

# SOCIAL FLASH INSPECTIONS INFORMATION FOR SEASONAL WORKERS IN BELGIUM IN AGRICULTURE AND HORTICULTURE

As a seasonal worker you do not have a classic employment contract. You work with oral daily contracts and receive an occasional form, also called a picking card. The employer decides each day who he will hire.

## CAN I WORK AS A SEASONAL (OCCASIONAL) WORKER?

- You may work a maximum of **100** days per calendar year as an seasonal worker in horticulture and **50** days in agriculture. If you work more this work scheme will no longer apply.
- Your first employer of the calendar year will give you your personal form for occasional work, on which you can keep track of the worked days; your employers will sign this form on a weekly basis.
- Your employer declares your working days and hours digitally.
- It is possible that you work as a normal employee, temporary worker or self-employed person.

## YOUR "RIGHTS" AS A SEASONAL WORKER

- You are entitled to a (gross) minimum hourly wage an hour of at least **€ 11,82** (horticulture) / **€ 11,74** (agriculture).
- At the end of each month, you are entitled to a pay slip that mentions your wage.
- Your employer has to pay your net wage by bank transfer. It is advised that you open a Euro bank account.
  - If you have worked at least 50 days in horticultural companies / 25 days in agriculture companies in one year, you are entitled to an end-of-year bonus of € 227,43 / € 84,45 gross the following year (July).
- Your maximum working hours are limited. Your employer can not make you work more than 11 hours a day and no more than 50 hours a week, no more than 12 days per two weeks.
- 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.
- Your employer provides accommodation? He can charge a (reasonable) cost that is deducted from your wage. This has to be put in writing before you start working.
- Please note, as of the 101<sup>st</sup> / 51<sup>st</sup> day, you are no longer considered as a seasonal worker, but an employee to whom higher social security contributions apply.

## YOUR DUTIES AS A SEASONAL WORKER

- You indicate each day's employment on your picking card when you start the day. Keep this form with you at the place of work.

## DURING YOUR STAY IN BELGIUM

- When living in Belgium, you must register with the municipality within 8 days. Ask your employer about this.
- During your stay in Belgium, you should become a member of a Belgian mutual sickness fund. Your employer can give information about this. This fund will help you with any medical cost encountered in Belgium with minimal administrative burden.
- If you become ill, you can call on health care services. If you have worked 800 hours in the last 12 months, you are also entitled to a sickness benefit.

## ALREADY IN BELGIUM?

As a seasonal worker, do you also have another status?

- You receive a **living allowance**? Contact your local OCMW / CPAS (public welfare center) in advance to see whether your seasonal work affects your social security benefits.
- You are staying in a **Fedasil** reception centre? Your reception centre examines with you whether you can work in agriculture and horticulture.
- You are **temporarily unemployed**? Indicate the days you work on your control card or report this to your payment institution during the corona pandemic.
- You are **looking for work** and receive a benefit? Mark the days you work on your control card.
- You have been recognised as **unfit for work**? Ask the advisory doctor for permission to resume work part-time.
- You are a **student**? You may work the days as a seasonal worker (picking card) in addition to the number of hours as a student@work.
- You are **self-employed**. You can combine your activities as a seasonal worker with the enjoyment of the bridging right.

## 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 picking card and 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: [COMPLAINTS.LabourInspection@employment.belgium.be](mailto:COMPLAINTS.LabourInspection@employment.belgium.be) (all languages)

### **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/externe?id=6550>

### **At the National Social Security Office: For questions about the applicable social security, your picking card and the days that you can still work, economic exploitation or human trafficking.**

- By telephone or email to the Front Office: 02/509.59.59 or [frontofficecontactcenter@servicenow.com](mailto:frontofficecontactcenter@servicenow.com)
- By appointment in the provincial offices of the NSSO inspectorate: [https://www.rsz.be/provinciale kantoren](https://www.rsz.be/provinciale_kantoren)
- By social media :
  - <https://www.facebook.com/rsz.onss>
  - [https://twitter.com/rsz\\_onss](https://twitter.com/rsz_onss)
  - [https://www.instagram.com/accounts/login/?next=/rsz\\_onss/ou\\_@rsz\\_onss](https://www.instagram.com/accounts/login/?next=/rsz_onss/ou_@rsz_onss)
  - <https://www.linkedin.com/company/national-office-for-social-security-rsz-onss>

### **At the Social Intelligence and Investigation Service (SIIS): via the Fair Competition Hotline**

If you are not sure where to go and you wish to report social fraud, you can contact the Fair Competition Hotline: <https://www.meldpuntsocialefraude.belgie.be>

### **Federal Public Service Justice: [www.stophumantrafficking.be](http://www.stophumantrafficking.be)**

By telephone or email to the National Centers for victims of human trafficking :

- PAYOKE Antwerp : 03/201.16.90 or [admin@payoke.be](mailto:admin@payoke.be)
- PAG-ASA Brussels : 02/511.64.64 or [info@pag-asa.be](mailto:info@pag-asa.be)
- SÛRYA Liège : 04/232.40.30 or [info@asblsurya.be](mailto:info@asblsurya.be)