

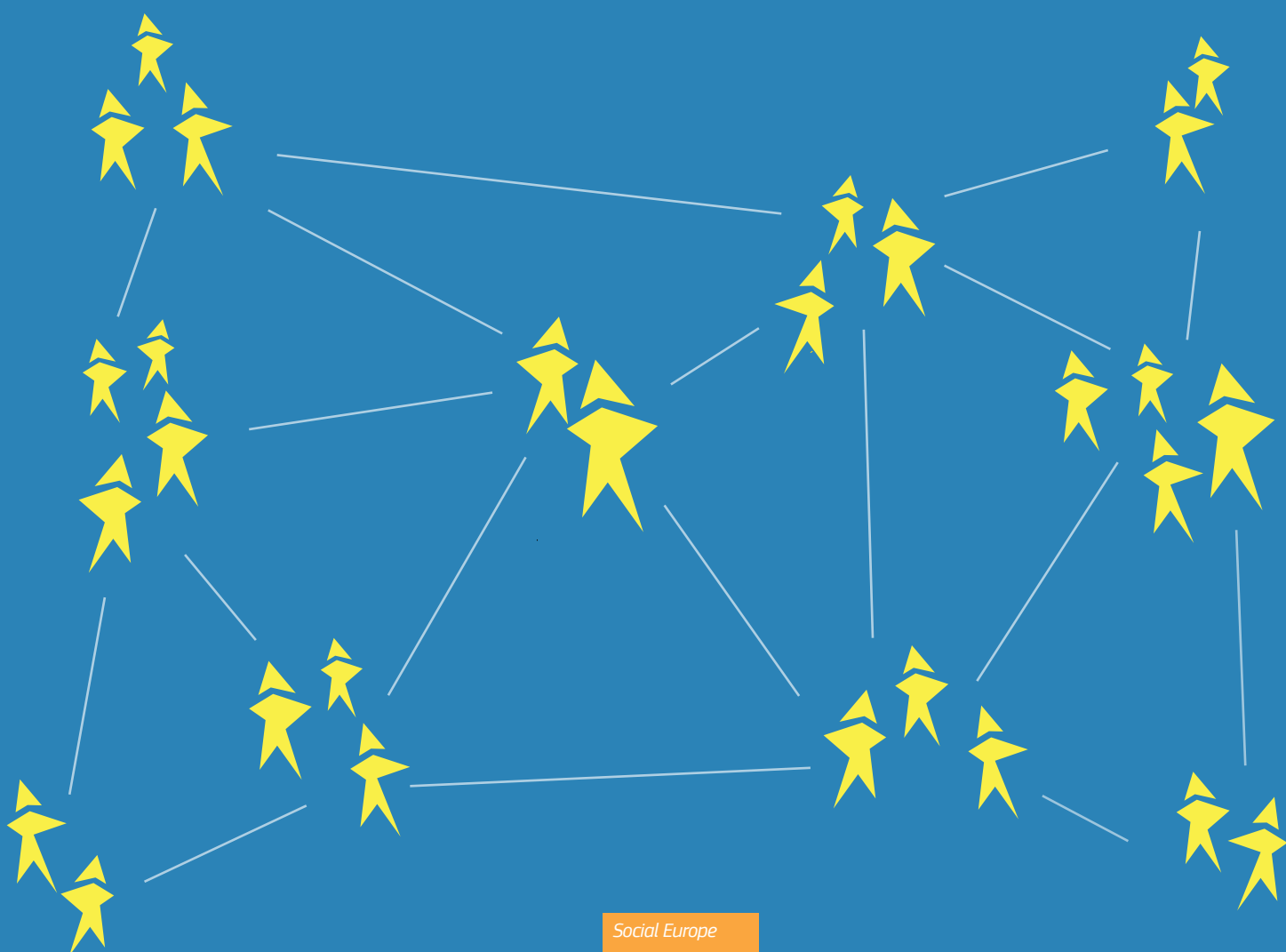


EUROPEAN SOCIAL POLICY NETWORK (ESPN)

Access to social protection for young people

Belgium

Anne Van Lancker



EUROPEAN COMMISSION

Directorate-General for Employment, Social Affairs and Inclusion
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European Social Policy Network (ESPN)

