



Peer Review on “Reconciling Family Life and Entrepreneurship”

Belgium, 20-21 June 2017

**How to reconcile family life and
entrepreneurship? A focus on Belgian
self-employed persons**

Host Country Discussion Paper - Belgium

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Executive Summary

In recent years, the existing work-life balance measures in Belgium for employees have been the subject of several pieces of research¹. From these, the specific situation of self-employed persons was only indirectly visible. This is not surprising, given the fact that social protection has primarily been developed in relation to workers in standard employment. Nonetheless, self-employed persons form an important group in the labour market and play a significant part in the creation of jobs and growth. The purpose of this paper² is to highlight the measures introduced by the Belgian federal government specifically aimed at supporting self-employed persons.

Statistics show that the number of self-employed persons in Belgium has risen sharply in recent years. However, self-employment in Belgium typically remains a male-dominated affair with women being only one third of the total number of self-employed persons. Moreover, surveys show that about one third of self-employed people (especially women) find trying to combine professional and private life as the main obstacle to starting an independent activity.

For several years, the Belgian federal government has taken various initiatives to support self-employed persons (both men and women) in order to support a better work and family balance. These initiatives, which are highlighted in this paper, focus both on maternity protection (for women) and the support of caregivers in difficult family situations (for both men and women).

In order to strengthen the social statute for self-employed persons, some important changes have recently been made to Belgian legislation. The aim is to get more, particularly female, self-employed people into the labour market and to keep them there, strengthening gender equality. The following recent changes are highlighted in this paper.

- The extension of maternity leave by four weeks, with the possibility of taking this leave full-time or part-time.
- The introduction of an exemption from payment of social security contributions while maintaining entitlement to benefits for the quarter following the childbirth.
- The reform of existing care systems for self-employed persons:
 - extension of the care situations for which a self-employed person can benefit from the scheme;
 - extension of the group of persons who can benefit from care;
 - extension of financial support (amount and duration of financial benefits).

As this paper will show, the main feature of the Belgian support system is its flexibility, which meets the needs and expectations of self-employed people.

In light of the recent European Social Rights Pillar³ proposed by the European Commission in April 2017, Belgian policy makers are aware that creating a sustainable work-life balance (with a specific focus on increasing female participation in the labour market) is paramount. On the basis of periodic evaluations, the effectiveness of

¹ Jungblut, J.-M., 2015, *Eurofound – Working and caring: Reconciliation measures in times of demographic change*. Available at: <https://www.eurofound.europa.eu/publications/report/2015/working-conditions-social-policies/working-and-caring-reconciliation-measures-in-times-of-demographic-change>. De Wispelaere, F., and Pacolet, J., 2016, *ESPN Thematic Report on work-life balance measures for persons of working age with dependent relatives 2016*. Available at: <http://ec.europa.eu/social/main.jsp?catId=1135&langId=en&moreDocuments=yes>.

² This host country paper was made possible with the help of the following persons: Veerle De Maesschalk (General management committee for the social statute of self-employed persons), Wouter Van Damme (National Institute of Sickness and Disability Insurance), Peter Lelie and Steven Vervaeke (Federal Public Service Social Security).

³ For more information about this recent initiative, see https://ec.europa.eu/commission/priorities/deeper-and-fairer-economic-and-monetary-union/european-pillar-social-rights_en.

existing measures will therefore be assessed, and action will be taken where necessary⁴.

1 The current situation in Belgium

1.1 The social statute of the self-employed in Belgium: a short survey⁵

In Belgium, any natural person who exercises a professional activity without being bound by an employment contract or statute is regarded as "self-employed". In this case, no relationship of subordination exists.

Self-employed persons have a social statute of their own and a specific social security protection (that in many ways differs fundamentally from the scheme for employees)⁶. For this reason, they must join a social insurance fund for self-employed persons of their choice and pay quarterly social security contributions.

A Different categories of persons subject to compulsory insurance

The social security system has different categories of persons subject to compulsory insurance, principally:

- Persons whose self-employed activity is full-time are considered self-employed in their main occupation. Note: business executives, managers and working partners in a company are also considered as self-employed in their main occupation.
- If the person concerned exercises one or more occupational activities simultaneously, as an employee, in education or as a civil servant, he or she is self-employed as a complementary occupation. The person concerned continues to enjoy the social benefits of the system which he or she is subject to in the framework of his or her main activity or statute.
- The collaborating spouse of a self-employed person is the partner of a self-employed person who actively helps his or her partner but does not receive an income from any other professional activity, nor a replacement income, which would entitle him or her to social security rights that would be at least equivalent to those of self-employed persons. The collaborating spouse's statute guarantees virtually the same rights⁷ as that of a self-employed person as a main occupation (however, he or she benefits from lower social security contributions).

⁴ Minister of the Self-employed Willy Borsus, 2016, *Plan voor de bevordering van het vrouwelijk ondernemerschap*, Brussels. Available at: http://borsus.belgium.be/sites/default/files/articles/Plan%2020160307_NL.pdf.

⁵ Federale Overheidsdienst Economie, K.M.O., Middenstand en Energie/Service Public Fédéral Economie, P.M.E., Classes Moyennes et Energie (Federal Public Service Economy, S.M.E.s, Self-employed and Energy), 2017, *Zelfstandige worden*, Brussels. Available at: http://economie.fgov.be/nl/modules/publications/general/zichvestigen_fr.jsp. More information about the social statute of self-employed persons can be found on the website of the Rijksinstituut voor de Sociale Verzekeringen der Zelfstandigen/Institut national d'assurances sociales pour travailleurs indépendants (National Institute for the Social Security of the Self-employed), <http://www.nisse.be>.

