



Developments in Belgian Labour Law

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Agenda

1. Government Agreement Implementation
2. Working Time
3. Remuneration and Benefits
4. In the Workplace

1. Government Agreement Implementation



Gouvernement Agreement Implementation Federal Government since 03/02/2025

Federal Government in place since the 3rd of February 2025

- Agreement available [online](#)
- **Objectives:** Fostering employment and competitiveness, modernising employment framework, simplification, flexibilisation
- **Core topics:** Working Time, Benefits and Remuneration, Workplace (incl. absences)
- Impact of **EU framework**



2. Working Time

Working Time Registration

- Alignment with EU case-law on working time registration
- Mandatory registration of working time
- Draft legislation not yet available, but:
 - Objective and reliable system
 - General obligation
 - Exclusions: management or trust position, sales representatives, teleworkers, travelling staff,...
- **Deadline : 1st of January 2027**
 - With a possibility of regularisation up until the end of Q1 2027

Flexibilisation of Working Time: Main Trends 1

- **Teletrainworking:** Under specific conditions, hours worked from the train may qualify as working time.
 - Conditions not yet determined (EU law)
 - Incentive for use of train
- Regional public holiday
- **Confirmation of removal of previous limitations:**
 - Night work prohibition since 1st of June 2026
 - ❖ Subject to general working time limitations
 - ❖ Maintaining past benefits
 - Minimal working time regime initially set at 1/3rd of the full working time regime modified to **1/10th** of it (except otherwise provided in JC)
 - Sunday work

Flexibilisation of Working Time: Main Trends 2

- **Annualisation** of Working Time under study
- Work Rules mandatory mentions:
 - Past obligation to describe all working time regimes
 - Replaceable by a **general framework**
 - ❖ Mandatory mentions
- **Voluntary overtime set to 360h/year:**
 - Harmonisation of past regimes of voluntary overtime and « relance » hours
 - 450h/year for the hospitality sector
 - Subject to prior written agreement
 - No compensatory rest
 - Subject to maximum working time limitation

Note: Impact on the Work Rules

- Working Time:
 - Framework
 - Minimal work duration
 - Registration of working time
- Practical Tips:
 - Application of modification procedure
 - Policies
 - Reference to legislation

3. Remuneration and Benefits

Indexations and Wage Norm

- Wage Indexation and **Centenindex/Index Centimes**:
 - Wage indexation depending on JC rules
 - E.g. JC200 on the 1st of January
 - Indexation capped for wages over 4000 EUR gross/month:
 - ❖ Limited to 2% for the share up to 4000 EUR
 - ❖ Application of the part of the indexation over 2% on the whole remuneration
- Wage Norm at **0%**
- Indexation of **various indemnities**:
 - Homeworking indemnity set at 164,21 EUR/month;
 - Kilometric indemnity (and possibility of increase linked to fuel price rise)
 - Travel indemnities

Benefits: Confirmation of announced measures

- **Mobility Budget** made mandatory:
 - As of 1st of January 2027 for employers occupying more than 50 employees
 - As of 1st of January 2028 for employers occupying 15 employees or more
 - General conditions remain applicable
- Maximum amount for **meal vouchers** confirmed at 10 EUR
- Discussion as to the replacement of **eco-vouchers**
- **Copyright regime** change for IT
 - Return of favourable tax regime
 - Social security contributions maintained

Introduction of limitations on certain benefits

- Certain **benefits in kind may not exceed 20%** of the yearly total taxable remuneration as of **2027**:
 - Company cars, loans with no- or reduced interest, laptops, internet connection, IT devices, accommodation, social meals, certain stock options
 - Sanction: Application of an additional 7,5% social security contributions.
- Change in case-law: Application of social security contributions to **Restricted Stocks Unit**
- Suppression of the social security contributions **reduction** for employers reducing their working time regime to 37h/week or switching to a 4 days workweek, since 1st of July 2026.

Pay Transparency Directive: Update

- No Belgian transposition on the 7th of June 2026
- Request for a 6 months extension by the Belgian government

Harmonisation of pension regime

- Suppression of **conventional early retirement** since 30th of June 2025
- **Legal pension age** is unchanged and depends on the birth date.
- **Early retirement** is tightened.
- Pension **malus/bonus**.