**ESPN Thematic Report:
Access to social protection for
young people**

Belgium

2021

Anne Van Lancker

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CONTENTS

SUMMARY.....	4
1 KEY FIGURES ON THE SOCIO-ECONOMIC SITUATION OF YOUNG PEOPLE	5
1.1 Distribution of young people (aged 15–29) by main activity status	5
1.2 Young people (aged 15–29) at risk of poverty or social exclusion	7
1.3 Young people (aged 15–29) materially and socially deprived.....	8
1.4 Young people (aged 15–29) not in employment, education or training (NEETs)	8
1.5 Early leavers (aged 18–24) from education and training.....	9
1.6 Young people (aged 16–29) living with their parents.....	9
2 ACCESS TO UNEMPLOYMENT BENEFITS	9
2.1 Contributory unemployment benefits	10
2.1.1 Eligibility conditions and benefit entitlements	10
2.1.2 Gaps/obstacles in access for young people.....	11
2.2 Unemployment scheme specifically targeted at young people.....	12
2.2.1 Professional integration benefits for school-leavers	12
2.2.2 Start bonus and bridging unemployment benefits for young people in dual learning	14
3 ACCESS TO SICKNESS AND HEALTHCARE BENEFITS	15
3.1 Sickness benefits.....	15
3.1.1 Eligibility conditions and benefit entitlements	15
3.1.2 Gaps/obstacles in access for young people.....	16
3.2 Healthcare benefits.....	16
3.2.1 Eligibility conditions and benefit entitlements	17
3.2.2 Gaps/obstacles in access for young people.....	17
4 ACCESS TO MATERNITY, PATERNITY AND PARENTAL CASH BENEFITS/	18
4.1 Eligibility conditions and benefit entitlements	18
4.2 Gaps/obstacles in access for young people	19
5 GUARANTEED MINIMUM INCOME SCHEMES	20
5.1 Eligibility conditions and benefit entitlements	20
5.2 Gaps/obstacles in access for young people	21
6 HOUSING BENEFITS	22
6.1 Eligibility conditions and benefit entitlements	22
6.2 Gaps/obstacles in access for young people	22
7 REFORMS, NATIONAL DEBATES AND RECOMMENDATIONS.....	23
7.1 Reforms implemented since 2015.....	23
7.2 National debates	23
7.3 Good practice and recommendations	24
REFERENCES	25

SUMMARY

Young people under 18 can only access social protection benefits under very exceptional circumstances. In addition, access to social protection is often limited for young people aged 18 or over. Young people are over-represented in part-time work, fixed-term contracts and temporary agency work. They often take up jobs in the platform economy, which have no clear status in labour and social protection law. They have interrupted work careers, as a result of which they do not meet the contribution requirements to access unemployment benefits. These young people fall back on professional integration unemployment benefits, on the basis of their studies, which require a very long qualification period, are considerably less generous, involve stricter conditions related to availability for the labour market, and are also limited in time.

Young people in dual learning schemes, as part of their compulsory education, have only limited social rights under the social protection system, as their work experience in companies is not seen as work under a labour contract. Equally, young helpers to self-employed people, young people with student contracts and vulnerable young people employed by accredited associations, do not have access to unemployment or sickness benefits, nor to benefits for maternal, paternal or parental leave.

Young people working under a number of contracts that are not considered as regular employment (such as students, trainees, helpers to self-employed people) do not qualify for sickness and healthcare benefits, maternity or paternity benefits. For healthcare, these young people depend on their families or have to pay personal contributions. The eligibility conditions for parental leave and for housing benefits make it difficult for young people to access them.

The obligation on young people who apply for the minimum income to accept an individual social integration plan can help young people find their way to the labour market and to participation in society; but social activation, especially for vulnerable young people, is not always sufficiently personalised. Breaches of the plan may lead to suspension of income, which can render their situation even more fragile.

The national debate in Belgium is focused on access to social protection for people in non-standard work, where young people are over-represented. In preparation for the national plan to implement the EU Recommendation on access to social protection for employees and self-employed people, an expert report (Van Limbergen et al., 2020) extensively analyses the Belgian social security system, including referring to the gaps in areas of the social security system where the beneficiaries are mostly young people. In the National Labour Council, discussions are ongoing on the social protection and social statute of non-standard work, including platform work. A policy declaration of the Minister for Social Affairs states that the federal government will come up with proposals to ensure better protection of non-standard work in terms of labour law and social protection.