⁶ Since 2003, the social protection system for self-employed persons in Belgium has been improving year after year and now it can be considered as a really attractive social protection system. For more information, see Spasova, S., Bouget, D., Ghailani D., and Vanhercke, B., 2017, *Access to social protection for people working on non-standard contracts and as self-employed in Europe – A study of national policies 2017*. Available at: <http://ec.europa.eu/social/main.jsp?catId=1135&langId=en&moreDocuments=yes>. De Wispelaere, F., and Pacolet, J., 2017, *ESPN Thematic Report on Access to social protection of people working as self-employed or on non-standard contracts – Belgium 2016*. Available at: http://ec.europa.eu/social/keyDocuments.jsp?pager.offset=0&langId=en&mode=advancedSubmit&year=0&country=0&type=0&advSearchKey=ESPNSensw_

⁷ Initially, assisting spouses could only benefit from sickness and disability benefits and maternity insurance. For the rest, they only had derived rights (via their spouses' self-employed activities). In 2003, the submission of assisting spouses became mandatory. As a consequence, this category now benefits from full social protection.

B Obligations under the social statute of self-employed persons

Affiliation to a social insurance fund for self-employed persons

All self-employed persons must join a social insurance fund for self-employed persons of their choice. Note: Self-employed persons, just like employees, are also obliged to join a health insurance fund of their choice in order to be entitled to the compulsory health insurance.

Payment of social security contributions

All self-employed persons must, in principle, pay quarterly social security contributions to their social insurance fund. However, under certain conditions, and below a set income threshold, certain insured persons do not have to pay social security contributions e.g. self-employed persons in a complementary occupation, retirees, students, etc.

Since 1 January 2015, the calculation of social contributions for self-employed persons has changed fundamentally. Contributions during a particular year are now calculated on the basis of the self-employed person's net professional labour income of the same year. Previously, contributions were calculated on the basis of the income of three years ago. The change means that the calculation of contributions more closely matches the actual income of the self-employed person.

The calculation of social contributions⁸ takes place in two phases:

- In the contribution year, the self-employed person pays a provisional contribution based on their income of three years ago. At the beginning of each quarter (January, April, July and October), they will receive a notice with the amounts to be paid before the end of each quarter. Depending on the estimate of the self-person's income at that time, there is the possibility to pay higher contributions or request a reduction.
- The tax authorities will later - usually after two years - determine the professional income of the contribution year itself. The social insurance fund then issues a final statement of social contributions based on the professional income of that contribution year.

C Rights under the social statute of self-employed persons

The social statute of self-employed persons involves not only duties but also rights. Self-employed persons who are in compliance with the legal requirements are entitled to:

- child benefits
- sickness and disability benefits
- maternity insurance
- pension
- transitional benefits consisting of a financial aid and a limited social protection⁹, in case of bankruptcy, collective debt settlement, forced interruption (natural disaster, allergy, fire or destruction) or forced shut down in case of economic difficulties
- measures supporting the reconciliation of professional and private life
- care initiatives

⁸ For an overview, see annex.

⁹ Child benefits, sickness and disability benefits and maternity insurance.

D Financing

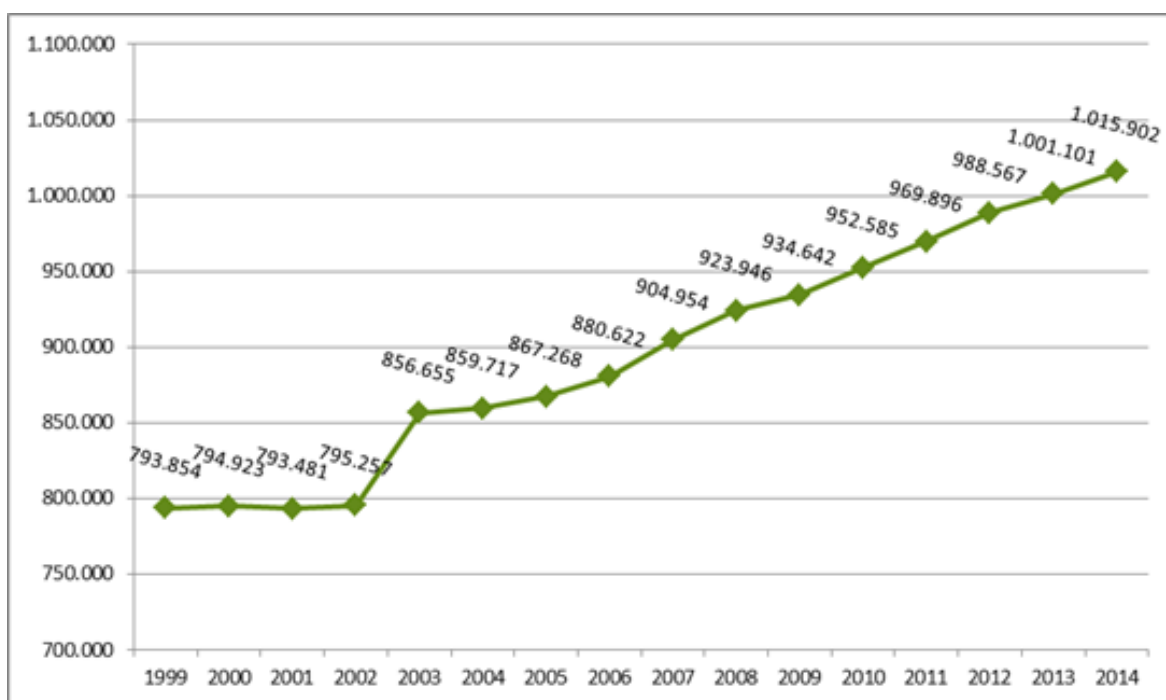
The self-employed persons pay social security contributions quarterly. As the contributions are insufficient, there is also an alternative financing (partly a percentage of Value Added Tax revenue or tax receipts). There is an overall financial management, which means that the sectors are financed according to their treasury needs instead of with fixed percentages.

1.2 Data on self-employed persons in Belgium

A In general

The number of self-employed persons in Belgium has increased steadily during the last decades. As shown in Figure 1 between 1999 and 2014, the number increased by almost a third from 800,000 to over one million. In 2015, the share of self-employed persons was about 14% of total employment in Belgium¹⁰.

