

Belgium: Industrial relations profile

Facts and figures

Area: 30,528 square kilometres

Population: 10.6 million (2007)

Languages: Dutch, French and German

Capital: Brussels

Currency: Euro

Economic background

	Belgium	EU27
GDP per capita (in purchasing power standards, index: EU27=100)	119.2	100
Real GDP growth (% change on previous year) (annual average 2004–2007)	2.65%	2.63%
Inflation rate (annual average 2004–2007)	2.12%	2.18%
Average monthly labour costs, in €(2005)	€9,938	€9,981
Gross annual earnings, in €(2005)	€6,673	€8,992
Gender pay gap (Difference between average earnings of male and female employees as percentage of earnings of male employees, 2006)	9.5%	n.a.
Employment rate (15–64 years) (2007)	62%	65.4%
Female employment rate (15–64 years) (2007)	55.3%	58.3%
Unemployment rate (15–64 years) (2007)	7.5%	7.1%
Monthly minimum wage (2007)	€1,283.91	n.a.

Source: [Eurostat](#)

Industrial relations, pay and working time

	Belgium	EU27 (unweighted)
Trade union density (%) (Trade union members as a percentage of all employees in dependent employment)	51.5%	n.a.
Employer organisation density (%) (Percentage of employees employed by companies that are members of an employer organisation)	76%	n.a.

Collective bargaining coverage (%) (Percentage of employees covered by collective agreements)	96%	n.a.
Number of working days lost through industrial action per 1,000 employees (annual average 2004–2007)	74.07 days	37.47 days (estimate)
Collectively agreed pay increase (%) (annual average 2004–2007)	2.2%	5.53%
Actual pay increase (%) (annual average 2004–2007)	2.7%	2.1%
Collectively agreed weekly working hours (2007)	38 hours	38.6 hours
Actual weekly working hours (2007)	41 hours	40 hours

Sources: [European Industrial Relations Observatory \(EIRO\)](#) and Eurostat

Background

The Belgian trade unions traditionally play an important role in decision making in the economic and social areas. With a membership rate of about 60% (even if this rate seems to be decreasing for the last decades), trade unions represent a significant proportion of the economically active population. Every two years, the social partners negotiate a national intersectoral agreement that constitutes a framework for the negotiations of collective agreements at both cross-industry and sectoral level, depending on the issue concerned. Most of the [collective agreements](#) are extended to all employers and employees. Collective agreements are also negotiated at company level by the local trade union delegates and the employer.

The social partners are also involved in the management committees for [social security](#), and trade unions are in charge of the distribution of unemployment benefits.

The last intersectoral agreement was negotiated at the very end of 2008 for the years 2009 and 2010. In the context of the global economic crisis, the social partners negotiated measures in order to sustain workers' purchasing power as well as company competitiveness ([BE0809019I](#)). The agreement was integrated into the government stimulus plan to boost the economy with the aim of fighting the crisis. The government budget will fund the 2009–2010 intersectoral agreement ([BE0901019I](#)). In this crisis context, the influential power of the social partners still seems prominent.

Main actors

Trade unions

Main trade union organisations

The main national trade union organisations are the following:

- Confederation of Christian Trade Unions ([Confédération des Syndicats Chrétiens/Algemeen Christelijk Vakverbond, CSC/ACV](#))

- Belgian General Federation of Labour ([Fédération Générale du Travail de Belgique/Algemeen Belgisch Vakverbond, FGTB/ABVV](#))
- Federation of Liberal Trade Unions of Belgium ([Centrale Générale des Syndicats Libéraux de Belgique/Algemene Centrale der Liberale Vakbonden van België, CGSLB/ACLVB](#))

Trade union density in Belgium is estimated at about 50%–60%. In 2000, trade union density stood at 49.3%, while in 2005 it increased to 51.5%.

Trends in trade union development

Trade union membership did not evolve much in recent years. CSC/ACV is the most important trade union with 1.7 million members, followed by FGTB/ABVV with 1.4 million members; CGSLB/ACLVB is the least important trade union with 265,000 members.