1 Key figures on the socio-economic situation of young people¹

1.1 Distribution of young people (aged 15–29) by main activity status

Table 1a: Main activity status of people aged 15-29 and 30-64 (2015-2020, EU-27 and Belgium, % 15-29 and 30-64)

	BELGIUM											
	15-29						30-64					
	2015	2016	2017	2018	2019	2020	2015	2016	2017	2018	2019	2020
EMPLOYMENT RATE*	41.3	41.4	41.6	43.4	45.1	42.7	69.7	70.4	71.4	72.6	73.0	73.2
<i>Paid employment**</i>	91.3	92.1	92.0	91.4	91.3	90.5	84.2	84.3	85.0	85.5	85.3	84.9
<i>Self-employment**</i>	6.9	6.4	6.3	6.7	7.1	7.8	14.0	14.0	13.6	13.2	13.5	13.8
<i>Contributing family work**</i>	1.8	1.5	1.7	1.9	1.6	1.7	1.8	1.7	1.4	1.3	1.2	1.3
UNEMPLOYMENT***	15.6	14.3	13.5	10.9	9.8	10.7	6.8	6.3	5.6	4.8	4.3	4.4
INACTIVITY****	51.0	51.7	51.9	51.3	49.9	52.2	25.2	24.9	24.3	23.7	23.7	23.5
	EU-27											
	15-29						30-64					
	2015	2016	2017	2018	2019	2020	2015	2016	2017	2018	2019	2020
EMPLOYMENT RATE*	45.0	45.9	46.9	47.7	48.2	46.1	71.4	72.4	73.5	74.5	75.3	74.9
<i>Paid employment**</i>	91.8	92.2	92.4	92.6	92.8	92.5	83.0	83.3	83.7	84.0	84.1	84.2
<i>Self-employment**</i>	5.3	5.2	5.2	5.2	5.1	5.4	14.6	14.5	14.3	14.2	14.2	14.1
<i>Contributing family work**</i>	2.9	2.6	2.4	2.2	2.1	2.1	2.4	2.2	2.0	1.8	1.7	1.7
UNEMPLOYMENT***	17.3	15.8	14.2	12.8	11.9	13.3	8.5	7.7	6.9	6.1	5.6	5.8
INACTIVITY****	45.6	45.4	45.3	45.3	45.3	46.8	22.0	21.6	21.0	20.6	20.2	20.5

Notes: (*) The employment rate is expressed as a share (%) of the total population in the age group. The 3 categories of employment (paid employment [i.e. employees], self-employment and contributing family work) are expressed as a share (%) of the population in employment in the age group. Contributing family work is a form of labour (generally unpaid, although compensation may come indirectly in the form of family income) that supports another member of the family to run an agricultural holding or another business. (**) The unemployment rate is expressed as a share (%) of the active population, i.e. the population that is either in employment or unemployed (not the total population), in the age group. (***) The inactivity rate is expressed as a share (%) of the total population in the age group.

Reading note: In 2020, in Belgium, 42.7% of people aged between 15 and 29 were in employment, compared to 73.2% of those aged 30-64. In the EU-27 as a whole, these figures were 46.1% and 74.9%, respectively. The share of people unemployed in the active population in Belgium was 10.7% of the 15-29 age group and 4.4% of the 30-64 age group (EU-27 average: 13.3% and 5.8%). The shares of people economically inactive in Belgium in the 15-29 and 30-64 age groups were 52.2% and 23.5%, respectively (EU-27 average: 46.8% and 20.5%).

Source: Eurostat, ESPN Network Core Team calculations based on LFS indicators [lfsa_eegais], [lfsa_egaps], [lfsa_pganws] and [lfsa_igan]. Data downloaded on 24 May 2021.

¹ Except where otherwise specified, the indicators presented in Section 1 of this report were computed by the ESPN Network Core Team on the basis of data coming from two data sources coordinated at the European level by the statistical office of the European Union (Eurostat: <https://ec.europa.eu/eurostat>): European Union Labour Force Survey (EU-LFS) and European Union Statistics on Income and Living Conditions (EU-SILC). These indicators were computed for all the 35 ESPN countries for which the data needed were available. All these ESPN countries' estimates are presented in Annex B of the following Synthesis Report: Dalila Ghailani, Stéphanie Coster, Ramón Peña-Casas and Pietro Regazzoni (2021), "Access to social protection for young people. An analysis of policies in 35 countries", European Social Policy Network (ESPN), Luxembourg: Publications Office of the European Union. This Synthesis Report can be downloaded [here](#).