Unemployment benefits

Since the 1st of March 2026, implementation of limitation to unemployment benefits:

- Max 24 months
- 12 additional months under certain conditions
- At least 321 days worked over the past 3 years
- Exclusion of workers of 55 years old demonstrating a sufficient career

4. In the Workplace

Act on Private Investigation

- Concerns: **Internal investigation** (e.g. theft, fraud, breach of confidentiality...) and **private detective services** (external)
- Obligation to set up a **framework regulation** for internal investigation
- **Mentions:** situations in which private investigations may be conducted; individuals or departments in charge; method and actions used; possible consequences and the rights of employees concerned by the investigation.
- Sanction: **irregularity** of the evidence collected
- Deadline for the internal regulation: **16th of December 2026**
 - The Act does not specify whether this should be done through the Work Rules, a CLA, or a policy

OMNIBUS Regulation

- AI Act follow-up.
- **Classification obligation:** clarifies what is a safety component and helps analysing which AI systems appear as bearing an unacceptable risk
 - Prohibits additional AI systems as of the 2nd of December 2026:
 - Concretely, employers should clearly integrate these prohibitions in their internal policies
- **Mapping, reporting, informing obligation:** Postponed:
 - To the 2nd of December 2027 for high-risk autonomous AI systems;
 - To the 2nd of August 2028 for high risk integrated AI systems.
- Obligation to support **knowledge development**

Flexi-jobs

- General use in all sectors since the **1st of July 2026**
 - Certain sectoral exclusions are maintained (JC 143, 144, 145, 320, 323, and artist)
 - Opt-out possibility
- Minimum occupation threshold of **4/5th at Q-3**
 - Certain activities are not considered (ie past flexi-jobs, occasional workers in agriculture, traineeship agreement, young workers under school obligation,...)
 - Inapplicable to retired workers
- Specific points:
 - Interim workers
 - No notice period

Flexi-jobs

- **Framework agreement** with mandatory mentions and employment contract
- **Remuneration:**
 - Application of minimal wages of competent JC
 - Maximum wage of 150% of the minimal wage
 - Similar benefits to other workers of the competent JC
 - Payment of a flexi-holiday pay
 - Exempt from ordinary social security contributions; special contribution of 28%
 - Exempt from tax as long as under the yearly maximum amount
- **Administrative steps:**
 - DIMONA: by quarter or by period, with a possibility of daily DIMONA in case of oral employment contract
 - Mandatory registration of working time

Long term absences

- General trend: stricter monitoring of long term sick leave
- Obligations for the employer:
 - Set up a policy aiming at **maintaining contacts** with employees during absences
 - As of **8 weeks** incapacity, obligation to assess the work potential
 - Possibility of launching a **reintegration** procedure immediately
 - Obligation to launch a **reintegration** procedure after 6 months for employers occupying more than 20 employees (subject to level 2 sanctions)
 - **Medical force majeure**
- Obligations for the employee
 - Limitations to **2 x 1day/year** of sick leave with no certificate
 - **Loss of allowances** if absent to reintegration assessments with the occupational physician
 - **Relapse** extended to 8 weeks
- Sanctions

Hirings and dismissals

- Trial period:
 - Limitation of notice period at **1 week for the first 6 months**;
 - For contracts past the 1st of August 2026
- Project: broadening the possibility to rely on **outsourcing/interim**
- Notice periods:
 - Capped at **52 weeks** for employment contract that started after the 1st of June 2026
 - Past employment contracts unchanged
- Students: minimum age as of 15 years old (only light* work)
 - **small logistics or cleaning activities, retail assistance,...*

International Mobility

- Single permit modifications in **Flanders**:
 - Reduced list of bottleneck jobs and requirement of mid-level schooling
 - « Other jobs » category has to be of category 3 or 4, be on the shortage list, and have been published as a job offer for at least 9 weeks on VDAB and EURES
 - Highly skilled workers may only occupy in highly qualified roles
 - Seasonal workers should also be on the list of shortages
 - Additional fee of 180 EUR
- Update of bottleneck jobs in **Wallonia**
- The Hortis Case of the EUCJ of the 9th of June 2026: The Escape Clause

Impact on the Work Rules

- Notice periods
 - Cap
 - Trial
- Long-term sickness, reintegration and force majeure
- Act on Private Investigation
- Absences:
 - Unjustified absences
 - Relapses
 - Contacts

Any questions?



Thank you!
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Yseult Petre – 08/10/2026