Another way to assess the power balance between the different trade unions representing the labour force relates to the results of the nationwide social elections for the two legal bodies of workplace representation – works councils (*Conseil d'entreprise/Ondernemingsraad, CE/OR*) and workplace health and safety committees (*Comité pour la prévention et protection au travail/Comité voor preventie en bescherming op het werk, CPPT/CPBW*) – that are organised every four years.

The results of the social elections are generally stable. The last social elections were held in 2008 and did not result in any fundamental changes in the balance of power between the three main trade union organisations. The Christian CSC/ACV retained its dominant position, securing almost 57% of the seats on works councils and just over 59% of the seats on the CPPT/CPBW. The socialist FGTB/ABVV is equally represented in both representative bodies, with just over one third of the seats. Meanwhile, the liberal CGSLB/ACLVB increased its number of seats on both the works councils (9.7%) and the CPPT/CPBW (6.2%) ([BE0809029I](#), [BE0807029I](#)).

Employer organisations

The employer organisation density rate amounts to 76% in Belgium. Most of the country's companies are members of an employer organisation, in particular larger companies employing a significant number of workers.

The Belgian Federation of Employers ([Fédération des Entreprises de Belgique/Verbond van Belgische Ondernemingen, FEB/VBO](#)) is the main national employer organisation in Belgium. FEB/VBO represents 33 sectoral employer federations. In total, it represents 30,000 companies including 25,000 small and medium-sized enterprises (SMEs).

Other employer organisations are the Federation of Belgian Farmers ([Fédération des Agriculteurs Belges/Belgische Boerenbond, BB](#)), the Flemish Organisation of the Self-Employed ([Unie van Zelfstandige Ondernemers, UNIZO](#)) and the French-speaking Union of Self-Employed ([Union des Classes Moyennes, UCM](#)).

Industrial relations

Collective bargaining

Every two years, an intersectoral collective agreement is negotiated between the main organisations representing employees and employers at the national level. This agreement establishes the main developments in terms of wages and [working conditions](#) that will be further discussed in the next two years within the joint committees at sectoral level and/or within the

National Labour Council ([Conseil National du Travail/Nationale Arbeidsraad, CNT/NAR](#)) at cross-industry level.

Pay and **working time** are covered by collective agreements negotiated within the sectoral joint committees (*Paritaire comités/Commissions paritaires*). Collective agreements affect almost the country's entire workforce with a coverage rate of 96%.

Sectoral joint committees are composed of the three main trade unions and representatives of the employers active in the sector concerned. Many collective agreements, including issues such as pay and working conditions, are negotiated in these sectoral committees.

Legal parameters

Collective agreements are also binding for employers, and their workers, who are not members of signatory organisations, but who are covered by the sectoral joint committee within which the agreement has been concluded. Employers are legally bound by the agreement unless they have individual employment contracts that include clauses negating the collective agreements. In other words, only employers who are not members of a signatory organisation can deviate from a collective agreement, and only by individual employment contract.

Extension of collective agreements

The obligatory nature of a collective agreement can be extended by Royal Decree. In this case, the agreement will be binding for all employers covered by the bipartite structure within which the deal has been concluded, without the possibility to include opposite provisions in individual employment contracts. This procedure is initiated on request by the sectoral joint committee or by one organisation represented in the committee; this option of extending a collective agreement is used relatively often by the signatory parties.

Trend towards decentralisation

Although Belgium is a federal country divided in several administrative entities – regions and communities – the national labour law and social dialogue remain the centralised competence in implementing and shaping employment conditions in the country. The main trade union and employer organisations cover the entire country.

Nonetheless, in 2006, the sectoral federation for the workers of the metalworking industry of FGTB/ABVV split into two regional organisations: the Metalworkers' Union of Wallonia and Brussels ([Métallurgistes Wallonie-Bruxelles, MWB](#)) which represents the workers of the metalworking industry in the Walloon region and Brussels-Capital region, and the Flemish branch [ABVV Metaal](#) which represents metalworkers in Flanders.

