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Factsheet for case **BE-2020-13/460**

NOT IN SCOPE - Temporary suspension of social elections 2020

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| Country | Belgium, applies nationwide |
| Time period | Open ended, started on 24 March 2020 |
| Type | Recommendation |
| Category | Employment protection and retention – Other (Postponement of social elections) |
| Case created | 10 April 2020 (updated 30 April 2020) |

Background information

The social elections for the establishment and renewal of works councils and committees for prevention and protection at work would normally take place in May 2020.

These social elections concern more than 6,000 enterprises. Enterprises must be private sector enterprises with a commercial or industrial purpose and not-for-profit enterprises, such as social and health services.

The aim of the social elections is to set up or renew around 9,000 bodies, in particular 3,000 works councils and 6,000 committees for prevention and protection at work.

The outbreak of the Covid-19 pandemic and the measures that have been taken to stop its advance make it impossible for the further social elections to proceed normally according to the originally established electoral calendar and for the social elections to be properly organised.

Content of measure

The social elections procedure will resume in autumn 2020. The procedure will resume and will return to normal from then on.

For the time being, it has been agreed to hold the social elections from 16 to 29 November 2020. Depending on how the corona crisis develops, this period will be confirmed or adjusted during the summer of 2020.

The postponement of the social elections also has consequences for the dismissal protection of the current workers' representatives and the candidates in the social elections. However, the impact remains very limited.

The basic rules, such as the need to have a technical or economic reason recognised by the joint committee or an urgent reason by the labour court, remain unchanged. The lump-sum compensation that the employer has to pay when he does not comply with the procedures also remains unchanged: 2 to 4 years, depending on seniority in the company.

Use of measure

The measure impacts all companies that hold the social elections, approximately 6000.

Actors, target groups and funding

| Actors | Target groups | Funding |
|--|---------------------|-----------------------------|
| National government Social partners jointly | Larger corporations | No special funding required |

Social partners

| | |
|-------------------------|---|
| Role of social partners | Agreed (outcome) |
| Form of involvement | Bi-or tripartite social dialogue bodies |

The advice was formulated within the National Labour Council, one of the peak national social dialogue organs.

Sectors and occupations

This case is not sector-specific.

This case is not occupation-specific.

Sources

- 24 March 2020: Advies Nationale Arbeidsraad nr 2.160 (www.cnt-nar.be)