

iGlobal Law : 2022 Annual Update : Belgium

| Legal Change | Effective Date | Action required |
|---|--|---|
| <p>Whistleblower Directive The Whistleblower Directive (EU) 2019/1937 lays down minimum standards providing for protection of persons reporting breaches of EU law. The scope of the Directive covers, among other things, reports made in a work-related context. The Directive had to be implemented into local law by EU Member States (including Belgium) by December 17th 2021. However, Belgium has not implemented the Directive to date.</p> | <p>Publication of the legislative texts implementing the Directive into Belgian law is expected in 2022.</p> | <p>Too early to know what the impact will be on Belgian (employment) law.</p> |
| <p>Temporary 'corona unemployment' scheme This scheme applies if employers cannot provide work to employees due to corona-related circumstances (which is interpreted broadly). Under this scheme employment agreements are suspended, meaning that employees do not have to work, and the employer does not have to pay salary. Employees benefit from an allowance from the National Employment Office (NEO) instead.</p> | <p>Extended scheme ends on March 31st 2022</p> | <p>Keep up to date with the rules and deadlines. The website of the NEO provides clear guidance (mostly in Dutch and French).</p> |
| <p>No medical certificate for a single sick day The Federal Government has announced that in companies employing at least 50 employees, the one-day medical certificate will be abolished. In these companies, an employee will be able to be absent three times a year for one day without having to justify this absence through a medical certificate from his/her doctor.</p> | <p>Publication date has not been announced but is expected in 2022.</p> | <p>Nothing at this stage but keep an eye out for draft legislation.</p> |
| <p>Wage norm and wage indexation The concept 'wage norm' in Belgium refers to the maximum allowed increase of the average salary cost of a company over a two-year period. Its aim is to safeguard Belgium's competitiveness compared to surrounding countries. The Federal Government decided that the maximum increase for the years 2021-2022 is equal to 0.4% on average. As a next step, the different industry sectors can determine how they will implement the wage norm at industry level. In addition to the wage norm, there is an (annual) automatic wage increase in many industry sectors. Mostly, there is an indexation based on the official index rates. Indexation aims at keeping the employees' wages in line with the evolution of the cost of living. The current inflation results in higher indexation rates.</p> | <p>2021-2022</p> | <p>Please liaise with your payroll agency to ensure that the required wage increases and/or indexation are processed, taking into account the industry sector the company pertains to in Belgium.</p> |