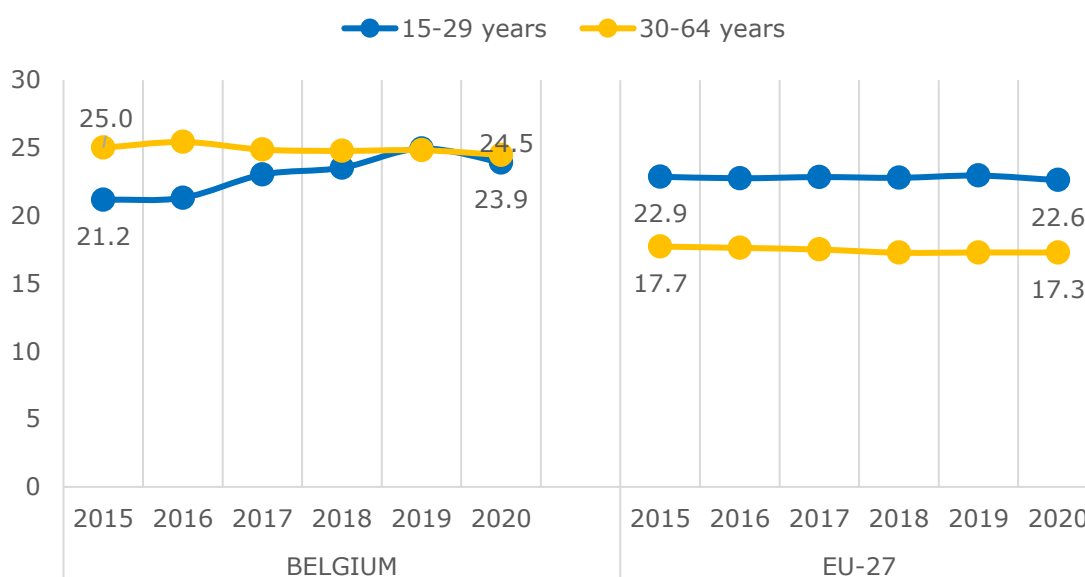
Table 1b: Main activity status of people aged 15-29 and 30-64 (2015-2020, EU-27 and Belgium, ratios 15-29/30-64)

	BELGIUM						EU-27					
	2015	2016	2017	2018	2019	2020	2015	2016	2017	2018	2019	2020
EMPLOYMENT RATE*	0.59	0.59	0.58	0.60	0.62	0.58	0.63	0.63	0.64	0.64	0.64	0.62
Paid employment**	1.08	1.09	1.08	1.07	1.07	1.07	1.11	1.11	1.10	1.10	1.10	1.10
Self-employment**	0.49	0.45	0.47	0.51	0.53	0.57	0.36	0.36	0.36	0.36	0.36	0.38
Contributing family work**	1.01	0.90	1.20	1.48	1.27	1.25	1.21	1.20	1.21	1.24	1.24	1.20
UNEMPLOYMENT***	2.31	2.27	2.41	2.27	2.28	2.42	2.04	2.06	2.06	2.09	2.10	2.29
INACTIVITY****	2.02	2.08	2.13	2.16	2.11	2.23	2.07	2.11	2.16	2.20	2.24	2.29

Notes: To obtain the ratio of 15-29 to 30-64, the 15-29 percentage is divided by the 30-64 percentage: a value below (above) 1 in a given activity status therefore means that 15-29-year-olds are proportionally less (more) numerous in that activity status than 30-64-year-olds. See also Notes to Table 1a above.

Reading note: In 2020, in Belgium, 42.7% of people aged between 15 and 29 were in employment compared to 73.2% of those aged 30-64 (see Table 1a) – i.e. a 15-29:30-64 ratio of 0.58. In the EU-27 as a whole (see table 1a), these figures were 46.1 and 74.9% respectively (ratio 0.62).

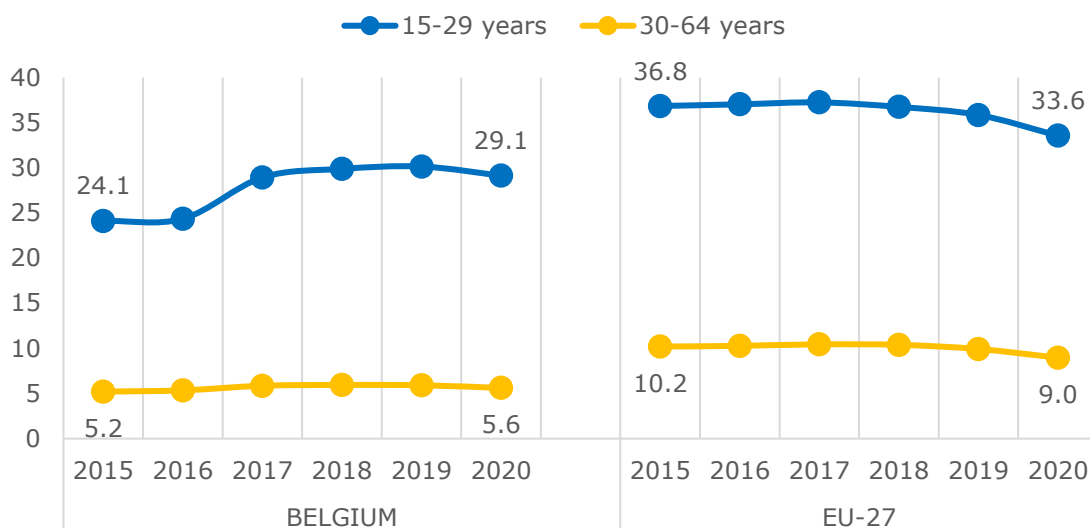
Source: See Table 1a.