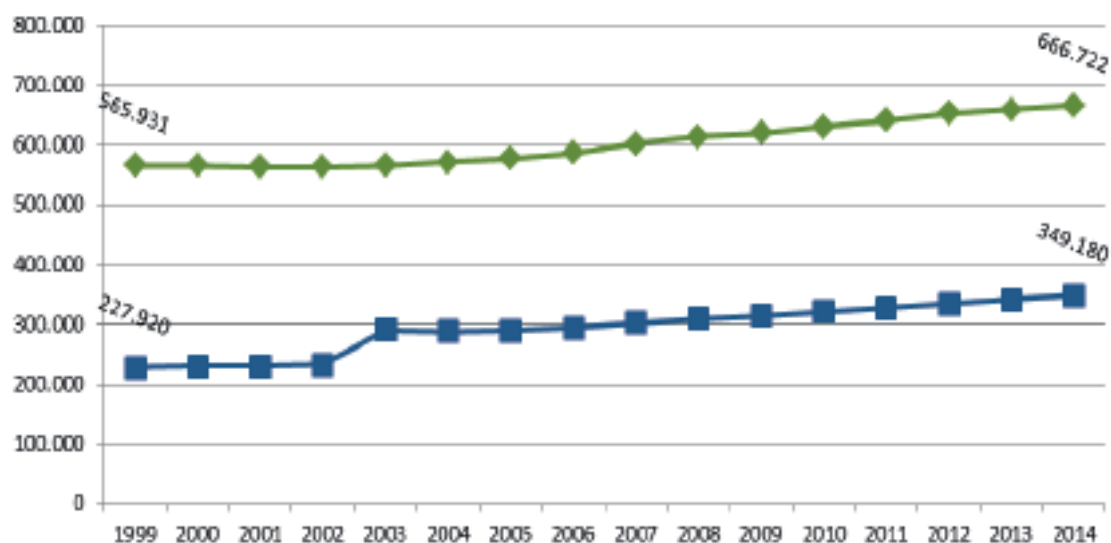
Figure 1. Evolution of the number of compulsorily insurable self-employed persons, Belgium 1999 – 2014.



¹⁰ De Wispelaere, F., and Pacolet, J., 2017, *ESPN Thematic Report on Access to social protection of people working as self-employed or on non-standard contracts – Belgium 2016*. Available at: http://ec.europa.eu/social/keyDocuments.jsp?pager.offset=0&langId=en&mode=advancedSubmit&year=0&country=0&type=0&advSearchKey=ESPNSensw_

Source: National Institute for the Social Security of the Self-employed (NISSE).

Figure 2. Evolution of the number of compulsorily insurable self-employed women, Belgium 1999 – 2014.



Source: NISSE.

B Breakdown of the data on self-employment¹¹

Table 1. Main self-employment

	Men	Women	Total
2012	449.850	233.669	683.519
2013	450.681	234.814	685.495
2014	454.577	237.458	692.035
2015	462.621	241.752	704.373

Source: NISSE.

In 2015, the number of self-employed persons as their main occupation increased by 1.78% compared to 2014. When the data are broken down by gender, we observe a 1.77% increase for self-employed men and a 1.81% increase for self-employed women.

Table 2. Complementary self-employment

	Men	Women	Total
2012	144.194	81.959	226.153
2013	145.298	85.672	230.970

¹¹ Rijksinstituut voor de Sociale Verzekeringen der Zelfstandigen/Institut national d'assurances sociales pour travailleurs indépendants, 2016, *Year Report NISSE 2015*, Brussels. Available at: <http://www.rsvz.be/nl/publication/rsvz-jaarverslag-2015>. Algemeen Beheerscomité voor het sociaal statuut der zelfstandigen/Comité général de gestion pour le statut social des travailleurs indépendants (General management committee for the social statute of self-employed persons), 2016, *Verslag nr. 2016/02 – Voorstellen ter ondersteuning van vrouwelijk ondernemerschap*, Brussels. Available at: <http://www.rsvz.be/nl/algemeen-beheerscomite-abc>.

2014	144.712	89.289	234.001
2015	144.856	92.657	237.513

Source: NISSE.

The data for complementary self-employment in 2015 showed a marked increase compared to 2014. By gender, there was a 0.10% increase for self-employed men and a 3.77% for self-employed women.

Table 3. Assisting spouses

	Men	Women	Total
2012	3.614	30.121	33.735
2013	3.577	28.439	32.016
2014	3.536	26.955	30.491
2015	3.526	25.630	29.156

Source: NISSE.

The number of assisting spouses (both male and female) shows a declining trend. In 2015, there was a decline of 4.38% compared to 2014.

C Analysis¹²

The increase in the number of compulsorily insurable self-employed persons during the past decades is attributable, amongst others things, to an increase in the number of self-employed women. The number of self-employed women increased by half over the years, whereas the number of self-employed men only saw a limited increase (increase of 17% between 1999 and 2014).

However, this needs to be qualified somewhat. It is clear that there is a strong increase in the number of self-employed women in the category of complementary self-employed persons (between 1999 and 2014 there is a 173% increase). Compared to the (less strong) increase of the number of main self-employed women, this suggests that self-employed women choose full-time entrepreneurship less often.

In addition, the group of self-employed women still represents a significant minority in the self-employed working population (about one third only). Self-employed business in Belgium continues to be a male-dominated affair. This corresponds to the situation in the other Member States of the European Union¹³.

Additional interesting facts:

- Broken down between sectors, it appears that in 2015 women were mainly active in less capital-intensive enterprises in the sectors of the liberal and intellectual professions (39.3%), trade (32.5%) and services (12.5%).

¹² Federale Overheidsdienst Economie, K.M.O., Middenstand en Energie/Service Public Fédéral Economie, P.M.E., Classes Moyennes et Energie (Federal Public Service Economy, S.M.E.s, Self-employed and Energy), 2017, *Boordtabel van de kmo's en zelfstandige ondernemers*, Brussels. Available at: http://economie.fgov.be/nl/modules/publications/general/boordtabel_van_de_kmo_s_2016.jsp. Algemeen Beheerscomité voor het sociaal statuut der zelfstandigen/ Comité général de gestion pour le statut social des travailleurs indépendants (General management committee for the social statute of self-employed persons), 2016, *Verslag nr. 2016/02 – Voorstellen ter ondersteuning van vrouwelijk ondernemerschap*, Brussels. Available at: <http://www.rsvz.be/nl/algemeen-beheerscomite-abc>.

