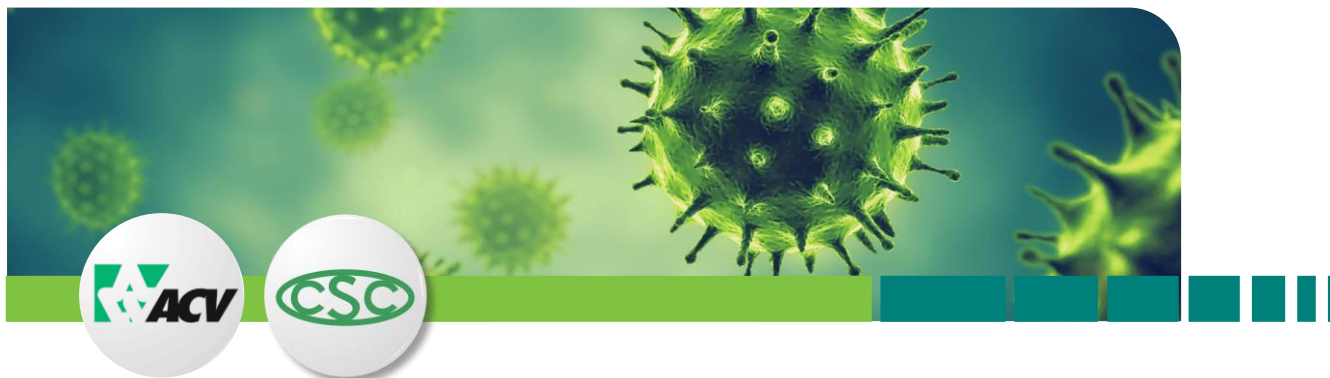


Questions about time off and coronavirus

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Private sector (blue-collar and white-collar workers)

Can your employer force you to take time off because the workload has decreased?

No, he cannot. Annual statutory leave is taken in mutual agreement. An employee usually submits a request to their employer. The correct way to do so is described in the work rules. The employer accepts or rejects your request. Your employer can never force you to take time off. If they do, please contact your trade union representative.

Has your employer applied for temporary unemployment on account of the coronavirus crisis? Of course, you are free to take time off first instead of making use of temporary unemployment. If you do so, you do not have to go through the formalities and do not have to wait to receive your unemployment benefits as you continue to receive your salary during that period. However, you can also opt for temporary unemployment and take time off later in the year.

What if you become temporary unemployed and previously requested time off during this period?

If you requested time off and your employer accepted that request, you are supposed to take time off. Collective leave days continue to be considered as time off too. You will not receive any temporary unemployment benefits for those days. They will be paid by your employer (if you are a white-collar worker) or by the National Office for Annual Holidays (if you are a blue-collar worker).

What if you become ill and previously requested time off during this period?

Did the illness come on before the start of your time off? If so, you can cancel time off days for which you can present a medical certificate. You can take these days off at a later moment in time in mutual consultation with your employer.

Any approved leave days after the period of illness obviously continue to be considered as time off.

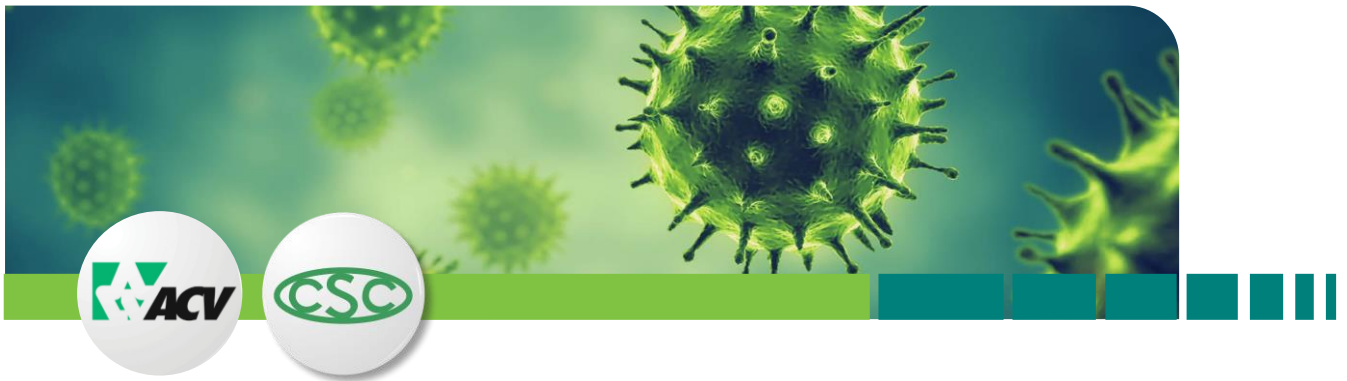
Is it possible to cancel planned time off during the temporary unemployment period?