Figure 1: Part-time employment as a share of the population in employment - comparison of the 15-29 and 30-64 age groups (2015-2020, EU-27 and Belgium, %)

Reading note: In 2020, in Belgium, the share of part-time employment in total employment was 23.9% for the 15-29 age group and 24.5% for the 30-64 age group. For the EU-27 as a whole, these shares were 22.6% and 17.3%, respectively.

Source: Eurostat, ESPN Network Core Team calculations based on Eurostat LFS indicator [lfsa_epgn62]. Data downloaded on 24 May 2021.

Figure 2: Temporary employment as a share of population in paid employment - comparison of the 15-29 and 30-64 age groups (2015-2020, EU-27 and Belgium, %)

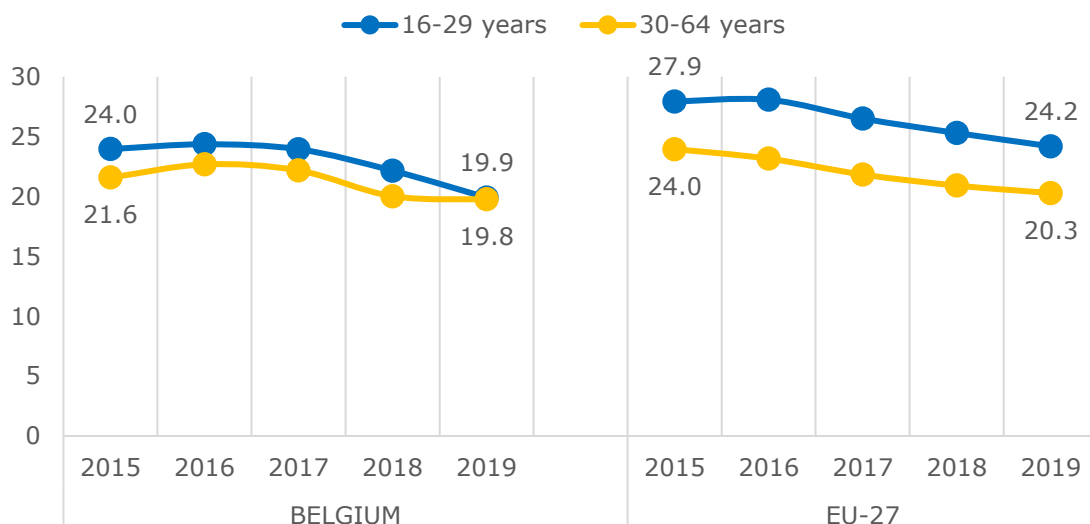


Reading note: In 2020, in Belgium, the share of temporary workers among employees was 29.1% for the 15-29 age group and 5.6% for the 30-64 age group. For the EU-27 as a whole, these shares were 33.6% and 9.0%, respectively.

Source: Eurostat, ESPN Network Core Team calculations based on Eurostat LFS indicators [lfsa_epgn62] and [lfsa_egaps]. Data downloaded on 24 May 2021.

1.2 Young people (aged 15–29) at risk of poverty or social exclusion

Figure 3: People at risk of poverty or social exclusion - comparison of the 16-29 and 30-64 age groups (2015-2020, EU-27 and Belgium, %)

