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**CEEP – Update measurements April 22, 2020 (by Unisoc<sup>1</sup>)**

For a period of over five weeks, the Belgian social and economic life is narrowed to the essential displacements and essential labour.

Since the beginning of the semi lockdown on the 17<sup>th</sup> of March 2020, the Belgian government has taken several additional measures to clarify the rules taken in response to the crisis, both for the citizens and the enterprises. This was necessary, since the original set of rules did not suffice to give clear instructions on how to interpret those rules. During these last weeks, new questions were also raised.

1. As mentioned in the previous contribution regarding the Belgian measures on the Corona crisis, the conditions that must be met regarding the temporary unemployment are too strict for many of the enterprises and for the enterprises in the social services of general interest (SSGI) in particular. The Belgian government therefore has taken measures to simplify the conditions for temporary employment which is caused specifically by the COVID-19 virus. An enterprise can now make the request (retroactively until the 13<sup>th</sup> of March 2020) for temporary unemployment simply based on force majeure if caused by the corona virus. Furthermore, the administrative burden to make the request has been strongly reduced.
2. Another indistinctness which had a great impact on parts of the social services of general interest, was the question whether COVID-19 could and would be recognized as an occupational disease for certain groups of workers. A strong argument in favor of the recognition is the clearly higher risk for these groups of workers to be contained by the virus, due to their working conditions. The Belgian Federal Agency for Occupational Risks therefore agreed to recognize the disease as an occupational disease, which is good news for the workers in the social services of general interest who work in close contact with COVID-19 patients or risk groups.
3. The Corona virus does not only keep workers from working by making them ill, it also keeps a great deal of workers home out of precaution to not become ill. The question then raised whether a worker who stays home out of precaution on doctor's prescription but who is not ill, should be treated like an ill worker. This would mean that the employer would have to pay for the sick leave, even though the worker is not ill, in which case he should be treated as temporary unemployed which would be compensated by the National Employment Office. However, the standard medical certificate does not clarify the reason why the worker is

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<sup>1</sup> Unisoc is the Belgian employers' organisation for the Social Services of General Interest (SSGI). It represents about 30.000 non-profit-making organisations and over 680.000 employees in Belgium. Unisoc members are branch organisations representing employers providing services in the following branches: hospitals, health care, family welfare and help for the elderly, help and care for the young and the disabled, sheltered and social workshops, sociocultural branch, education, social organisations.

allowed to stay at home. Since this makes a large difference with regards to the financial costs for the employers, the inquiry has been made to adjust the medical certificate in this regard.

4. Furthermore, in order to temporarily reduce the financial burden on the enterprises during this crisis, the federal government has extended the deadline for enterprises to pay their social contributions for the first and second quarter of 2020, up to the 15<sup>th</sup> of December 2020. An enterprise who suffers from financial difficulties caused by the spread of the virus, can also make a request for support measures with the Federal Public Service of Finance.
5. Some of the most important questions that were pending - being the temporary employment, occupational disease and financial relief for the enterprises - have been dealt with and answered by the government. However, following subjects are still on the table:
  - Guarantee that the funding granted by the subsidizing authorities remain maintained
  - Extension of the medical certificate with regards to the illness or preventive stay at home of the worker
  - Broad and flexible interpretation of certain labour rules, to facilitate flexibility for workers and to guarantee staff mobility during and after the crisis. Some examples:
    - Favourable application of overtime rules;
    - Flexibility in the application of posting;
    - Flexibility in offering fixed-term contracts;
    - Clearer rules on work disability (medical certificate).
6. The Belgian social partners have developed a guide for enterprises that want to restart (parts of) their activities on the 4th of May. This guide has been developed on an inter-professional level and can be tailored to the sector (by sectoral social partners). The aim is to provide employers with guidelines and tips for resuming work in their company in a safe way, not to endanger the health of workers and to prevent the spread of the virus.
7. Some sectors have received a commitment from the competent ministers that subsidies will be guaranteed. (Note: on average, subsidies represent 60% of revenues for enterprises in the social services of general interest).