Other issues in collective agreements

The national intersectoral agreement 2009–2010 establishes measures in accordance with the country's situation in fighting the economic crisis, including provisions for an increase in workers' net salary, indemnities for travelling to the workplace, and tax incentives for the recruitment of long-term unemployed people. In 2007, the last national intersectoral agreement focused on measures concerning working conditions, such as recognising length of service for temporary workers when granted an open-ended employment contract, **corporate social responsibility**, as well as **vocational training** and **lifelong learning** in companies.

Vocational training and lifelong learning

Since 1998, the social partners acknowledged the importance of developing vocational training. They agreed to reach the objective of an average expenditure of 1.9% of the wage bill on workers' training and an additional 0.10% of the wage bill on the training of specific target groups, such as unemployed people, low-qualified workers, women, workers aged over 50 years and workers with disabilities. In the national intersectoral agreement for 2007–2008, the social partners agreed to maintain this objective of an average expenditure of 1.9% of the wage bill on training for the next two years.

The three [collective bargaining](#) levels are important in terms of vocational training:

- the intersectoral level throughout the biannual agreements settles the framework for the Continuous Vocational Training (CVT) system;
- the sectoral level applies the framework in the specific context of the economic sector;
- the company introduces a training plan respecting the provisions of the intersectoral and sectoral collective agreements, and devises a training programme that corresponds to the specific needs of the company.

At sectoral level, 71.5% of the joint committees have at least one sectoral collective agreement that includes vocational training provisions. However, if no sectoral agreement exists, the provisions of the national intersectoral agreement are applied, encouraging companies to take provisions relating to vocational training.

Some 63.5% of companies with more than 10 employees are effectively organising training, according to information provided by the Federal Public Service for the Economy, SMEs, Self-employed and Energy ([Service Public Fédéral Économie, PME, Classes moyennes et Énergie/Federale Overheidsdienst Economie, KMO, Middenstand en Energie](#)) (see also the [Belgian contribution](#) to the 2009 EIRO comparative study on the [Contribution of collective bargaining to continuing vocational training](#)).

Gender equality

In the national intersectoral agreement 2007–2008, the social partners encouraged the bargaining parties at sectoral and company level to assess their wage classifications and to check their gender neutrality. They were encouraged to amend the wage classifications and use the instruments developed by the federal government, such as the checklist for gender neutral wage classification.

The [national intersectoral agreement No. 95 \(in French, 48Kb PDF\)](#) of 10 October 2008 addressed the [equal treatment](#) of workers at each phase of the [employment relationship](#) and reinforces the current legislation and collective agreements on non-discrimination.

Industrial conflict

Few statistics exist concerning industrial action in Belgium. However, the National Office for Social Security ([Office National de la Sécurité sociale/Rijksdienst voor Sociale Zekerheid, ONSS/RSZ](#)) collects data regarding the number of working days lost due to strike action. Each employer has to communicate to ONSS/RSZ the number of days 'not worked' and the reasons for this. [Eurostat](#) also provides data on working days lost due to industrial action. Both organisations indicate a high incidence of strike activity for 2005 with 189.15 working days lost per 1,000 employees.

Important strike movements protesting against the new government plans to amend the end-of-career and retirement arrangements marked the year 2005. Strike action occurred in sectors of the

economy that faced privatisation and liberalisation, such as public transport, postal services, telecommunications and electricity ([BE0510303F](#)).

The number of working days lost due to strike action declined in 2006 with 24.75 working days lost per 1,000 employees and rose to 34.8 working days lost in 2007. The year 2007 was marked by a high number of strike movements in the public transport sector. Drivers and ticket inspectors launched several wildcat strikes to protest against increasing violence towards public transport employees ([BE0705019I](#)).

