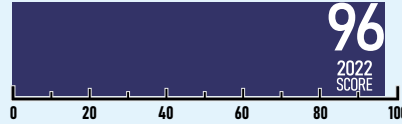




Belgium



92 2020 SCORE

Western Europe

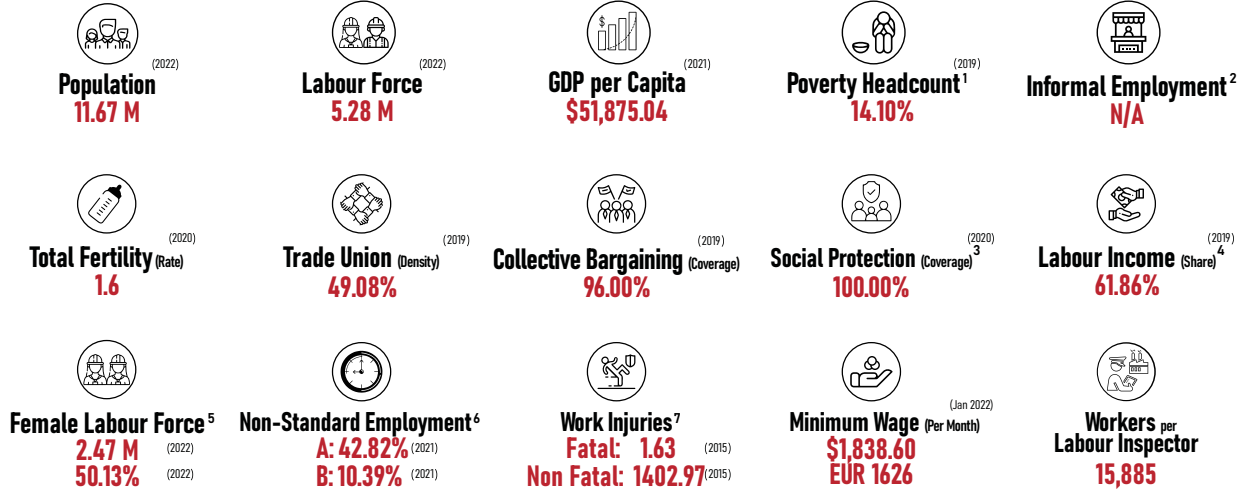
High Income

Decent Work



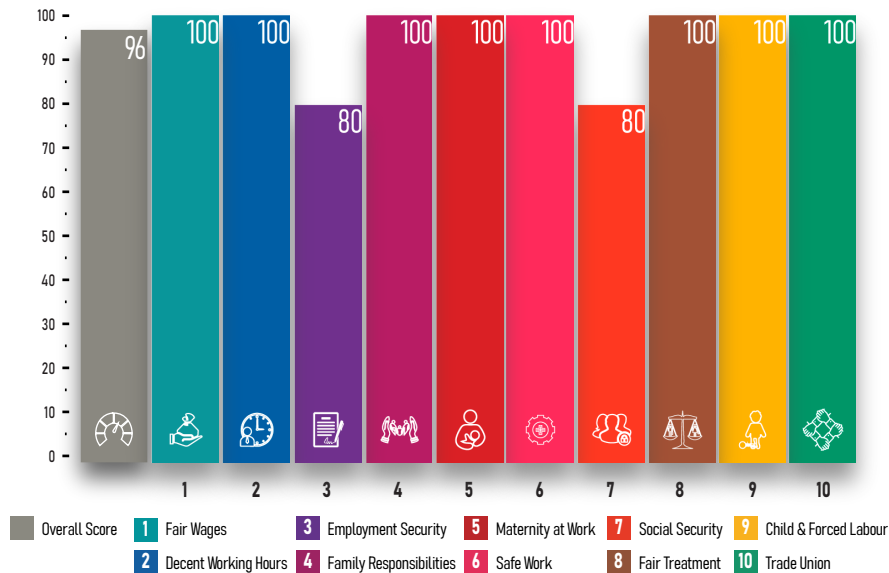
LRI RATING

Contextual Indicators



Sources: World Bank
International Labour Organization
WageIndicator Minimum Wages and Living Wages Database
M = Million

