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Factsheet for case **BE-2020-11/380**

Extension of temporary unemployment for white-collar workers due to force majeure

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Country	Belgium, applies nationwide
Time period	Temporary, 13 March 2020 - 30 June 2020
Type	Legislation or other statutory regulation
Category	Income support to workers and those laid off – Income support for people in employment
Case created	08 April 2020 (updated 15 April 2020)

Background Information

The measure was introduced because of the strong increase in requests for temporary unemployment (which normally can only be implemented under certain conditions). First of all it alleviates pressure on the institutions that are tasked with organizing and distributing unemployment benefits, both the National Employment Office (NEO) and the trade unions (that also play an important role in paying out the unemployment benefits).

For employers the use of temporary employment means that they no longer have to pay the wages of their employees (that cost is transferred to the government through the unemployment benefit), they are able to reduce their losses and are able better cope with the period of inactivity.

For employees the measure has to make the procedure shorter and more simplified. To make sure that they receive their unemployment benefit as fast as possible.

Content of measure

From 13 March 2020, the notion of temporary unemployment due to force majeure will be flexibly applied by the NEO. All situations of temporary unemployment due to the corona virus can be considered as temporary unemployment due to force majeure, even if, for example, it is still possible to work on certain days.

For the duration of the restrictive measures (currently until 19/04/2020), the employer must no longer send

notices of temporary unemployment for reasons of force majeure to the competent unemployment office of the NEO. This period may be extended until 30/06/2020 if the public health measures are extended or strengthened by the government.

The employee may use a simplified form to submit his application for benefits to his payment institution.

From 01/02/2020 until 30/06/2020, the employee receives a benefit equal to 70% of his average capped salary (capped at EUR 2,754.76 per month).

The employee who is made temporarily unemployed due to force majeure (reason "coronavirus") will receive a supplement of EUR 5.63 per day on top of the unemployment benefit, at the expense of the NEO.

A withholding tax on professional income of 26.75% is deducted from the benefit.

Use of measure

Approximately 1,2 million employees currently make use of the system of temporary unemployment on an active population of less than 4 million.

Actors, target groups and funding

Actors	Target groups	Funding
National government Trade unions Employers' organisations Company / Companies Public support service providers	employees All companies	National funds

Social partners

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

The National Labour Council provides advice and CA's 147 has been signed which formalizes the measure until the 30th of June.

Apart from these agreements and advises there are discussions going on between trade unions and employers. Trade unions claim that some employers abuse temporary unemployment and place sick employees (with sicknesses that have no connection to Corona) within the temporary unemployment sickness system to reduce costs, while in practice this is forbidden and they have to continue to continue to

provide guaranteed salary to those employees. Many of these companies that abuse this situation are in fact even still functioning properly despite the Corona measures.

Sectors and occupations

This case is not sector-specific.

This case is not occupation-specific.

Sources

- 18 March 2020: National Labour Council (www.cnt-nar.be)
- 20 March 2020: National Employment Office (www.rva.be)
- 23 March 2020: Federal Office for Employment, Labour and Social Dialogue (werk.belgie.be)
- 08 April 2020: De Tijd: Coronacrisis kost Belgische economie dit jaar 45 miljard euro' (www.tijd.be)