

From:Alberto.Gatti@shell.com
Sent:18.05.2010 16:11:53
To:HR-Service-Desk-Europe-AF-LA-RU@shell.com
Subject:Public holidays in NL

Team,

I work part time 4 days a week and my part time day is Monday.

It happens that in the Netherlands Easter Monday and Whit Monday are also on Monday. Am I entitled to a compensatory day off for those 2 public holidays I lose?

Kind regards / Met vriendelijke groeten,

Alberto Gatti

From: HR Service Desk Europe-AF-LA-RU, SSSC-HRVO/E-T1
Sent: Thursday, 20 May, 2010 17:45
To: Gatti, Alberto SI-PTC/GOPS
Subject: LS/PLTWL0/1784043/NL/Gatti/Public holidays

Dear Alberto,

Thank you for contacting HR Services.

Please be kindly informed that the compensation you are looking for are VVF leave days.

However, I am afraid that VVF hours are only applicable to Employees in SNR/SNC and NAM, and then only for those who are working in a 5-shifts roster. Providing that you are working on a regular basis for Shell International, these VVF hours do not apply.

Concerning your question: I am afraid that when a public holiday falls on a free parttime day, this is not compensated. It is a matter of "bad luck".

Should you have more questions on this or any other issue, please do not hesitate to contact me again.

Kind regards/Met vriendelijke groeten,

Tomasz Wlodarski

HR Services Advisor, 1st Line Support

From:Alberto.Gatti@shell.com
Sent:02.11.2010 10:40:03
To:HR-Service-Desk-Europe-AF-LA-RU@shell.com
Subject:RE: LS/PLTWL0/1784043/NL/Gatti/Public holidays

Tomasz,

I made some investigation on what you said and this is what I found:

1. Part time workers are normal workers who chose to work, in this case, one day less per week.
2. This extra free day each week is paid by the part-time worker with a 20% reduction of the monthly salary.
3. Hence, if the part time day is during a national holiday, the part time worker is discriminated compared to the full time workers because s/he pays for the national holiday, which other workers have instead paid by the company.
4. It would basically be as if a full time worker takes a leave day during a national holiday, which is actually not allowed by the system.

Additionally I had a look at the HR web-pages and found nothing on this matter, confirming that there is no actual regulation on this topic and your answer of "bad luck" is essentially not justified.

Kindly escalate this case to the relevant authority as your answer does not satisfy me.

Thanks.

Kind regards / Met vriendelijke groeten,

Alberto Gatti

From: HR Service Desk Europe-AF-LA-RU, SSSC-HRVO/E-T1
Sent: Wednesday, 03 November, 2010 15:46
To: Gatti, Alberto SI-PTC/GOPS
Subject: LS/PLTWL0/2086886/NL/Gatti/Public Holidays

Dear Alberto,

Thank you for contacting HR Services again.

Please be kindly informed that we appreciate your feedback very much. Your comment showed us the policy gap that only thanks to this case-study, was discerned and consequently could be repaired.

In order to address properly described by you issue, I need to ask to do one more paper work. Could you please feel in the attached Exception form. With

this we will be sure that your case will be addressed to the Policy Makers level.

Should you have more questions on this or any other issue, please do not hesitate to contact me again.

In case you get a customer satisfaction survey mail, I would appreciate your feedback and comments regarding our service offered.

Kind regards/Met vriendelijke groeten,

Tomasz Wlodarski

HR Services Advisor, 1st Line Support

From: Gatti, Alberto SI-PTC/GOPS
Sent: Wednesday, 03 November, 2010 16:32
To: HR Service Desk Europe-AF-LA-RU, SSSC-HRVO/E-T1
Subject: RE: LS/PLTWL0/2086886/NL/Gatti/Public Holidays

Tomasz,

The form is for international mobility exceptions, but I am not under an international mobility plan.

Are you positive I should fill this form?