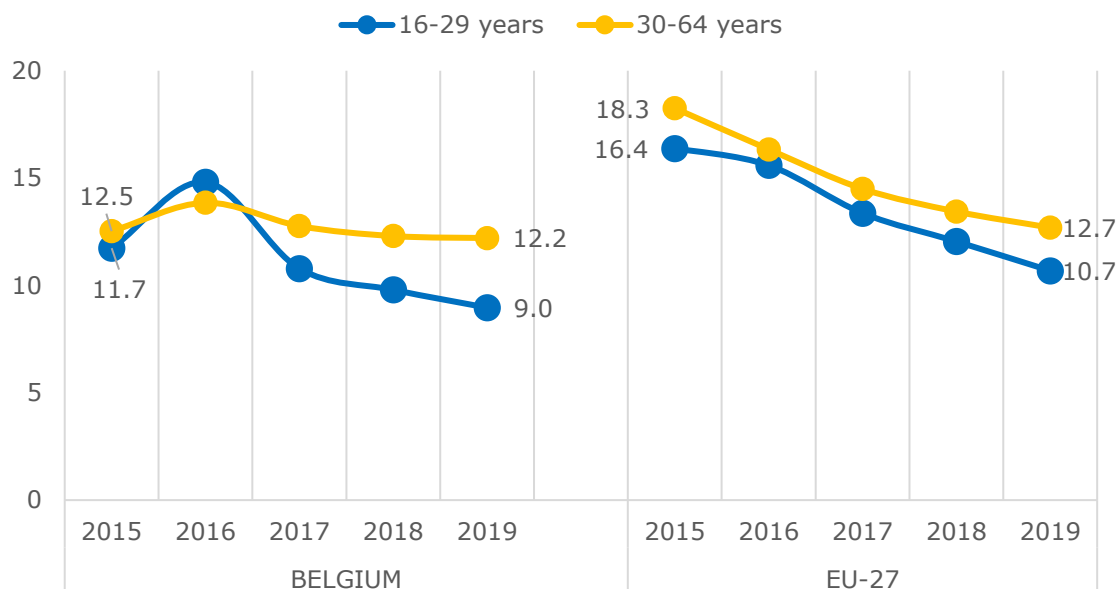


Reading note: In 2019, in Belgium, 19.9% of the 16-29 age group were at risk of poverty or social exclusion (i.e. they were living in a household that was at risk of poverty and/or severely materially and socially deprived and/or (quasi-)jobless according to the EU definition of these indicators) compared to 19.8% of the 30-64 age group. For the EU-27 as a whole, these figures were 24.2% and 20.3%, respectively.

Source: Eurostat, EU-SILC ad hoc extraction - indicator [ilc_peps02]. Data downloaded on 24 May 2021.

1.3 Young people (aged 15–29) materially and socially deprived

Figure 4: People materially and socially deprived - comparison of the 16-29 and 30-64 age groups (2015-2020, EU-27 and Belgium, %)

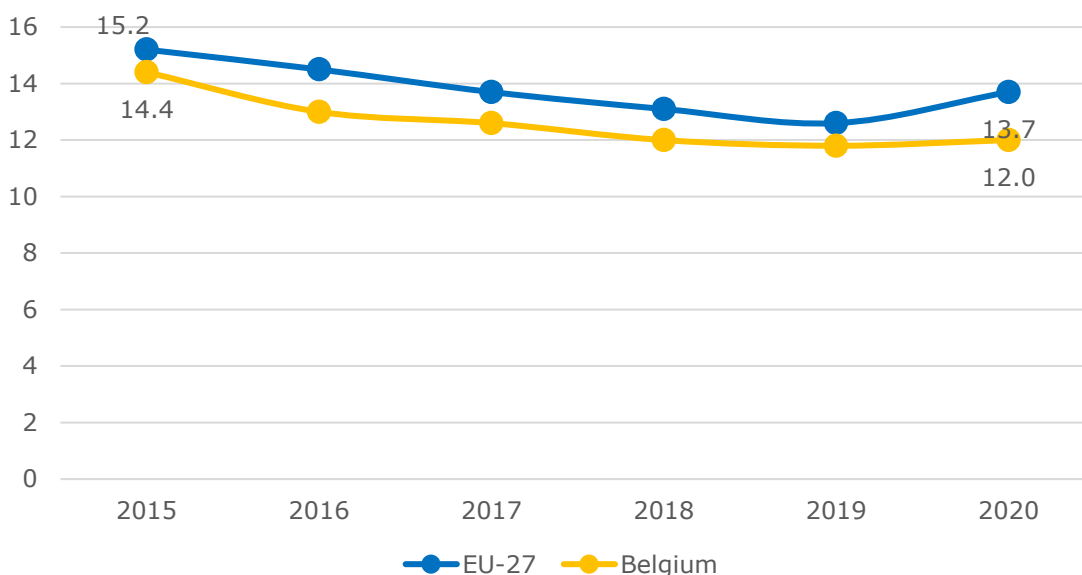


Reading note: In 2019, in Belgium, 9.0% of the 16-29 age group were materially and socially deprived (according to the EU definition of this indicator) compared to 12.2% of the 30-64 age group. For the EU-27 as a whole, these figures were 10.7% and 12.7%, respectively.

Source: Eurostat, EU-SILC ad hoc extraction - indicator [ilc_mdsd]. Data downloaded on 24 May 2021.