Sectors involved

The economic sectors most affected by strike activity in recent years were manufacturing (such as metalworking or textiles), transport (essentially public transport, including train, bus and civil aviation), and healthcare and social work (particularly nurses). Most of the strike actions were subsequent to announcements of **restructuring** processes or plant closures (mainly in the manufacturing sector), or related to demands for better working conditions.

The Belgian industrial relations system has an elaborate conciliation and mediation system organised within the sectoral joint committees. Several procedures are organised within a conciliation body chaired by the president of the joint committee concerned. The president acts as a conciliator between the two sides and makes proposals to solve the crisis.

Tripartite concertation

In the Belgian industrial relations system, national tripartite policy concertation takes place in two bodies – the CNT/NAR and the Central Economic Council ([Conseil Central de l'Économie/Centrale raad voor het bedrijfsleven, CCE/CRB](#)).

The CNT/NAR is not only a bipartite body in charge of concluding collective agreements, but also plays a consultative role towards the government. Government members can consult the CNT/NAR on any issues concerning labour law, employment relationships and social security.

The CCE/CRB is composed of an equal number of representatives from the workers' and employers' sides. It has a consultative role towards the government on all economic and social issues.

Workplace representation

The Works Council (*Conseil d'entreprise/ Ondernemingsraad, CE/OR*) is composed of employee representatives elected at the social elections and employer representatives. It has to be summoned at least once a month by the employer in the company's premises. The CE/OR members are informed by the employer about the company's financial situation, its productivity, future developments in terms of employment and future objectives. The CE/OR has also the right to be consulted by the employer in the case of substantial modifications in the organisation of staff, such as restructuring, a plant closure, a merger or the introduction of a night shift, but also relating to training measures. A CE/OR is compulsory in any enterprise or plant employing more than 100 workers.

The CPPT/CPBW comprises employee representatives elected at the social elections, prevention counsellors and members of the company management who are responsible for health and safety at the workplace. The committee is in charge of any issue relating to workers' health, the working environment and working conditions. A CPPT/CPBW has to be established in any company or plant employing more than 50 workers.

A trade union delegation (*délégation syndicale/vakbondsafvaardiging*) has the right to be present in any company (the minimum number of workers employed in the company is defined by sectoral collective agreement). The members of the delegation are nominated by their trade unions or elected by staff. The trade union delegation, in contrast to the two other bodies, represents only unionised workers of the company and not the entire staff. The trade union delegation can negotiate collective agreements in the company and intervene in any conflict the staff might have with the employer. Furthermore, the trade union delegation has the right to be informed about any changes in working conditions. When neither a CE/OR nor CPPT/CPBW are present in the company, the trade union delegation is able to fulfil the role of these two bodies.

In order to transpose [Council Directive 2002/14/EC](#) establishing a general framework for informing and consulting employees in the European Community, the national collective agreement No. 9 on the functioning of works councils was amended in 2008. Accordingly, the CPPT/CPBW were granted a residual right to employment and business information in companies or establishments employing 50–100 workers, while in the past this right was only granted to works councils in companies with more than 100 employees. In addition, in companies or establishments where only a trade union delegation is present and with no other **information and consultation** body, such as a CE/OR or CPPT/CPBW, management must supply this delegation with annual information concerning business turnover, profits, employment and labour costs, as well as about all decisions which could result in considerable changes in the work organisation or employment relationship ([BE0802039I](#)).

Employee rights

Employees' individual labour rights can be enforced in labour courts. The labour courts are composed of one professional judge who is assisted by assessors from the trade union and employer organisations. The labour courts have the competency to resolve conflicts between employers and employees, and conflicts in the field of social security and social assistance. On the other hand, labour courts are not competent in the area of collective labour rights. Conciliation and mediation procedures are organised in the sectoral joint committees.