Legislative Performance Indicators



Introduction

The Labour Rights Index 2022 (LRI 2022) is a de-jure index covering 135 economies and structured around the working lifespan of a worker. In total, 46 questions or evaluation criteria are scored across 10 indicators. The overall score is calculated by taking the average of each indicator, with 100 being the highest possible score. The Index uses a rating system, ranging from "Total Lack of Decent Work" to "Decent Work". The Labour Rights Index aims at an active contribution to the Sustainable Development Goals, by providing necessary (complementary) insights into de jure provisions on issues covered in particular by SDG8 (Decent Jobs), SDG 5 (Gender Equality), SDG 10 (Reduced Inequalities) and SDG 16 (Strong Institutions). The Index is based on national labour legislation, applicable on 1 January 2022. The Index does not take into account COVID-19 related labour market measures in its scoring.

Belgium's overall score is 96 out of 100. The overall score for Belgium is higher than the regional average observed across Western Europe (89). Within the Western European region, the highest score is observed for Belgium (96).

¹ Proportion of population living below the national poverty line (%), as measured under SDG 1.2.1

² Share of informal employment in total employment (%), as measured under SDG 8.3.1

³ Proportion of the country population covered by social protection floors, as measured under SDG 1.3.1

⁴ Labour income (income of employees + partly income of the self-employed) as a percentage of GDP, as measured under SDG 10.4.1

⁵ The female labour force is shown in absolute number along with the female labour force participation rate

⁶ Non-Standard Employment has been defined as Part-Time Employment (A) and Temporary Employment (B)

⁷ Rate of fatal and non-fatal injuries per 100,000 workers, as measured under SDG 8.8.1

The country rating is based on the overall score of 0-100, with the following coding:

(90.5-100) Decent Work | (80.5-90) Approaching Decent Work | (70.5-80) Reasonable Access to Decent Work | (60.5-70) Limited Access to Decent Work | (50.5-60) Basic Access to Decent Work | (0-50) Total Lack of Decent Work