1.4 Young people (aged 15–29) neither in employment nor in education or training (NEETs)

Figure 5: People aged 15-29 neither in employment nor in education or training (NEETs) (2015-2020, EU-27 and Belgium, %)

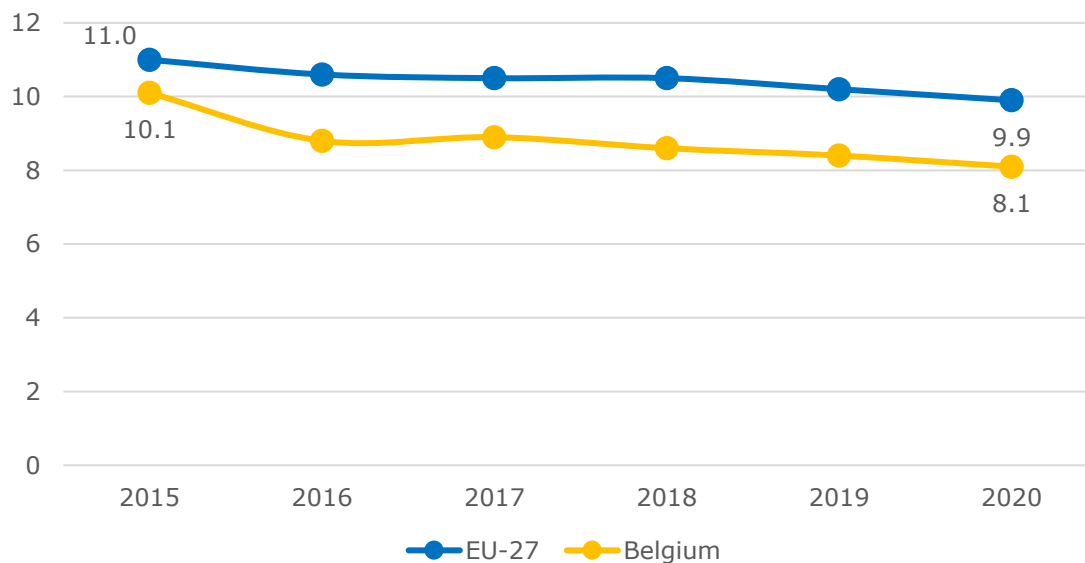


Reading note: In 2020, in Belgium, 12.0% of the 15-29 age group were neither in employment nor in education or training (NEET) compared to 13.7 for the EU-27 as a whole.

Source: Eurostat, LFS - indicator [lfse_20]. Data downloaded on 24 May 2021.

1.5 Early leavers (aged 18–24) from education and training

Figure 6: Early leavers from education and training for the 18-24 age group (2015-2020, EU-27 and Belgium, %)

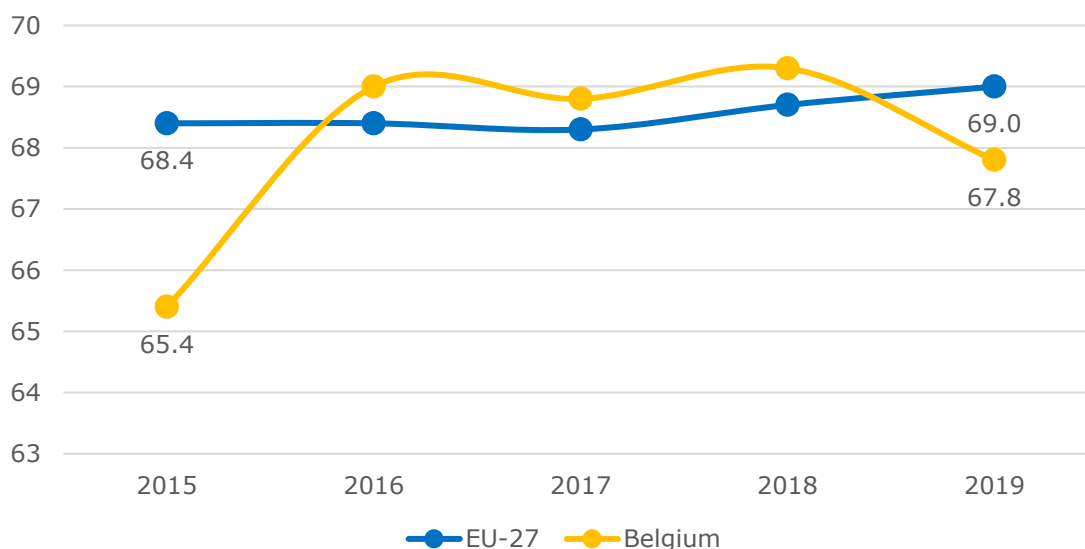


Reading note: In 2020, in Belgium, 8.1% of the 18-24 age group were early leavers from education and training – i.e. they had completed, at most, lower secondary education and were not in further education or training. For the EU-27 as a whole, this figure was 9.9%.

