

In collaboration with



QUESTIONS AND/OR COMPLAINTS

Do you have a question, or would you like more information? First discuss this with the person in charge or your employer. If you are worried or have a complaint, you can also contact the government inspection services.

At the National Labour Inspectorate (Inspection Labour Law): questions about contract, your wages and working hours?

- By telephone from Monday to Friday from 9am to 12pm and from 2pm to 4.30pm on 02 235 55 55 (in Dutch) and 02 235 55 60 (in French and German)
- By e-mail (French, German and Dutch) COMPLAINTS.LabourInspection@employment.belgium.be

At the National Labour Inspectorate (Inspection Well-being at work): questions about safety at your workplace?

- By phone or e-mail at the regional office: <https://werk.belgie.be/nl/over-de-fod/structuur-van-de-fod/arbeidsinspectie-ad-toezicht-op-het-welzijn-op-het-werk>

At the National Social Security Office: For questions about the applicable social security, economic exploitation or human trafficking.

- By telephone or email to the Front Office: 02/509.59.59 or frontofficecontactcenter@service-now.com
- By appointment in the provincial offices of the NSSO inspectorate: https://www.rsz.be/provinciale_kantoren
- By telephone or email to the National Centers for victims of human trafficking :
 - PAYOKE Antwerp : 03/201.16.90 or admin@payoke.be
 - PAG-ASA Brussels: 02/511.64.64 or info@pag-asa.be
 - SÛRYA Liège: 04/232.40.30 or info@asblsurya.be

At the Social Intelligence and Investigation Service (SIIS): via the Point of Contact for fair competition

- If you are not sure where to go and you wish to report social fraud, you can contact the Point of Contact for fair competition: <https://www.meldpuntsocialefraude.belgie.be>

Federal Public Service Justice : www.stophumantrafficking.be



ela.europa.eu



Information for foreign construction workers in Belgium

Building a fair sector together



DECLARED WORK IN BELGIUM

- As a foreign worker, make sure you have a legal employment so that you can enjoy the same rights and social protection as Belgian workers.
- Information on employment contracts in each EU country can be found at:
https://eures.ec.europa.eu/living-and-working_en

POSTED WORKER FROM ANOTHER EU-MEMBER STATE IN BELGIUM

- If you are posted to another EU country, the terms and conditions of employment of the working country apply to you. These include remuneration (salary and other benefits), maximum working hours and minimum rest periods, accommodation conditions and measures relating to health, safety and hygiene at work.
- You are also considered a posted worker if a temporary employment agency of an EU country hires you to work in Belgium.
- Check the national website of your host country for the terms and conditions of employment for posted workers and for the contact details of the authorities: Posted workers abroad on short assignments - Your Europe (europa.eu)

SELF - EMPLOYED PERSONS

- If you do not work under the authority of an employer and work as a self-employed person, special rules apply. If you are a taxable person in Belgium, you must, among other things, join a social insurance fund and pay contributions.
For more info: <https://www.nisse.be/en>
- Self-employed persons with a nationality from outside the EU are still subject to a professional card.
- Posted self-employed workers are subject to a LIMOSA declaration and an A1 form: find out more at <https://www.nisse.be/en/file-limos-a-declaration>

YOUR RIGHTS AS A WORKER

- **Work permit:** In case you are worker with a non-EU nationality you might need a work permit to work in Belgium for a Belgian employer. If so, your Belgian employer will first have to ask for a work permit to let you work in his company. Please check yourself or have it checked by your employer BEFORE you start working. For more information: https://www.belgium.be/en/work/coming_to_work_in_belgium/work_permit
- **DIMONA declaration:** this is used by your employer to inform the social security office that a worker enters or leaves an employment.
- **Employment contract:** the employment contract is a unique document that is preferably/advisable in writing and signed by the employer and the worker, containing your identify details; the start date of the employment contract; the duration of the employment contract: permanent, fixed-term or for a clearly defined assignment'; the nature of the work (what is your occupation); the place of work and the working hours; number of working hours: employment contract for a full-time or part-time job; the wages and extra-legal benefits, etc.
- **Pay slips:** each month your employer needs to give you a pay slip (with details of your salary)
- Your **maximum working hours** are limited. You may not work more than 8 hours a day, no more than 40 hours a week. Overtime is legally restricted and subject to overtime allowances.
- Your employer must provide you with all necessary **protective equipment** (gloves, mouth mask, etc.) free of charge. The maintenance and cleaning of this equipment is also at the expense of your employer.
- If you become ill, you can call on health care services if you are a member of a mutual health organization.
- As of 1/4/2023, you are entitled to a (gross) minimum hourly wage of **at least 17,157 euro** (or more depending on your qualifications).
- Your wages should be paid on your **bank account**. Cash payments are in principle forbidden in Belgium.
- Your employer provides a decent accommodation according to the Belgian rules? He can charge a (reasonable) cost that is deducted from your wage. Discuss this beforehand and put it in writing.

- When working for a Belgian employer, you are subject to the Belgian social security system. You have **access to social protection**, just like any other insured persons working in Belgian.
- If you are a posted worker, you remain subject to the social security legislation of the country of your employer. You must have a **A1 form** issued by that country. This is proof that you are subject to the social security system of the sending country for the mentioned duration of the temporary posting.
- More information about your **social security system** when you are posted to another member state: https://europa.eu/youreurope/citizens/work/index_en.htm
- In case you are not fully paid or if you must work more than 40 hours/week without extra pay or compensatory leave, if you're working and living conditions are indecent and/or dangerous, if your identity/residence documents have been confiscated, if you suffer violence or if you are threatened, you may be a victim of economic exploitation (**human trafficking**).

YOUR DUTIES AS A FOREIGN CONSTRUCTION WORKER

Before you want to become a construction worker, do you also have another status in Belgium?

- You receive a **living allowance**? Contact your local OCMW / CPAS (public welfare center) in advance to see whether your work affects your social security benefits.
- You are temporarily unemployed? Indicate the days you work on your control card.
- You have been recognized as unfit for work? Ask the advisory doctor for permission to resume work part- time.