A labour inspectorate department exists within the department of labour law control (*Contrôle des lois sociales/Toezicht op de Sociale Wetten*) which is part of the General Department on Monitoring Welfare at Work (*Contrôle du bien être au travail/Toezicht op het Welzijn op Werk*) of the Federal Public Service Employment, Labour and Social Dialogue ([SPF Emploi, Travail et Concertation Sociale/FOD Werkgelegenheid, Arbeid en Sociaal Overleg](#)).

A specific unit has been established to control the organisation of companies (*Cellule organisations professionnelles/Cel bedrijfsorganisatie*). Its mission is to ensure the implementation of labour law in companies, such as the establishing of a works council.

The tasks of the labour inspectorate services are to:

- inform and advise employers and employees on legal provisions;
- control adherence to the law at the workplace;
- inform the national authorities on non-compliance with the law.

Pay and working time developments

Minimum wage

In Belgium, a minimum wage is set by collective agreement negotiated within the joint committee for each sector. The minimum wage is different according to the economic sector, the professional activity, as well as length of service and qualifications of the worker.

According to the Federal Public Service Employment, Labour and Social Dialogue, the average gross minimum wage in October 2008 stood at:

- €1,387.49 for workers aged over 21 years;
- €1,424.31 for workers aged over 21 years with at least six months of service;
- €1,440.67 for workers aged over 22 years with at least 12 months of service.

Pay developments

Between 2004 and 2007, increases in annual real wages stood at 2.7%, while collectively agreed wages increased by 2.2% a year. Over the same period, labour costs rose by 2.5% annually.

Some tax reductions were applied to labour costs, in particular for the recruitment of specific groups of workers such as long-term unemployed people or individuals aged over 45 years. Tax reductions were also implemented in relation to specific working conditions such as night shifts or overtime.

Gender gap

The pay gap between women and men stood at 9.5% in 2006, according to Eurostat data. In 2007, the Institute for the Equality of Women and Men ([Institut pour l'égalité des femmes et des hommes/Instituut voor de Gelijkheid van Vrouwen en Mannen, IEFH/IGVM](#)) conducted a survey on the gender pay gap in Belgium and reported much higher gaps at, on average, 15%. This difference in the pay gap can be explained by the fact that the pay gap calculated by Eurostat is assessed according to the gross hourly wage rate, while the pay gap given by IEFH/IGVM is assessed according to the gross monthly salary. The gap between the two figures provided reflects that women are generally working fewer hours than men and are therefore less likely to achieve a salary equal to men's pay. The gender pay gap in Belgium has remained unchanged since 2000.

Working time

The statutory working time is on average 38 hours a week, while the actual weekly working time amounts on average to 41 hours. The statutory weekly working time is set by law, but sectoral collective agreements can depart from the fixed weekly working time.

Bibliography

European Commission, *Industrial Relations in Europe 2004*, Luxembourg, Office for Official Publications of the European Communities, 2005, available online at: http://ec.europa.eu/employment_social/news/2005/jan/industrial_relations_2004_report_en.html.

European Commission, *Industrial relations in Europe 2008*, Luxembourg, Office for Official Publications of the European Communities, 2009, available online at: <http://europa.eu/rapid/pressReleasesAction.do?reference=MEMO/09/45&format=HTML&ag>.

Federal Public Service for the Economy, SMEs, Self-employed and Energy, Various statistics and economic information, 2007, available online at: <http://economie.fgov.be/Default.htm>.

Institute for the Equality of Women and Men (IEFH/IGVM), *L'écart salarial entre les femmes et les hommes en Belgique – Rapport 2008*, Brussels, IEFH/IGVM, Federal Public Service for the Economy, SMEs, Self-employed and Energy, Federal Public Service Employment, Labour and Social Dialogue and Federal Planning Bureau, 2008, available online at: http://www.equalpayday.be/fr/documenten/Ecart%20salarial_2008_FR.pdf.

Krzeslo, E., *Les relations collectives du travail en Belgique: acteurs et institutions*, Brussels, Point d'Appui Travail-Emploi-Formation, 1996.

Emmanuelle Perin, Institute for Labour Studies (IST), Université Catholique de Louvain