LABOUR RIGHTS INDEX 2022

	Question ⁹	Answer	Legal Basis	Trend ¹²
1. Fair Wages	Does the law prescribe minimum wage rates in the country?	Yes	The Collective Bargaining Agreement No. 43 of 1988	●
	Does the law require regular payment of wages?	Yes	Loi concernant la protection de la rémunération des travailleurs, 12 Avril 1965	●
	Does the law require overtime compensation be at least 125% of the regular hourly rate?	Yes	§29 of the Labour Act, 1971	●
	Does the law require additional compensation for working on a weekly rest day?	Yes	§26-bis and 29 of Labour Act 1971; §11 of Public Holidays Act 1974	●
	Does the law require additional compensation for night work?	Yes	§35-37 of Labour Act 1971; §79 of the Law on Flexible Work, 2017	●
2. Decent Working Hours	Does the law stipulate general working hours as 48 hours or lower?	Yes	§19-29 of Labour Act 1971; §4 & 7 of the Law on Flexible Work, 2017; §51 & 52 of Law of 20 December 2020	●
	Does the law restrict maximum working hours including overtime to 56 hours per week?	Yes	§27 of the Labour Act, 1971	●
	Does the law require a weekly rest of at least 24 hours?	Yes	§3, 11-18, 32.2 and 66 of Labour Act 1971	●
	Does the law require paid public holidays?	Yes	§4 & 11 of Public Holidays Act 1974	●
	Does the law require at least three working weeks of paid annual leave?	Yes	Royal Decree on determining Annual Leave for Salaried Workers, 30 March 1967; §34-38 of the Law of 20 December 2020	●
3. Employment Security	Does the law require written employment contracts or at least written employment particulars?	Yes	3 JUILLET 1978-Loi relative aux contrats de travail	●
	Does the law restrict the hiring of fixed-term contract workers?	Yes	§10-11 of 3 JUILLET 1978-Loi relative aux contrats de travail; §32 of the Law on Flexible Work, 2017	●
	Does the law limit the length of probation period including renewals to a maximum of 3 months?	Yes	§48-49 & 66-67 of 3 JUILLET 1978-Loi relative aux contrats de travail	●
	Does the law require a 30-day notice before contract termination?	Yes	Arrêté Royal du 09 Janvier 2014; §4 & 5 of Collective Labour Agreement no 147 2020; Law of 13 February 1998	●
	Does the law require severance pay at the rate of at least 2 weeks of wages for every year of service?	No	§6-13 of Convention Collective De Travail N° 10 Du 8 Mai 1973	●
4. Family Responsibilities	Does the law require parental leave for parents?	Yes	Arrêté royal relatif à l'introduction d'un droit au congé parental dans le cadre d'une interruption de la carrière professionnelle	●
	Does the law require at least one week of paid paternity leave for fathers?	Yes	§30.2 of 3 JUILLET 1978-Loi; §221, Royal Decree on Compulsory Sickness and Indemnity Insurance law; §63 Law of 20 December 2020	●
	Does the law require flexible work arrangements for workers with family responsibilities?	Yes	§68-75 of the Law on Flexible Work, 2017	●
	Does the law require paid nursing breaks?	Yes	Royal Decree Rendering compulsory Collective Agreement N° 80 on Nursing Breaks, 2001	●
	Does the law prohibit inquiring about pregnancy during recruitment?	Yes	§4 of the Act on Combatting Discrimination between Men and Women, 2007	●
5. Maternity at Work	Does the law require paid maternity leave of at least 14 weeks?	Yes	§39 of Labour Act 1971; §5 of the Belgian Law of 25 April 2014	●
	Does the law require cash maternity benefit be at least 67% of a worker's former wage?	Yes	§128 of Loi relative à l'assurance obligatoire soins de santé et indemnités coordonnée le 14 juillet 1994	●
	Does the law require maternity benefit be paid through contributory social insurance or universal benefits system?	Yes	§128 of Loi relative à l'assurance obligatoire soins de santé et indemnités coordonnée le 14 juillet 1994	●
	Does the law protect workers from dismissals during or on account of pregnancy?	Yes	§40 of Labour Act 1971	●
	Does the law require provision of free personal protective equipment to workers from employer?	Yes	Arrêté royal du 13 juin 2005 relatif à l'utilisation des équipements de protection individuelle	●
6. Safe Work	Does the law require the employer to train workers on health and safety issues?	Yes	§16bis-21 of Arrêté royal du 27 mars 1998 relatif à la politique du bien-être des travailleurs lors de l'exécution de leur travail	●
	Does the law restrict work that is prejudicial to the health of the mother or the child?	Yes	§39-43 of Labour Act 1971; Arrêté royal du 2 mai 1995 concernant la protection de la maternité	●
	Does the law provide for employment injury benefit?	Yes	Coordinated law of 3 June 1970 on Compensation for Occupational Diseases; Work Accidents Act 1971	●
	Does the law provide for an old age pension?	Yes	Royal Decree no. 50 of 24 October 1967 on Retirement and Survivors' Pensions; MISSOC Comp. Table for Belgium	●
	Does the law provide for a dependants/survivors' pension?	Yes	Royal Decree no. 50 of 24 October 1967 on Retirement and Survivors' Pensions; MISSOC Comp. Table for Belgium	●
7. Social Security	Does the law provide for unemployment benefit?	Yes	Royal Decree of 25 November 1991 on Unemployment; MISSOC Comp. Table for Belgium	●
	Does the law require paid sick leave for the first 6 months of sickness?	No	Coordinated Law of 14 July 1994 on Medical Care and Benefits; MISSOC Comp. Table for Belgium	●
	Does the law provide for invalidity benefit?	Yes	Coordinated Law of 14 July 1994 on Medical Care and Benefits; MISSOC Comp. Table for Belgium	●
	Does the law require equal remuneration for work of equal value?	Yes	§4-5 of Loi du 10 mai 2007 formes de discrimination; 22 AVRIL 2012. - Loi visant à lutter contre l'écart salarial entre hommes et femmes	●
	Does the law prohibit sexual harassment in employment?	Yes	§32bis & 32ter of the Loi du 4 août 1996; §101 & 119 of the Code Pénal Social 2010	●
8. Fair Treatment	Does the law prohibit discrimination in employment matters? ¹⁰	Yes	§19-28 of the Anti-Racism Act 1981; §26-31 of the Gender Equality Act 2007; §21-26 of the Anti Discrimination Act 2007	●
	Does the law allow women to do the same jobs as men?	Yes	§23 of the Belgian Constitution 1831	●
	Does the law guarantee basic labour protections for gig economy workers?	Yes	Royal decree No 72 of 10 November 1967; Royal Decree of 20 July 1971	●
	Does the law prohibit employment of children?	Yes	§43-46 bis of Employment Contracts Act, 1978	●
	Does the law set employment entry age equal to or higher than the compulsory schooling age?	Yes	§43-46 bis of Employment Contracts Act, 1978; §1 of the Compulsory Education Act, 1983	●
9. Child and Forced Labour	Does the law prohibit the employment of children in hazardous work under the age of 18 years?	Yes	§8, 9, 32, 34 & 34 bis of Labour Act, 1971	●
	Does the law prohibit forced labour?	Yes	§433 quinquies and 433 octies of Penal Code 1867	●
	Does the law allow workers to form and join unions of their own choice?	Yes	§27 of the Belgian Constitution 1831; USDOS CRHRP 2021	●
10. Trade Union	Does the law allow workers to bargain collectively with employers through their representative unions?	Yes	Organic Law on National Labour Council 1952; Law of 5 December 1968 on Collective Agreements and Joint Committees	●
	Does the law provide for the right to strike?	Yes	Loi du 19.08.1948 relative aux prestations d'intérêt public en temps de paix	●
	Does the law prohibit employers from terminating employment contracts of striking workers?	Yes	Loi du 19.08.1948 relative aux prestations d'intérêt public en temps de paix	●