Kind regards / Met vriendelijke groeten,

Alberto Gatti

From: Alberto.Gatti@shell.com
Sent: 05.11.2010 10:09:34
To: HR-Service-Desk-Europe-AF-LA-RU@shell.com
Subject: RE: LS/PLTWL0/2086886/NL/Gatti/Public Holidays

Tomasz,

Any update?

Kind regards / Met vriendelijke groeten,

Alberto Gatti

From: Gatti, Alberto SI-PTC/GOPS
Sent: 10 listopada 2010 14:09
To: Silva, Armenio A SSSC-HRR/VE1L
Subject: FW: LS/PLTWL0/2086886/NL/Gatti/Public Holidays

Armenio,

Congratulations with your new daughter!

I believe we have already been in contact in the past for a similar reason.

Could you please check the email below, as I keep not receiving any answer from Tomasz?

Thanks.

Kind regards / Met vriendelijke groeten,

Alberto Gatti

From: Silva, Armenio A SSSC-HRR/VE1L
Sent: Wednesday, 10 November, 2010 21:40
To: Gatti, Alberto SI-PTC/GOPS
Cc: Klatka, Agnieszka P SSSC-HRR/VE1L; Wlodarski, Tomasz SSSC-HRR/VE1L
Subject: RE: LS/PLTWL0/2086886/NL/Gatti/Public Holidays

Hi Alberto :D

Thanks you! We are all excited about our new baby ☺

My advisor Tomasz was on leave since last Thursday, also to take care of his one year old daughter.

My apologies by the fact that none of his backups got back to you with a prompt answer. We will coach them to avoid this unpleasant situations.

Tomasz will be back to work tomorrow, but just in case I am also informing our coach to make sure your issue is a priority and will be taken care.

Although I am out of office to support my family, please do not hesitate to send me an email or call me to my mobile phone that you can find in my signature.

Arménio Silva

HR Services - T1 Local services Team Manager

From: HR Service Desk Europe-AF-LA-RU, SSSC-HRVO/E-T1
Sent: Thursday, 11 November, 2010 9:26
To: Gatti, Alberto SI-PTC/GOPS
Cc: Silva, Armenio A SSSC-HRR/VE1L
Subject: LS/PLTWL0/2086886/NL/Gatti/Public

Dear Alberto,

Please accept my sincere apologies for any inconvenience caused by the delay in our response time.

The form you received from Tomasz was used in the past for all kinds of exception requests (local requests included). It has been recently changed and now there is a new Exception Request Form available on HR Online. I attach it for you convenience to my e-mail however in the future you can always use "Search HR Online" option in order to find the most updated version of forms and policies.

Should you have any further questions, please feel free to contact me.

Kind regards,

Agnieszka Klatka

HR Services Coach, 1st Line Support

From:Alberto.Gatti@shell.com

Sent:11.11.2010 10:07:01

To:HR-Service-Desk-Europe-AF-LA-RU@shell.com

CC:

Subject:RE: LS/PLTWL0/2086886/NL/Gatti/Public

Agnieszka,

Thanks for your answer.

Here is the filled form.

Kind regards / Met vriendelijke groeten,

Alberto Gatti

From: HR Service Desk Europe-AF-LA-RU, SSSC-HRVO/E-T1

Sent: Thursday, 11 November, 2010 10:32

To: Gatti, Alberto SI-PTC/GOPS

Cc: Klatka, Agnieszka P SSSC-HRR/VE1L; Silva, Armenio A SSSC-HRR/VE1L

Subject: LS/PLTWL0/2086886/NL/Gatti/Public Holidays

Dear Alberto,

Please accept my sincere apologies for lacking follow up from my side. As my Line Manager explained I was not present in the office these days.

Please note that I received the new version of the Exception Request and it is already sent over to the Proximate Benefits team to be presented to the 3rd Line of experts (policy owners/creators).

I will inform you about any update, once I get some news around this issue.

