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DATE	OUR REFERENCE	YOUR LETTER DATED	YOUR REFERENCE
03.12.2020	GF/mk/2020/1027	18.11.2020	Open letter NDA
E-MAIL	TELEPHONE	ENCLOSURE(S)	
secretariaat.bz@vu.nl	020 598 2504		

Subject: Response to Open Letter

Dear colleagues,

Thank you for your open letter about the revocation of Non Disclosure Agreements (NDA). The signals received from the Ad Valvas article about undesirable conduct experienced in the department of Experimental and Applied Psychology have also hit us hard. Let's be clear about it: we, too, believe that it is important that (former) employees should share their experiences about the work situation at our university. However, the fact that a confidentiality clause is part of a contractual arrangement does not have to stand in the way of this.

What kind of confidentiality clause is it and what is it meant for?

A confidentiality clause is part of a so-called settlement agreement. In employment law this is an agreement between employer and employee in which agreements are made about the conditions under which the employment ends. The reason for concluding a settlement agreement differs per case. It may be that this is in the context of a conflict, but that is certainly not always the reason. Long-term disability is also a reason to part ways in mutual consultation in which agreements are made.

The settlement agreement as used not only by VU Amsterdam, but by almost all employers in the Netherlands, contains a number of standard provisions. The confidentiality clause is an example of a standard provision and ensures that the confidentiality of the agreements made between the parties is safeguarded. It works both ways. The goal is usually to put an end to the situation and part ways without the intervention of the judge and without (further) damaging each other. It is certainly not meant to cover up undesirable behaviour or to impose a unilateral ban on speaking. Incidentally, the agreements apply reciprocally: VU Amsterdam may therefore also not make any statements about the employee in question.

Experiences of inappropriate conduct may - as far as we are concerned - always be reported, even if a confidentiality statement has been signed. For the (former) employees of the department of Experimental and Applied Psychology this is best done by approaching the independent researchers who are addressing this matter. The dean of FGB has the contact details. Other employees can always contact their manager (or if this is not an option, the next level of leadership), or the faculty or central confidential counselors. Former employees can go to the managing director of the faculty or the dean and of course also to the confidential counselors.

Importance of independent research

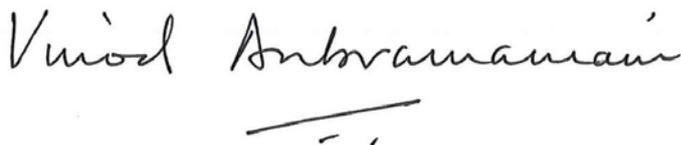
The dean of FGB has now commissioned an external agency to conduct an independent investigation. He has discussed the type of research that will be done with the employees of the department. It takes time for the researchers to do their job thoroughly and to come up with well-founded results. We have confidence in the dean's approach and now ask everyone to be patient, in the interest of a careful process. We will be transparent about the results of the investigation.

Reporting inappropriate conduct

Finally, we would like to emphasize how important it is for employees to share their experiences and report complaints. Try to discuss this with the person in question as soon as possible. If you don't think this is safe enough or it has no effect, you can contact your manager (or their manager) or HR advisor. If other colleagues experience or have observed the same inappropriate conduct, you may be able to address it together. If your own network of colleagues or manager(s) cannot help you, please contact one of the confidential counselors. There are central and decentral confidential counselors within each faculty or service department.

Identifying, raising, and reporting problems requires courage. When there is inappropriate conduct and/or an unhealthy work culture, it is also the only way to bring about the necessary change. Based on the experiences at FGB, we will take a closer look at how we deal with reports and whether we can remove any barriers in this process. The results of the independent investigation will help us with this, but we will of course also continue to discuss these issues with the VU community.

Yours sincerely,
On behalf of the Executive Board



prof. dr. V. Subramaniam,
rector magnificus