- If you and your employer agree, you can cancel this leave. You will remain temporarily unemployed in this case and you will be able to take time off at a later time.
- If your employer does not agree, your time off will remain as planned. Do not cancel time off unilaterally. Your employer can use this as a reason to terminate your contract.

Do you take time off while your company has invoked temporary unemployment? If so, you will receive your salary instead of temporary unemployment benefits. Check your payslip to determine whether you have actually received your salary for these days.

Can your employer cancel a planned collective closure?

Your company's work rules contain more information about a possible collective closure of the company. If your employer wants to change the rules of the game, they will have to enter into a dialogue with the works council. If there is no works council, they shall consult with the trade union representatives on the



matter. If there are no trade union representatives, the employer shall enter into consultations with the staff.

Can your employer force you to cancel a planned time off period?

If your employer previously accepted your request, they cannot do this unilaterally. If both of you agree, the leave can be postponed.

Does temporary unemployment on account of the coronavirus pandemic affect the number of days off and the amount of holiday pay in 2020?

No, annual statutory leave is taken in mutual agreement. The calculation of the holiday pay does not change either.

At the request of e.g. the trade unions, the National Office for Annual Holidays (RJV/ONVA) will move forward the payment of the holiday pay for certain industries. It concerns a number of industries with very high temporary unemployment rates.

As it is impossible to pay all amounts at the same time, the following payment dates have been scheduled:

- 6-05-2020: Employees in the hospitality, cleaning and temp industries and in sheltered workshops (first part)
- 13-05-2020: Hospitality, cleaning and temp industries and sheltered workshops (second part)
- 20-05-2020: Service voucher industry (first part)
- 27-05-2020: Service voucher industry (second part), hospitality, cleaning and temp industries and sheltered workshops (third part)

Blue-collar workers in other industries will receive their holiday pay from the National Office for Annual Holidays in the course of the months of May and June as usual. White-collar workers are paid their holiday pay by the employer.

Does temporary unemployment on account of the coronavirus pandemic affect the number of days off and the amount of holiday pay in 2021?

No, it doesn't. Temporary unemployment on account of force majeure linked to the coronavirus crisis will not impact your entitlement to time off or holiday pay next year. The ACV-CSC has ensured that days of temporary unemployment are put on a par with actual working days.

Does illness due to the coronavirus pandemic affect the number of days off and the amount of holiday pay in 2020?

No, it doesn't. If the doctor finds you incapable of work, it concerns a case of regular sick leave (guaranteed wage paid by the employer followed by sickness benefits paid by the health insurance fund).



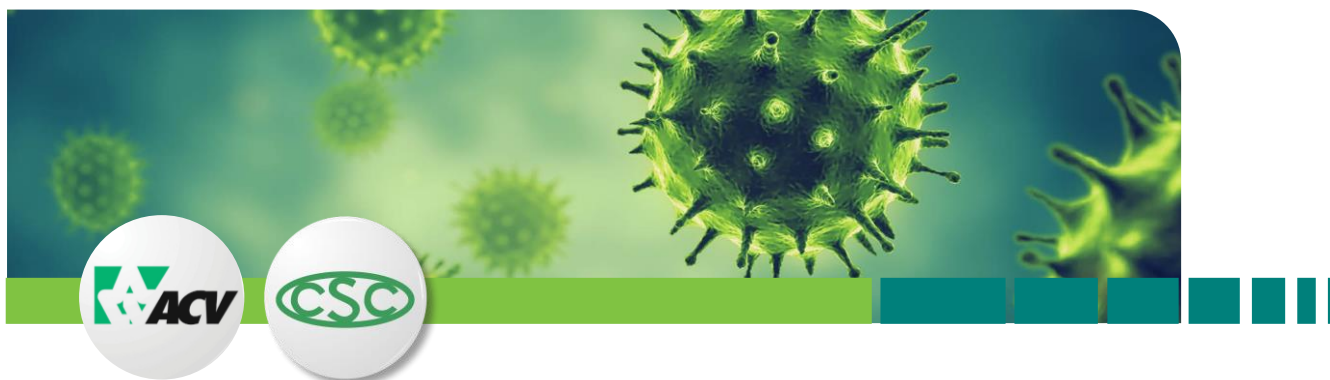
The doctor ordered me to stay at home as a precaution. Can my employer subtract these days from my available time off or do they qualify as sickness leave?

What about public holidays such as 1 May?

- If you are temporarily unemployed on account of force majeure, or if you are a white-collar worker who is temporarily unemployed for economic reasons, the employer remains responsible for the payment of the public holiday in case you have not been temporarily unemployed for at least 14 successive days immediately prior to the public holiday.
- If you have been temporarily unemployed for at least 14 successive days immediately prior to the public holiday, you will be paid by the National Employment Office (RVA/ONEM). If you worked a number of days or were on leave for a number of days during this period, your employer will be responsible for the payment of this public holiday.

I work from home but I have to care for my children myself. What are my options?