Kind regards,

Tomasz Wlodarski

Tier 1 Local Services HR Advisor

From: HR Service Desk Europe-AF-LA-RU, SSSC-HRVO/E-T1
Sent: Wednesday, 17 November, 2010 8:45
To: Gatti, Alberto SI-PTC/GOPS
Subject: C2086886:RE:RE: LS/PLTWL0/2086886/NL/Gatti/Public

Dear Alberto,

Your exception request from has been reviewed by the senior benefits advisor of Shell Nederland and your request has been denied.

Reason being that it is "all in the game" when working on NL terms and conditions and taking your parttime day on Monday. Advice is to reconsider (in consultation with your manager) to take your parttime day on a different day in the week.

HR Services Advisor,
NL Proximate organisation, Tier 2

From: Gatti, Alberto SI-PTC/GOPS
Sent: Wednesday, 17 November, 2010 10:05
To: HR Service Desk Europe-AF-LA-RU, SSSC-HRVO/E-T1
Subject: RE: C2086886:RE:RE: LS/PLTWL0/2086886/NL/Gatti/Public

Dear advisor,

I am afraid "all in the game" is not an expression that can be considered as serious when discussing about fair treatment between employees.

Additionally changing the part time day from Monday to a different week day would not solve the problem, as there might be public holidays on any day of the week.

This said I advise you to check the decision on this regard from the Dutch Commission for Equal Treatment (Commissie Gelijke Behandeling, CGB), before this case is brought to a different level of authority.

This is the link:

<http://www.cgb.nl/oordeel/2004-151>

<http://www.cgb.nl/node/12519/volledig>

Please let me know your final decision after review of the above mentioned links so I can take proper action.

Thanks.

Kind regards / Met vriendelijke groeten,

Alberto Gatti

From: Gatti, Alberto SI-PTC/GOPS
Sent: Wednesday, 08 December, 2010 10:48
To: HR Service Desk Europe-AF-LA-RU, SSSC-HRVO/E-T1
Subject: RE: PLTWL0/Case 2113281/NL/ADDITIONAL/Gatti/Exception/

Team,

Is there any update on this case?

Kind regards / Met vriendelijke groeten,

Alberto Gatti

From: HR Service Desk Europe-AF-LA-RU, SSSC-HRVO/E-T1
Sent: Wednesday, 15 December, 2010 10:48

To: Gatti, Alberto SI-PTC/GOPS
Subject: C2152890:RE:RE: PLASM2/Case 2152890/NL/additional/

Dear Alberto,

Our apologies for not getting back to you earlier on this. We have tried to contact you via telephone some times, but to no avail. The exception request form has been discussed with the Senior Benefits Advisor and the NL Policy & Benefits Manager again, and the outcome of the exception request remains the same. We hope to have informed you enough.

HR Services Advisor,
NL Proximate organisation, Tier 2

From: Gatti, Alberto SI-PTC/GOPS
Sent: Thursday, 16 December, 2010 10:06
To: HR Service Desk Europe-AF-LA-RU, SSSC-HRVO/E-T1
Subject: RE: C2152890:RE:RE: PLASM2/Case 2152890/NL/additional/

Hello,

What is the ground for rejecting my requests? Please do not answer "it is in the game" otherwise I will start thinking you really have no arguments for your decision.

Can you also please send me a copy of the CAO (collective labour agreement) which my employment agreement with Shell refers to?

Thanks

Kind regards / Met vriendelijke groeten,

Alberto Gatti

From: Gatti, Alberto SI-PTC/GOPS
Sent: Thursday, 30 December, 2010 18:14
To: HR Service Desk Europe-AF-LA-RU, SSSC-HRVO/E-T1
Subject: RE: PLASM2/Case 2168505/FA0/NL/additional/Gatti/Benefi

Team,
Can you please provide an update on this case?
Thanks.
KR, Alberto

From: den Daas, Babette R GSNL-HRD/XNLP
Sent: Wednesday, 05 January, 2011 9:31
To: Gatti, Alberto GSNL-PTC/GOPS
Subject: exception request

Dear Alberto,

I understand from the HR Service desk there you have some questions around the outcome of the exception request you submitted. I would like to schedule a meeting with you to discuss.