¹³ Spasova, S., Bouget, D., Ghailani D., and Vanhercke, B., 2017, *Access to social protection for people working on non-standard contracts and as self-employed in Europe – A study of national policies 2017*. Available at: <http://ec.europa.eu/social/main.jsp?catId=1135&langId=en&moreDocuments=yes>. Directorate-General for Enterprise and Industry, 2014, *Statistical data on women entrepreneurs in Europe*. Available at: http://ec.europa.eu/growth/tools-databases/newsroom/cf/itemdetail.cfm?item_id=7992.

- It also appears that self-employed women get less income from their self-employed activity than their male counterparts. In 2014, 51.4% of self-employed women reported an income below EUR 7.500, as opposed to 36.8% of self-employed men.

The figures show that female entrepreneurship still has growth potential because the *ratio* between self-employed women and the active female labour force is lower than the *ratio* for self-employed men, while the annual increase of the active population and the annual increase of working women is higher than that of men. By 2015, women's share in the economically active population (15 to 64 years of age) was 58%¹⁴.

1.3 Reconciliation of work and private life: mainly a women's issue

The following tools were used to find out why the gender imbalance in the composition of the self-employed labour force in Belgium continues to exist.

A Workability monitor

In 2003 the 'Stichting Innovatie & Arbeid' of the Flemish socio-economic council (SERV) developed an instrument to measure the quality of work, the so-called "workability monitor", at the request of the Flemish Government and social partners. Using the workability monitor, the organization sets out to assess the workability situation of Flemish employees and self-employed persons on a three-yearly basis¹⁵. These are measured through four indicators: mental fatigue, well-being at work, learning opportunities and the work-life balance.

The following conclusions can be drawn from the 2016 measurement¹⁶:

- A comparable number of self-employed men (51.4%) and self-employed women (49.4%) state that they have a feasible job. This is a slight decline compared to the measurement in 2013 (51.8% and 50.3% respectively).
- Self-employed women indicate more often that they have a job with insufficient learning opportunities (4.2% as opposed to 3.1%), that they experience mental fatigue (37.5% as opposed to 35.5%). However, as far as well-being at work is concerned, they score better than their male counterparts (8.7% as opposed to 9.6%).
- 32.2% of self-employed men and 34.6% of self-employed women experience a problematic work-life balance. Compared to the previous measurement in 2013 (31.7% and 31.3% respectively), we notice a significant increase for female entrepreneurs.

If a distinction is made between self-employed persons with and those without resident children, we see that families with children score higher in terms of dissatisfaction (35.6% as opposed to 28.9% for families without resident children).

¹⁴ Federale Overheidsdienst Economie, K.M.O., Middenstand en Energie/Service Public Fédéral Economie, P.M.E., Classes Moyennes et Energie (Federal Public Service Economy, S.M.E.s, Self-employed and Energy), 2017, *Boordtabel van de kmo's en zelfstandige ondernemers*, Brussels. Available at: http://economie.fgov.be/nl/modules/publications/general/boordtabel_van_de_kmo_s_2016.jsp.

¹⁵ Given the fact that this is a Flemish initiative, this research does not cover the entire Belgian territory. However, in our opinion the conclusions are representative for all the parts of the country (the Flemish part, the Walloon part and Brussels).

¹⁶ Stichting Innovatie & Arbeid, 2016, *Vlaamse werkbaarheidsmonitor 2016 zelfstandige ondernemers*, Brussels. Available at: <https://www.serv.be/stichting/publicatie/vlaamse-werkbaarheidsmonitor-2016-zelfstandige-ondernemers>.

B Field consultation

The results of some recent queries by Belgian organizations for the self-employed¹⁷, confirm that for self-employed persons with children, balancing private and professional life is not always self-evident.

The survey results include the following facts¹⁸:

- Self-employed persons spend many hours a week on their own business (73% of respondents are working more than 50 hours a week), which means that a large portion (two thirds of respondents) state that they fail to manage their household properly and spend sufficient time with their children.
- Self-employed men and women differ in terms of how they use their time. About 76% of self-employed men spend more than 50 hours a week on their business, as opposed to 45% of women. On the other hand, 69% of female respondents spend more than 15 hours on household tasks and childcare, as opposed to 29% of male respondents.
- 42% of self-employed women state that they cannot rely on their partner for taking on (part of) the household and family chores. Only about 3% of the women say that their partner takes on almost all household and family tasks. For the self-employed male respondents, the percentages are 3% and 62% respectively.
- In order to combine professional and family life, self-employed persons rely extensively on external assistance. 86% of respondents indicate that their children are taken care of by family members (33%) or that they rely on paid childcare services (53%). Approximately 70% of the respondents rely on housekeeping or cleaners (65%) paid by service vouchers.

C Analysis

The data show the challenges of combining private and professional life is a barrier to independent professional activity, especially for self-employed women. One can assume that this corresponds to the data revealing a discrepancy between the number of men and women exercising an independent professional activity (moreover, the same goes for employees).

On the basis of these findings, the Minister for the Self-Employed, Willy Borsus, decided to further develop a number of existing initiatives aimed at promoting the reconciliation of work and private life for self-employed persons. The aim is to encourage more people to become and to remain self-employed. These initiatives mainly concern maternity benefits (see 2.1), but the Belgian social security system for self-employed persons features other care initiatives as well (see 2.2).

¹⁷ UNIZO, 2015, *Dossier arbeid en gezin bij zelfstandigen*, Brussels. Available at: http://www.unizo.be/sites/default/files/dossierarbeidengezindf_0.pdf. UNIZO, 2016, *Enquête over de combinatie tussen arbeid en gezin bij zelfstandige ouders met jonge kinderen (maximum 12 jaar)*, Brussels. Available on: http://www.unizo.be/sites/default/files/20160121_-_moederschapsrust_bij_zelfstandige_vrouwen_-_unizo_nota.pdf /. NSZ, 2016, <http://www.nsz.be/nl/nieuws/detail/4-concrete-maatregelen-om-het-vrouwelijk-ondernemerschap-te-stimuleren>. For the result of this query, see Minister of the Self-employed Willy Borsus, 2016, *Plan voor de bevordering van het vrouwelijk ondernemerschap*, Brussels. Available at: http://borsus.belgium.be/sites/default/files/articles/Plan%2020160307_NL.pdf.

