

# Transport Sector Belgium

(Last update of the information: December 2014)

## **Mandatory declarations on posting**

An employer who posts his workers to Belgium must, for work carried out in Belgium, comply with the working, wage/salary and employment conditions laid down by Belgian law, administrative regulations or agreements which are subject to the provisions of penal law (art. 5(1) of the Act of 5 March 2002).

### Legal basis

- Belgian Act of 5 March 2002 transposing Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services, and introducing a simplified system for the maintenance of social records by undertakings that post workers to Belgium
- Royal Decree of 1st April 2007 laying down arrangements for implementing the simplified establishment and social documentation system for undertakings posting workers to Belgium and defining the activities in the construction industry mentioned in Article 6, § 2, of the Posted Workers Act.

## **Minimum wages**

- Conveyor: (10,3210 - 10,0570 euros/h)
- Driver during his training period (10,3210 – 10,0570 euros/h)
- Driver -7 ton vehicle (10,72 – 10,4455 euros/h)
- Driver courier services with less than 6 months experience (10,72 – 10,4455 euros/h)
- Driver courier services with more than 6 months experience ( 10,9610 – 10,68 euros/h)
- Driver 7-15 ton vehicle (10,9610 – 10,68 euros/h)
- Driver more 15 ton vehicle (11,3450 – 11,0535 euros/h)
- Driver articulated vehicle, ADR or refrigerated ( 11,3450 – 11,0535 euros/hours)
- Drivers mail and taxi-vans (11,3450 – 11,0535)

## **Wage supplements**

### **Definition of overtime:**

The service time is the sum of the working time and uptime, including hours by train and boat for trips of less than 4 hours.

*If the driver makes more than 60 hours on average per week, a supplement must be paid, expressed as a percentage of the minimum hourly wage basis.*

The hours worked above the limits defined are considered working overtime.

An extra hour is paid an amount greater by at least 50% of the normal wage that becomes 100% for overtime on a Sunday or holiday working hours.

Rest days:

It is paid on the base of the salary applicable when the compensatory time off is all used.

### **Allowances for posted workers(in euros):**

POSTED WORKERS ALLOWANCE (L'indemnité RGPT) 1,2910 (net)

- subsistence allowances + 24h: 36,1195
- subsistence allowances – 24h: 14,6410
- Fixed stay abroad: 9,82
- Night work Indemnity -50 years hold person: 1,1390
- Night work Indemnity +50 years hold person: 1,4235

## **Maximum working time and minimum rest**

CP 140.03 - 083 Social Security in forces from 01/01/2014

WORKING TIME (per week): 38 h (39 h with compensation)

## Useful links

### **Labour Ministry**

<http://www.belgium.be/en/work/>

### **Belgian Social Security: information for foreign citizens and companies**

[https://www.socialsecurity.be/foreign/en/employer\\_limosa/infos/otherobligations/labour.html](https://www.socialsecurity.be/foreign/en/employer_limosa/infos/otherobligations/labour.html)

## Information points

Transcom CSC

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## Type of discipline for temporary type of work

In the case of

- **Max 3 months contract:**

the driver cannot work more than:

- 11h/day
- 48h/week
- 92h/per 2 consecutive weeks
- The average 38/39h per week has to be observed.

*These information could be collected thanks to the cooperation with [Transcom CSC](#)*

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