Please let me know which day and time would be convenient for you.

Kind Regards,
Babette den Daas

From: Gatti, Alberto GSNL-PTC/GOPS
Sent: woensdag 5 januari 2011 10:06
To: den Daas, Babette R GSNL-HRD/XNLP
Subject: RE: exception request

Thanks Babette.

What about this Friday at 14:00?

Kind regards / Met vriendelijke groeten,

Alberto Gatti

From: Gatti, Alberto GSNL-PTC/GOPS
Sent: Tuesday, 11 January, 2011 12:01
To: den Daas, Babette R GSNL-HRD/XNLP
Subject: FW: PLASM2/Case 2168505/FAO/NL/additional/Gatti/Benefi

Hi Babette,

These are the links to the Dutch commission for equal treatments (Commissie Gelijke Behandeling (CGB)).

<http://www.cgb.nl/oordeel/2004-151>
<http://www.cgb.nl/node/12519/volledig>

Here you can see that other employers found a suitable way to accommodate the calculation of holiday entitlements:

http://www.drp-philadelphia.nl/noordwest/?page_id=386

<http://www.hagaziekenhuis.nl/vacatures/kies-voor-een-baan-bij-het-hagaziekenhuis/jaarurensystematiek.aspx>

Appreciate if you could send me an official and sensible explanation why my request cannot be taken into consideration.

Thanks

Kind regards / Met vriendelijke groeten,

Alberto Gatti

From: Gatti, Alberto GSNL-PTC/GOPS

Sent: Wednesday, 19 January, 2011 10:16

To: den Daas, Babette R GSNL-HRD/XNLP

Subject: RE: PLASM2/Case 2168505/FAO/NL/additional/Gatti/Benefi

Babette,

Do you have any update on this?

Thanks

Kind regards / Met vriendelijke groeten,

Alberto Gatti

From: Gatti, Alberto GSNL-PTC/GOPS

Sent: Wednesday, 26 January, 2011 12:47

To: den Daas, Babette R GSNL-HRD/XNLP

Subject: RE: PLASM2/Case 2168505/FAO/NL/additional/Gatti/Benefi

Babette,

Any news on this?

Kind regards / Met vriendelijke groeten,

Alberto Gatti

From: Gatti, Alberto GSNL-PTC/GOPS
Sent: Tuesday, 01 February, 2011 16:32
To: van Barlingen, Jeanine CW SDSI-HRD/XNLP
Subject: FW: PLASM2/Case 2168505/FAO/NL/additional/Gatti/Benefi

Hi Jeanine,

It is with regret that I am writing to you but I do not see other solutions. I have been in contact with the HR services in Poland and with 2 of your local advisors, Babette and Mirja, with regards to 3 different unrelated issues, the oldest of which is dated May 2010.

Besides the lengthy process to get any answer, my emails are constantly being ignored by Babette and Mirja. I can understand they have to rely on different teams to get an answer to my queries, but I would like to receive some updates on the status of my requests.

Can you please intercede?

In attachment my 3 requests.

Thanks for your time.

Kind regards / Met vriendelijke groeten,

Alberto Gatti

From: Gatti, Alberto GSNL-PTC/GOPS
Sent: dinsdag 8 februari 2011 18:22
To: van Barlingen, Jeanine CW GSNL-HRD/XNLP
Subject: RE: PLASM2/Case 2168505/FAO/NL/additional/Gatti/Benefi

Jeanine,

As I still did not receive any answer to my questions, I am wondering if you perhaps had a chance to read my email.

Please let me know if anything was not clear.