¹⁸ Algemeen Beheerscomité voor het sociaal statuut der zelfstandigen/ Comité général de gestion pour le statut social des travailleurs indépendants (General management committee for the social statute of self-employed persons), 2016, *Verslag nr. 2016/02 – Voorstellen ter ondersteuning van vrouwelijk ondernemerschap*, Brussels. Available at: <http://www.rsvz.be/nl/algemeen-beheerscomite-abc>.

2 Policy measures

The measures highlighted in this paper are all part of the Belgian federal social security scheme for self-employed persons. Therefore, only the Belgian federal government is competent.

2.1 Maternity benefits

A Maternity leave¹⁹

Following the birth of a child, self-employed women (like female employees) are entitled to "maternity leave". This is a period in which the women concerned suspend their independent professional activity during a compulsory period and, recently, can choose to continue to exercise (at least part-time) their normal independent professional activity during an optional period. In the meantime, they are entitled to a maternity allowance.

Period of maternity leave

Maternity leave for self-employed women in Belgium consists of a compulsory and an optional period.

- The duration of compulsory maternity leave for self-employed women is three weeks, one of which is taken before the expected delivery date (prenatal rest period) and two weeks from the day of the delivery (postnatal rest period).
- Furthermore, self-employed women are entitled to an optional period of maternity leave. Until recently, female self-employed persons were entitled to five weeks of optional maternity leave (six weeks in the case of multiple births), a maximum of two of which could be taken before the compulsory week of prenatal rest. The weeks of optional maternity leave not taken before the delivery could be taken in periods of seven consecutive calendar days after the two weeks of compulsory postnatal rest, until the 21st week after the period of compulsory postnatal rest. In other words, it is not necessary that the optional postnatal part of maternity leave be continuous. Periods of work resumption can alternate with periods of maternity leave.
- In case of hospitalization of the child after birth, the period of maternity leave can be extended optionally. The self-employed mother whose child remains hospitalized (continuously) after the seven-day period following birth is entitled to a maternity allowance for up to 24 additional weeks.
- In the event of the death of the self-employed mother before maternity leave has been taken up, another self-employed family member (e.g. the self-employed father) is entitled to use the remaining leave.

On 1 January 2017, some changes were made to the optional period of maternity leave, thereby increasing the system's flexibility:

- While previously the optional period consisted of five weeks (six weeks in the case of multiple births), this period now consists of nine weeks (ten weeks in the case of multiple births)²⁰. This means that from now on, self-employed women are entitled to a maximum leave of 12 weeks of maternity leave (13 weeks in case of multiple births).
- From now on, the optional period of maternity leave can be taken in periods of seven consecutive calendar days until the 36th week after the mandatory period of

¹⁹ More information can be found on the website of the Rijksinstituut voor de ziekte-en invaliditeitsverzekering/ Institut national d'assurance maladie-invalidité (National Institute of Sickness and Disability Insurance), <http://www.riziv.fgov.be/nl/themas/zwangerschap-geboorte/moederschap/Paginas/moederschapsrust-zelfstandigen.aspx#.WP79brlMSos>.

²⁰ For each period of maternity leave that begins on 1 January 2017.

postnatal rest. The optional prenatal rest period can still only begin at the earliest from the third week before the expected date of birth.

- In the past, persons on maternity leave had to cease all activity during this period. Now they may take the nine weeks of the optional period of maternity leave (ten weeks in case of multiple births) part-time (per week). In this period, the self-employed woman can exercise her normal self-employed activity (at least) part-time²¹. In other words, self-employed women who wish to progressively resume their professional activities may take one or more weeks part-time, thereby alternating periods of work resumption with periods of maternity leave at their own discretion. The optional period will consist of a maximum 18 weeks of part-time maternity leave (20 weeks in case of multiple births). This possibility of part-time leave exists also in case of an extension of maternity leave in case of hospitalization of the child. In that case, the extension consists of a maximum of 48 weeks of part-time maternity leave.

Maternity allowance

The maternity allowance, paid by the health insurance fund, is a flat-rate of EUR 458,31 per week (as at 1 January 2017). In case of part-time maternity leave, the weekly allowance is EUR 229,15 per week.

Adoption leave

Self-employed persons who adopt a child are entitled to adoption leave. The duration varies according to the child's age: six weeks for a child under the age of three and four weeks for a child aged between three and eight years. The allowance (granted per week of adoption leave) is equal to that of the maternity allowance and is also paid by the health insurance fund.

The maximum leave duration can be doubled if the child has a disability.

B Maternity aid

In January 2006, the so-called "maternity aid" was introduced as a supplement to maternity leave for self-employed women (eight weeks at the time). This aid aims to improve the situation of self-employed mothers who resume their professional activity and who juggle this with household and childcare responsibilities.

Maternity aid entitles self-employed women to use service vouchers, a well-known Belgian system whereby certified enterprises employ workers with a special service contract to carry out household chores (cleaning, ironing, etc.). Service vouchers are a means of payment for those chores. As the government financially contributes to the system, the users only need to pay a fraction of the real price (the remaining part). The maternity aid ensures that the social insurance fund of the self-employed women pays the remaining part. Therefore, the self-employed mother gets her service vouchers for free.

Self-employed women who, after giving birth, meet the qualifying conditions for maternity leave under the self-employment system are entitled to 105 free service vouchers. Additionally, they must meet a number of other conditions: they must resume a professional activity (which is not necessarily their former independent activity) and the child must be domiciled at the mother's address from the date of birth until the day the aid is granted.

²¹ In this way, maternity leave for self-employed persons is more aligned with maternity leave for employees (consisting of 15 weeks). Since April 1, 2009, female employees have the opportunity to convert the last two weeks of their optional postnatal leave into postnatal rest days. This measure was introduced to allow women to gradually resume their activity at the end of maternity leave.

