Netherlands workers, in conformity with legal provisions, collective labour contracts, craft practices and local custom.

2. They shall be afforded the same rights and safeguards as are enjoyed by Netherlands workers with respect to the application of the laws on occupational health and safety, and in the matter of living accomodation.

3. The Netherlands authorities shall ensure that these provisions are implemented, and in particular that at the time of the worker's admission the conditions of recruitment are in accordance with the said provisions.

4. In the event of labour disputes, the Greek workers shall, in addition, have access to the competent administrative or judicial authorities in the Netherlands on the same conditions as apply to Netherlands workers.

Article 16

The Greek workers may transfer their entire savings to Greece, in accordance with the prevailing regulations in the Netherlands.

Article 17

1. The competent Netherlands authorities and the Netherlands employers shall give the Greek workers any assistance they require in familiarizing themselves with their new surroundings, particularly during their initial period of employment.

2. The competent authorities of the two Contracting Parties shall give sympathetic consideration to, and shall promote, any steps taken by Netherlands or Greek social or religious organizations to facilitate the adaptation of the Greek workers. Arrangements shall also be made to facilitate co-operation between such Greek and Netherlands organizations.

3. The Directorate-General may, pursuant to an Agreement between the two Governments, establish a Greek Commission in the Netherlands. The Commission shall co-operate with the competent Netherlands authorities, which shall assist it in the performance of its task.

Article 18

1. A worker shall return to Greece on the expiry of his contract, unless the contract is renewed or he accepts other employment, which must be approved by the Netherlands authorities.

2. On the expiry or termination of the contract, the costs of repatriation shall be borne by the Netherlands employer. Such costs shall, however, be borne by the worker in the event of serious fault on his part; any decision on this point shall be taken by the labour exchange in whose area the place of employment is situated.

3. Where the contract of employment is renewed after a twelve-month period of employment, the costs of travel to and from Greece shall be borne by the employer if the worker wishes to spend his leave in Greece. In the event of further renewals of the contract, this provision shall not be obligatory on the employer.

Article 19

The competent Netherlands authorities shall notify the Royal Consulate of Greece of any industrial accident sustained by a Greek worker and of any decisions of the kind referred to in article 18, paragraph 2.

In the event of the establishment of a Greek Commission, such notifications shall be addressed to the Commission.

Article 20

The competent Netherlands authorities may, for reasons of public policy or security, order the repatriation to Greece of workers recruited under the terms of this Agreement.

Article 21

1. At the request of either of the Contracting Parties, a Joint Commission, composed of not more than three delegates of each Party, shall be established. Each delegation may be assisted by the necessary experts.

2. The principal task of the Joint Commission shall be to endeavour to solve any difficulties in the implementation of this Agreement on which no prior understanding has been reached between the Directorate-General and the Office.

3. The Joint Commission may also consider general problems relating to the recruitment, placement and employment of workers in the Netherlands.

It may on occasion submit proposals to the two Parties regarding the questions considered by it.

4. The Joint Commission shall decide its own rules of procedure and working methods. It shall meet in Greece and in the Netherlands alternately.

Article 22

In so far as the Kingdom of the Netherlands is concerned, this Agreement shall apply only to the territory of the Kingdom in Europe.

Article 23

1. This Agreement shall enter into force on the date of its signature.

2. It shall remain in force until 31 December 1967 and shall be tacitly renewed from year to year, each Party reserving the right to denounce it through the diplomatic channel not later than three months before the end of any year.

IN WITNESS WHEREOF the plenipotentiary representatives of the two Parties have affixed their signatures to this Agreement.

DONE at Athens on 13 September 1966, in duplicate in the French language.

For the Government
of the Kingdom of the Netherlands

R. B. VAN LYNDEN

For the Royal Government
of Greece:

J. TOUMBAS