Thanks

Kind regards / Met vriendelijke groeten,

Alberto Gatti

From: van Barlingen, Jeanine CW GSNL-HRD/XNLP
Sent: Wednesday, 09 February, 2011 9:05
To: Gatti, Alberto GSNL-PTC/GOPS
Cc: den Daas, Babette R GSNL-HRD/XNLP
Subject: RE: PLASM2/Case 2168505/FAO/NL/additional/Gatti/Benefi

Alberto,

I know Babette is working on your case and I know that she'll contact you today to discuss your questions.

best regards,
Jeanine van Barlingen
NL HR Manager Projects & Technology

From: den Daas, Babette R GSNL-HRD/XNLP
Sent: Wednesday, 09 February, 2011 17:44
To: Gatti, Alberto GSNL-PTC/GOPS
Subject: RE: Change job title and other issues

Dear Alberto,

Apologies for the delay in my responds!

With regard to the public holidays on your part time day. I have looked at the web site of the Dutch commission for equal treatments (Commissie Gelijke Behandeling (CGB) but the page you send is not visible anymore. I've checked again and unfortunately the outcome remains the same as communicated to you earlier, Shell will not compensate you if a public holiday is on the same day as your part time day.

Hope this answers your questions.

Please let me know if you need further information.

Kind regards,

Babette

From: Gatti, Alberto GSNL-PTC/GOPS
Sent: Wednesday, 09 February, 2011 17:51
To: den Daas, Babette R GSNL-HRD/XNLP
Subject: RE: Change job title and other issues

Thanks Babette for your answer.

I would like to know on which ground Shell rejects my request for compensation during my part time day. So far I did not receive any justification for it.

Thanks for your help.

Kind regards / Met vriendelijke groeten,

Alberto Gatti

From: Gatti, Alberto GSNL-PTC/GOPS
Sent: vrijdag 18 februari 2011 10:12
To: den Daas, Babette R GSNL-HRD/XNLP
Subject: RE: Change job title and other issues

Babette,

I still did not receive any answer from you.

I have the feeling that you think not answering my emails will eventually make me stop asking questions.

Unfortunately for you it will not.

I will wait till this coming Wednesday for an answer from you, then I will escalate again and will proceed in this way until I am not receiving an answer to my questions.

Perhaps the escalations will also help the senior leaders in your team to understand the type of service which is provided to customers.

Kind regards / Met vriendelijke groeten,

Alberto Gatti

From: den Daas, Babette R GSNL-HRD/XNLP
Sent: Friday, 18 February, 2011 11:04
To: Gatti, Alberto GSNL-PTC/GOPS
Cc: De Kruijter, Sonja F GSNL-PTC/GOPS
Subject: RE: Change job title and other issues

Dear Alberto,

The reason I didn't reply to you yet is that I am extremely busy and I do apologise for the slow response.

With regard to your questions.

Your request for compensation is rejected because it is not in line with the Shell Leave policy. Shell has chosen to use a policy that is legally correct and applies to all employees. In this case it is your own personal choice to have your part time day on Monday. No employee in Shell in the Netherlands is being compensated if a public holiday is on a non working day. Not the part time workers but also not the full time workers, if Christmas is on a Saturday or Sunday.

I trust this answers your questions.

Please note that I do not appreciate the tone of your email, I do not believe not answering your emails will stop you from asking questions and that is definitely not my intention.

Kind Regards,
Babette den Daas

From: Gatti, Alberto GSNL-PTC/GOPS
Sent: Friday, 18 February, 2011 11:21
To: den Daas, Babette R GSNL-HRD/XNLP
Cc: De Kruijter, Sonja F GSNL-PTC/GOPS
Subject: RE: Change job title and other issues

Babette,

Thanks for eventually providing an answer to me.

As lesson learned from your side, I reckon that even if you were waiting for an answer from another team, you could have provided a simple status update which would have avoided this uncomfortable situation.

Kind regards / Met vriendelijke groeten,

Alberto Gatti