C Exemption from the payment of social security contributions after childbirth

Until recently, self-employed women who received a maternity allowance had to still pay social security contributions. In practice, many women used their maternity allowance to pay their contributions for the quarter in which they take maternity leave, so the allowance failed to meet its objective.

For all childbirths from 1 October 2016 onwards, self-employed women are now entitled to an exemption from paying social security contributions for the first quarter following childbirth. To this end, no steps on the part of the self-employed mother are required. The only condition is that she must benefit from the maternity insurance for self-employed persons. If she does not meet the requirements for maternity leave, she will not qualify for the exemption from contributions either. The exemption is in place irrespective of the number of deliveries in the course of the woman's career.

2.2 Care initiatives

Of course, the promotion of a better life-work balance extends beyond the care for of a child after it is born. Throughout the years other care initiatives, apart from maternity-related policies, have been put in place. Self-employed men directly benefit from these measures as well. Belgium plays a leading role in focussing on social policy provisions which can help self-employed caregivers to remain in the labour market by providing a better work-life balance, rather than solely focussing on the situation of the person being cared for²².

A Former care initiatives

On 1 January 2010, the so-called 'familieplan/plan famille' (*family plan*) was introduced into the Belgian social statute of self-employed persons. This plan consisted of a brand-new range of measures to benefit self-employed persons who were obliged to temporarily suspend their independent activity due to the serious illness of their child or the palliative care for their child or partner. Self-employed caregivers were entitled to an exemption of contributions during the quarter following the beginning of the suspension and could obtain the assimilation of this quarter with working days for their pension rights. In case of palliative care, the self-employed caregiver was also entitled to a flat-rate allowance. This flat-rate allowance was EUR 2.184,72 (on 1 September 2015). The allowance was paid in three equal instalments over a three month period.

B The new informal care system

The family plan measures had only limited success²³. This was partly due to the fact that the independent activity had to be completely suspended, thereby deterring entrepreneurial self-employed persons who wished to remain involved in their business.

After evaluation, the family plan was expanded in October 2015 and renamed 'mantelzorg/aidant proche' (*informal care*).

Self-employed caregivers can now apply for full or partial monthly benefits, depending on whether they prefer to temporarily suspend their independent activity totally, or just partially, to take care of a relative.

²² Spasova, S., Bouget, D., Ghailani D., and Vanhercke, B., 2017, *Access to social protection for people working on non-standard contracts and as self-employed in Europe – A study of national policies 2017*. Available at: <http://ec.europa.eu/social/main.jsp?catId=1135&langId=en&moreDocuments=yes>. For a full overview of the facilitations for informal caregivers and cared-for people in Belgium, see De Wispelaere, F., and Pacolet, J., 2016, *ESPN Thematic Report on work-life balance measures for persons of working age with dependent relatives 2016*. Available at: <http://ec.europa.eu/social/main.jsp?catId=1135&langId=en&moreDocuments=yes>.

²³ See point 3.2.

These self-employed persons may also, in certain cases, be granted exemption from paying social contributions when they receive full benefits for three consecutive months while retaining their rights under the social statute of self-employed persons.

Eligible care

- Serious illness of a relative

A serious illness is defined as *"any disease or medical treatment considered as such by the treating physician and whereby the physician is of the opinion that any form of social, family or emotional assistance or care provided by the self-employed person is necessary for the recovery of the sick person"*.

This definition is the same as the one applicable in other schemes for interruption allowances in the private sector ("time credit") and in the public sector ("career interruption").

Evidence of the serious illness is determined by means of a medical certificate issued by the treating physician.

- Palliative care

Palliative care is defined as *"any form of assistance and, in particular, medical, social, administrative and psychological assistance and care for persons who are suffering from an incurable disease and are terminal, and who, according to the treating physician, must rely on the self-employed person for assistance or caregiving"*.

This definition is the same as the one applicable in the schemes for employees and civil servants.

Evidence of the serious illness is determined by means of a medical certificate issued by the treating physician.

- Disabled child
 - A disabled child is: *"The child of the self-employed person, under 21 years of age, who is suffering from a physical or mental incapacity of at least 66% or affected by a condition that results in at least four points in the first pillar of the medical-social scale in the sense of the child benefit legislation."*
 - *"The child of the self-employed person between the ages of 21 and 25 who enjoys an integration allowance under the disability allowance legislation."*

Who is eligible for care?

- The disabled child of a self-employed person.
- For all other situations (serious illness and palliative care):
 - *the spouse of a self-employed person (husband, wife or partner in legal cohabitation);*
 - *relative up to the second degree of the self-employed person;*
 - *a family member (principal residence the same address as the self-employed person).*

Conditions and modalities

It concerns a temporary interruption or break of an independent activity. An official and definitive cessation on the part of the self-employed person is not a requirement. He or she may, for instance, be replaced by a third party during the interruption.

Moreover, the interruption of the independent activity does not necessarily have to be total. Partial interruptions (at least 50%) are also possible. In that case, self-employed persons shall submit a solemn declaration indicating the way in which they intend to reduce their independent activities.

The monthly allowance is due for each full month of interruption of independent activities. No benefits are payable if the interruption is of less than a month unless the patient dies before a full month of interruption has taken place. In that case, the interruption is deemed to have taken a full month. Moreover, in the event of the death of the patient, the person concerned will receive an allowance for one additional month.

The allowance amounts to EUR 1,168.73 for a total interruption, and half this sum for a partial interruption. It is paid by the social insurance fund.

The allowance under the informal care system is limited to a maximum of twelve months over the course of an entire career as a self-employed person.

Allowances under the informal care system cannot be cumulated with any other benefits (pension, incapacity benefits, maternity allowance, and occupational interruption allowance under a different system for the same reasons).

3 Results, evaluation and challenges

3.1 Maternity benefits

A Early signs

The recent changes to the existing maternity benefits (the extension of the maternity leave, the possibility to take maternity leave on a part-time base and the exemption from the payment of social security contributions) are the result of an in depth evaluation of the existing benefits. As the changes have only been introduced relatively recently (2016-2017), it is still early days for a new evaluation. Figures are not yet available.

