

Rescind NDA's and similar agreements now!

With this open letter we would like to urge the University Board of the VU Amsterdam to immediately rescind all the non-disclosure agreements (NDAs) - or any similar legal agreements - that prevent ex-employees to speak freely about the reasons of the termination of their employment relationship with the VU. Such agreements result primarily in the prevention of the disclosure and the proper handling of situations of mismanagement, intimidation, abuse of power and harassment.

The recent article in AdValvas¹ as well as several other incidents indicate that the issues mentioned above (mismanagement, intimidation, abuse of power and harassment) continue to require attention and (decisive) intervention at the VU.

The fact that such incidents continue to emerge is partly due to the fact that employees and former employees of the VU are not encouraged to (or are sometimes even prevented from) speaking freely and revealing information on previous incidents. Many former employees of the VU, the most recent example being the two people reported in the recent article of AdValvas, are prevented from speaking freely by the NDAs (or similar agreements) that they have signed at the moment of the termination of their employment contract with the VU.

By concluding NDAs or similar agreements, the VU ensures that employees whose contract is terminated remain silent about cases of inappropriate conduct. We strongly believe that NDAs are at odds with the core academic values of the VU and its declared aims as they appear in the Strategy 2020-25, possibly also with the principle of the freedom of speech, and perhaps most importantly, with the need for safety as a prerequisite to carry out our work as researchers and lecturers.

We are aware that this lack of safety is widespread in Dutch academia and not merely a VU problem. We share the declared ambition of the VU to create a safe environment for all employees and students and we believe that the VU can be a leader in increasing social safety in Dutch Universities by opening up all NDA (and similar) arrangements and learning from mistakes. If the University Board is serious about creating such a safe working environment, about fighting intimidation, bullying, abuse of power, harassment and other forms of misbehavior, the first, necessary, step is to allow the present and former members of the VU community to speak freely and in public; to listen to them, learn from them, reflect with them about what went wrong and why.

A last remark: we do not think that giving these people the opportunity to speak in closed committee meetings is enough. Our experience shows that the investigations of such committees take extremely long and that the result of these investigations is meagre. By rescinding NDAs and similar agreements, former VU employees will be given the opportunity to provide full account of facts that are necessary to be heard so that situations for which the VU cannot be proud of will not be repeated.

¹ <https://www.advalvas.vu.nl/verhalen/waarom-er-zoveel-onderzoekers-wegliepen-bij-psychologie>

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