Covid 19 and Labour Market in Belgium*

Total Covid Cases	4.37 Million
Total Covid Deaths	32,089
Partial Vaccinated	81.0%
Fully Vaccinated	80.0%

Wage Subsidies	✓
Social Security Contributions (deferrals/waivers)	✓
Paid Sick Leave	✓
Add. Unemployment Benefits	✓

Protection from Dismissals	✓
Telework/flexible work	✓
Improved Health Access	✗
Training (activation measures)	✓

⁹ The Index has 10 indicators and 46 evaluation criteria or questions.

¹⁰ The prohibited grounds for discrimination are "race, colour, sex, religion, political opinion, national extraction or social origin, age, disability and trade union membership". A score of 1 is assigned only if a country has prohibited discrimination on at least 7 of the above 10 grounds.

¹¹ A country's score on LRI's Trade Union indicator must also be read together SDG indicator 8.8.2 which measures the level of national compliance with labour rights (freedom of association and collective bargaining) based on ILO textual sources and national legislation. It has a range from 0 to 10, with 0 being the best possible score (indicating higher levels of compliance with FACB rights) and 10 the worst (indicating lower levels of compliance with FACB rights). The score of Belgium on SDG 8.8.2 is 0.51 (2020)

The Index uses Observations/Direct Requests from ILO CEACR and the US Department of State's Country Reports on Human Rights Practices (US DOS CRHRP) to measure a country's compliance on the Trade Union indicator.

¹² In order to measure the trend in country's legislative performance over the last edition of the Labour Rights Index (2020), the legislative table indicates improvement or worsening of labour rights in country through the following colours.

- Score increase
- Score decrease
- Score adjustment
- No change