However, feedback from the field is generally positive.

This is not surprising, as this new policy goes a long way to meet the wishes of female self-employed persons. Indeed, according to the UNIZO survey²⁴ of 2016, nearly half of self-employed women chose to take the (former) maximum of eight weeks of maternity leave with benefits. 77% of the respondents favoured an extension of the total period of maternity leave.

The survey showed that a considerable number of self-employed women (22%) kept their maternity leave to a minimum because they found they could not afford to be absent from their business for a long period of time. They often consider this to be incompatible with the economic reality of their activities or they wish to stay in touch with their businesses. For this category of women, the possibility of taking part-time maternity leave is a welcome opportunity. The UNIZO survey showed that there was very broad support (92%) for a system that allows self-employed mothers to combine maternity leave with a professional activity.

The newly taken measures will be subject to an evaluation in the years to come.

B Monitoring female entrepreneurship and policy

To facilitate such an evaluation, clear data on the evolution of female entrepreneurship are required to take the necessary steps that will help to provide solutions for the barriers facing self-employed women. Moreover, only in this way is there any chance to measure the impact of the existing initiatives in order to get a full picture of the progress made and the potential to be realized.

To this end, a female entrepreneurship barometer has been created. This involves an annual set of figures on a range of aspects relating to female entrepreneurship in Belgium. The barometer looks at the number of female entrepreneurs, the fields of activity, value creation and access to funding. The first edition was published in the context of the Scoreboard of SMEs and self-employed entrepreneurs of the Federal Public Service Economy in February 2017²⁵.

²⁴ UNIZO, 2016, *Enquête over de combinatie tussen arbeid en gezin bij zelfstandige ouders met jonge kinderen (maximum 12 jaar)*, Brussels. Available on: http://www.unizo.be/sites/default/files/20160121_-_moederschapsrust_bij_zelfstandige_vrouwen_-_unizo_nota.pdf /.

²⁵ Federale Overheidsdienst Economie, K.M.O., Middenstand en Energie/Service Public Fédéral Economie, P.M.E., Classes Moyennes et Energie (Federal Public Service Economy, S.M.E.s, Self-employed and Energy), 2017, *Boordtabel van de kmo's en zelfstandige ondernemers*, Brussels. Available at: http://economie.fgov.be/nl/modules/publications/general/boordtabel_van_de_kmo_s_2016.jsp.

C Upcoming changes and challenges for the maternity aid (service vouchers)

Table 4. Number of service vouchers per year and costs

Year	Total cost of granted service vouchers	Cost of one service voucher ²⁶	Total of granted service vouchers
2006	1.206.819,00 EUR	6,70 EUR	180.122
2007 ²⁷	1.884.682,25 EUR	6,70 EUR	281.296
2008	2.736.916,10 EUR	7,00 EUR	390.988
2009	3.432.601,50 EUR	7,50 EUR	457.680
2010	3.249.330,00 EUR	7,50 EUR	433.244
2011	3.263.902,50 EUR	7,50 EUR	435.187
2012	3.387.600,00 EUR	7,50 EUR	451.680
2013	3.865.966,50 EUR	8,50 EUR	454.820
2014	3.776.902,50 EUR	9,00 EUR	419.656
2015	3.893.400,00 EUR	9,00 EUR	432.600
2016	4.294.728,00 EUR	9,00 EUR	477.192

Source: Directorate-General Self-employed persons

Upcoming changes and challenges

At present service vouchers are not granted automatically. Self-employed women must submit their application not later than 15 weeks after childbirth. In practice, it is often found that self-employed women are insufficiently familiar with the measure. Once they are aware of the measure, the application period has often expired²⁸. This leads to a significant non take-up of maternity aid (UNIZO estimates the non-take-up to be 30%²⁹).

In order to improve the take up of maternity aid, there is currently a proposal to grant maternity aid semi-automatically. In the future, the social insurance fund will offer the self-employed woman the 105 service vouchers as soon as it is known that she is entitled to maternity leave. Unless the woman explicitly indicates that she desires otherwise, these service vouchers will be delivered directly to her.

Special attention needs to be given to an adequate (data) information flow, making sure that the social insurance fund is informed of the birth of the child as soon as possible so it can contact the self-employed women as soon as possible.

In addition, Belgium has been faced with a growing federalization of competences in recent years. In 2014, the regional entities (Flanders, Wallonia and Brussels) became

²⁶ This is the cost for the user. The actual cost of the service voucher is higher, as the government pays for the remaining part.

²⁷ In 2007, the number of service vouchers increased from 70 to 105.

²⁸ Regardless of the extension of the application period in 2008 from six weeks to 15 weeks after the delivery.

²⁹ UNIZO, 2015, *Dossier arbeid en gezin bij zelfstandigen*, Brussels. Available at: http://www.unizo.be/sites/default/files/dossierarbeidengezindef_0.pdf.

competent for the service vouchers (making it possible for them to each create their own system of service vouchers or even abolish them). At this moment, it is still uncertain how the regional systems for the service vouchers will evolve. This will by all means have an effect on the existing federal maternity aid system for self-employed persons and its possible evolution in the (near) future.

3.2 Care initiatives

There are no available figures on the number of self-employed persons eligible for this measure. So the percentage of non-take-up of this measure cannot be estimated.

Nonetheless, the fact that the new informal care system reaches more self-employed persons than its predecessor, shows up in the figures.

Table 5. Annual budget

2016	1.273.510 EUR
2017	1.292.612 EUR

Source: NISSE

Table 6. Applications granted under the former family plan

Former family plan (census on 31/12)												
Nature of the care	2011			2012			2013			2014		
	M	W	Total	M	W	Total	M	W	Total	M	W	Total
Care for a seriously ill child	2	4	6	0	0	0	0	2	2	1	5	6
Palliative care for a child	1	0	1	0	0	0	0	0	0	0	0	0
Palliative care for a partner	0	0	0	0	1	1	1	0	1	0	0	0
Totals	3	4	7	0	1	1	1	2	3	1	5	6

Source: NISSE

Table 7. Applications granted under the new informal care system³⁰

Nature of the care	2015			2016		
	M	F	Total	M	F	Total
Serious illness of a relative	1	2	3	17	22	39
Palliative	0	0	0	0	1	1
Care for a disabled child	0	2	2	6	5	11
Totals	1	4	5	23	28	51

Source: NISSE.