- parental leave (now also possible for periods of less than one month if your employer allows this. Your employer can also agree to deviate from the normal application procedure)
- up to ten days of family leave or leave for compelling reasons (i.e. unpaid leave that does not have any impact on e.g. your Christmas bonus)
- unpaid leave (this needs to be approved by your employer, but they are not obliged to do so)
- temporary reduction in working hours (with a revision of the employment contract)
- temporary changes to your work schedule (working in the evening, at the weekend, ... when your partner is around)



Enter into a dialogue with your employer. They may be prepared to request temporary unemployment on your behalf so that you can get through this period.

Public sector (contractual and statutory employees)

Can your employer force you to take time off because the workload has decreased?

Time off is determined in mutual consultation between the employee and the employer. Consequently, neither contractual nor statutory employees can be forced unilaterally by the employer to take time off.

What if you become ill and previously requested time off during this period?

Federal government

Your time off will be suspended as soon as you are on sick leave or have been granted leave of absence on account of illness. This means that all rules regarding the supervision of absence due to illness apply (notification of the employer, medical certificate and medical examination).

Flemish government

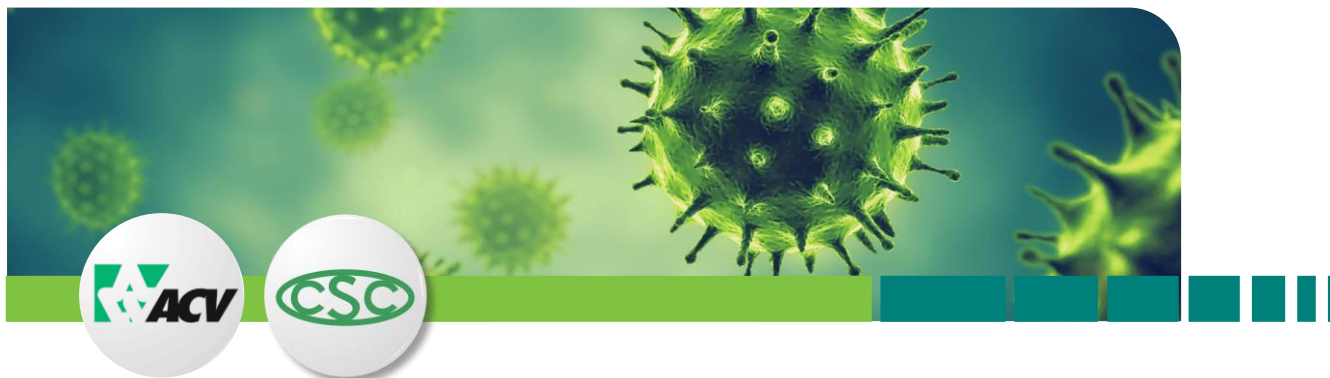
- Ill before scheduled time off: if you become ill prior to the start of your annual holiday leave, you can cancel your time off unilaterally on condition that you report your absence on account of illness prior to the start of your scheduled time off.
- Ill during time off: if you become ill during your annual holiday leave, you can transform your time off into sick leave provided that you report your illness in accordance with the provisions of the work rules and on condition that you provide a medical certificate from your attending doctor which confirms that you are incapable of work.
- Hospitalisation during time off: if you are hospitalised during your annual holiday leave, your time off will be transformed into sick leave as from the hospitalisation date. Consult your work rules or contact your HR officer for more information about all arrangements.

Local and regional authorities

If a staff member becomes ill prior to the start of a day off or a leave period, the time off will be suspended and it will be possible to take these days off at a later point in time. This is usually not the case if the staff member becomes ill during time off. However, a general exception applies: if a staff member is admitted to hospital during time off, the time off is suspended as from the first day of admission to hospital.

Other

Check the legal provisions that apply to your status.



Can you cancel scheduled time off?

If you want to cancel scheduled time off, you will need your employer's agreement.

Can your employer cancel a planned collective closure?

Collective closures are not very common in the public sector. However, if a collective closure has been scheduled at your organisation, it can be cancelled by the employer. The employer will nevertheless have to negotiate with the representative trade union organisations with regard to the cancellation and possible rescheduling of the collective closure.

Can your employer force you to cancel a planned time off period?

Time off is determined in mutual consultation between the employee and the employer. Neither contractual nor statutory employees can therefore be forced unilaterally by the employer to cancel time off. The employer can ask you to do this, but if you do not agree, the relevant time off arrangements continue to apply.

Does illness due to the coronavirus pandemic affect the number of days off and the amount of holiday pay in 2020?

In principle, sick leave does not have any impact on the calculation of the number of days off or the amount of holiday pay in 2020.

Does illness due to the coronavirus pandemic affect the number of days off and the amount of holiday pay I'm entitled to next year (2021)?

In principle, sick leave does not have any impact on the calculation of the number of days off or the amount of holiday pay in 2021.