



Deloitte Legal Newsflash

Employment, Pensions & Benefits

Force majeure temporary unemployment formalities abolished

In the past few days, the Federal government held confidential discussions with all relevant stakeholders to agree on measures to reduce the administrative burden when applying for Temporary Unemployment given the current circumstances.

These discussions have resulted in a commonly agreed approach by both the VBO/FEB and the Union of Payroll Agencies (UPA). This approach was confirmed by the National Employment Office (NEO) and made public on 20 March 2020.

As a result, temporary unemployment due to the corona crisis falls under the force majeure temporary unemployment scheme for all applications from 13 March for as long as this exceptional situation persists.

This means that:

- The obligation to apply for force majeure temporary unemployment as from 13 March expires;
- Current applications for economic temporary unemployment can automatically be converted into force majeure temporary unemployment (in WECH005);
- The obligation to issue control cards (C3.2A and C3.2A-S) for the months of March, April, May and June for all forms of temporary unemployment expires completely (also for

- ordinary economic unemployment not related to the corona virus crisis);
- The obligation to complete the validation book for the months of March, April, May and June for all forms of temporary unemployment pauses completely (also for ordinary economic unemployment not related to the corona crisis);
 - The obligation to submit the WECH002 is essential. WECH002s must be submitted as soon as possible from 13 March onwards. The UPA has made a commitment to encourage its members to ask their customers/employers to provide data for the wage calculation of their employees as soon as possible. This is to enable the UPA to send the WECH002s as soon as possible;
 - The obligation to submit the WECH005 remains. These have to be submitted as from 13 March according to the usual procedure.

There will be a supplement of 5.63 euros per day in case of force majeure temporary unemployment, to be paid by the NEO. This means that there is no complement (security of existence) to be paid by the employers in case of force majeure.

The days of force majeure temporary unemployment for the period from 2 February 2020 to 30 June 2020 will be assimilated to the annual leave. There will be a separate Royal Decree for this assimilation, via the procedure of the management committee of the Federal Bureau for Annual Vacation.

Contacts

If you have any questions concerning the items in this newsflash, please get in touch with your usual Deloitte Legal - *Lawyers* contact at our office in Belgium or:

- Stijn Demeestere, *Lawyer (Partner)*, sdemeestere@deloitte.com, + 32 2 800 71 42
- Sofie Bontinck, *Lawyer (Director)*, sobontick@deloitte.com, +32 3 242 42 24
- Julien Hick, *Lawyer (Director)*, juhick@deloitte.com, +32 2 800 70 66

For general inquiries, please contact:
bedeloittelegal@deloitte.com, + 32 2 800 70 00

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