³⁰ The new informal care system only entered into force on 1 October 2015 (4th quarter). This explains the low number of applications in 2015. However, the figures immediately show that there were already more applications in the last quarter of 2015 than in previous years (five applications in the last quarter of 2015 compared to six applications in the year 2014). The same impact is reflected in the total of allowances granted in 2015.

Table 8. Allowances granted under the former family plan

2010	Unknown
2011	1.7951,15 EUR
2012	11.764,48 EUR
2013	7.669,23 EUR
2014	3.496,55 EUR
2015	29.597,90 EUR

Source: Directorate-General Self-employed persons

Table 9. Allowances granted under the new informal care system

	Illness/Palliative care 100%	Illness/Palliative care 50%	Disabled child 100%	Disabled child 50%	Total
2016	512.733,38	400.804,39	107.597,99	15.783,99	1.036.919,75
2017 ³¹	203.965,13	132.421,18	26.880,79	6.427,96	369.695,06

Source: Directorate-General Self-employed persons

³¹ Figures available on 30 March 2017.

4 Constraints, success factors and transferability

This paper shows that, in recent years, the Belgian social statute for self-employed persons has made significant progress as far as the reconciliation between professional and private life of self-employed persons is concerned.

4.1 Constraints

However, there is always room for improvement. There is no doubt that budgetary constraints always will play an important role in determining this room for improvement (as it did in the past). However, the changes to the legislation made in the last couple of years (nonetheless budgetary difficult times) show the vast will of the Belgian federal government to tackle this issue, and in doing so promoting self-employed (female) entrepreneurship.

In addition, we must not forget that the Belgian institutional framework is an intricate system. We already pointed out the fact that the federal government is no longer competent for the system of service vouchers. In the long (or short) term this will inevitably have an impact, bearing on the system of the maternity aid for self-employed women.

Finally, the success of recent (and future) measures, namely the exemption from the payment of social security contributions and the semi-automatic granting of the maternity aid, depends to a large extent on the availability of adequate (data) information flows. The social insurance fund needs to be informed of the birth of the child as quickly as possible. Currently we are taking a closer look at how to insure this data flow.

4.2 Success factors and transferability

The maternity scheme for self-employed persons as well as the care initiatives were elaborated with an eye for the specific nature of independent professional activities, which does not compare with its employee counterpart. Therein lies the great strength of the measures taken. Most self-employed persons cannot afford to and will not suspend their professional activity for a long period of time, for economic reasons as well as to ensure the on-going viability of their company³². The latter is of course of great importance, as self-employed entrepreneurs in turn generate employment.

The existing measures seek to respond to this and therefore may be of interest to other member states whose national systems face similar challenges.

The extended period of 12 weeks maternity leave (consisting of three mandatory weeks and nine optional weeks), along with the maternity aid system (consisting of 105 service vouchers) can serve as a model in this respect. This system offers the necessary flexibility to accommodate the needs of self-employed women, as does the possibility to take part-time maternity leave. In that way, self-employed women have the opportunity to organise their daily life (after the birth of their child) in the way that suits them in their specific situation. They can continue to work, and still have the necessary material (as they benefit from the maternity aid) and financial (as they receive a maternity allowance) support. In that regard, the maternity aid (consisting of 105 service vouchers), unique to the Belgian system, is a huge asset greatly appreciated by the self-employed women.

For contingencies, such as a relative's illness, the newly introduced care system also provides the necessary flexibility by providing either full or part-time leave. The system focusses on social policy provisions which can help the self-employed

³² Evidence of this was the very slight success of the replacement entrepreneur's system. This measure was introduced in 2010 and offers self-employed persons who want to interrupt their independent activity for some reason, the ability to be replaced by another self-employed person for a period of 30 days per calendar year (extendable in certain conditions). The system made it possible to continue the activity of the self-employed person. In practice, this measure proved unsuccessful, as it became apparent that self-employed people still want to remain involved in their activities, even in difficult times. One of the conditions was indeed that the self-employed person had to interrupt completely all activity.

caregivers in combining the care for a loved one and keeping in touch with their business, rather than solely focussing on the situation of the person being cared for. This goes a long way to meet the expectations of self-employed persons who do not wish to completely relinquish their business.

This paper shows that Belgium has already implemented a range of good practices (an extensive maternity protection system and a social protection system for informal caregivers), but the country fully acknowledges that running a business without neglecting family life (and *vice versa*) continues to be a major challenge.

Annex 1 Contributions from the different types of self-employment for 2017

Table 10. For 2017 (income 2014), contributions³³ for main self-employment amount to:

Net earned income per brackets	Provisional contribution
< 13.296,25 EUR	698,05 EUR per quarter
13.296,25 EUR to 57.415,67 EUR	21.00 % of net earned income
57.415,67 EUR to 84.612,53 EUR	14.16 % of net earned income
> 84.612,53 EUR	0 EUR

Table 11. For 2017 (income 2014), contributions for complementary self-employment amount to:

Net earned income per brackets	Provisional contribution
< 1.471,01 EUR	0 EUR
1.471,01 EUR to 57.415,67 EUR	21.00 % of net earned income
57.415,67 EUR to 84.612,53 EUR	14.16 % of net earned income
> 84.612,53 EUR	0 EUR

Table 12. For 2017 (income 2014), contributions for assisting spouses amount to:

Net earned income per brackets	Provisional contribution
< 5.841,04 EUR	306,65 EUR per quarter
5.841,04 EUR to 57.415,67 EUR	21.00 % of net earned income
57.415,67 EUR to 84.612,53 EUR	14.16 % of net earned income
> 84.612,53 EUR	0 EUR

³³ These amounts are increased by the administrative costs of the social security funds. These administrative costs differ from one social security fund to the next.

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