Source: Eurostat, LFS - indicator [edat_lfse_14]. Data downloaded on 24 May 2021.

1.6 Young people (aged 16–29) living with their parents

Figure 7: Young people aged 16-29 living with their parents (2015-2019, EU-27 and Belgium, %)



Reading note: In 2019, in Belgium, 67.8% of the 16-29 age group were living with their parents, compared to 69.0% for the EU-27 as a whole.

Source: EU-SILC - indicator [ilc_lvps08]. Data downloaded on 24 May 2021.

2 Access to unemployment benefits

2.1 Contributory unemployment benefits²

Belgium has a compulsory unemployment insurance scheme (*assurance chômage – werkloosheidsverzekering*) that is mainly financed by contributions from employers and employees, covering employees with earnings-related or lump-sum benefits and with amounts depending on the family situation. There are no special unemployment assistance schemes.

2.1.1 Eligibility conditions and benefit entitlements

The main eligibility conditions and benefit entitlements that apply to the scheme in Belgium as far as young people are concerned are the following.

a) Age

Unemployment benefits can be accessed by people aged 18-65. The contributory history requirements differ between age groups.

b) Activity status requirement

To be eligible for unemployment benefits, people have to be involuntarily unemployed after a period of full-time work as an employee (or part-time work equal to at least a third of full-time) and no longer entitled to payment of remuneration (or with limited income from a subordinate or casual activity). They have to be fit for work, registered as job-seeker, available for the labour market and actively seeking work.

The unemployment benefit system is also accessible for employees who worked in part-time jobs, on fixed-term contracts and in temporary agency work, provided they fulfil the required qualification period.

Self-employed people do not have access to the unemployment scheme; they have a separate system of so-called bridging rights. These flat-rate benefits – with different amounts for self-employed people with or without dependants – can be granted for a number of months, depending on the duration of their career and the contributions paid (up to 12 months and even 24 months if contributions were paid for more than 60 quarters) in case of insolvency, collective debt arrangement, forced termination of activities for reasons beyond the will of the self-employed person, and cessation of activities due to economic problems.

Platform work, paid voluntary work and community work do not create rights to unemployment benefits.

Young people working under a student contract, and doctors in training, do not have access to unemployment benefits. Young people on traineeships or apprenticeships (equated with employees for the purposes of social security law³) who do not fulfil the eligibility conditions related to actual working days in the qualifying period, can apply for special schemes for young people in training (see below).

c) Contributory history required to access the scheme

Applicants have to prove a certain number of working days in a reference period, which varies between age categories, prior to making an application for unemployment benefits.

² <https://www.rva.be/nl/burgers/werkloosheid/volledige-werkloosheid>

³ [Administratieve instructies / 2021-2 > De personen > Specifieke gevallen > De leerlingen – alternerend leren \(socialsecurity.be\)](#).

For people under 36 this is:

- 312 working days during 21 months;
- 468 working days during 33 months; or
- 624 working days during 42 months.

Young unemployed people who do not fulfil these conditions may be eligible if they can prove the number of working days in a reference period that are required for other age categories. For people over 36, the number of working days and the reference period can be longer (e.g. calculated over 10 years previous to the 33 months). In practice, because of the length of the required reference period, this rule mostly cannot be applied to young people.

The reference period can be extended by periods of (for example) inactivity or reduced working time while raising children, career interruptions, work not subject to social protection, or training periods.

Working days are the days for which social security contributions are paid on the basis of wages of at least the official minimum wage. Certain periods of absence from work (including maternity, annual leave, and strike days) are counted as periods of work. 78 days per trimester are considered as full-time employment.

d) Waiting period

No waiting period required.

e) Replacement rate / benefit level

All full-time unemployed people, *independent of their age*, receive 65% of their capped last salary during the first three months of unemployment. During the nine subsequent months, they receive 60% of their capped last salary.

This first one-year period is followed by a second period of two months per year of past salaried work. This second period lasts up to 36 months and is divided into five phases.

During the first phase of up to 12 months:

- co-habitants with dependants receive 60% of the last salary earned (between an upper and a lower ceiling);
- single people receive 55% of the last salary earned; and
- co-habitants without dependants receive 40% of the last salary earned.

During the next four phases of the second period, up to 24 months altogether, the benefits are reduced in four stages.

Wages are capped at different levels, according to the unemployment period and the family situation of the unemployed person (not according to age).

During the third period, after a maximum of 48 months of unemployment, the full-time unemployed person receives a flat-rate benefit: €51.62 per day for co-habitants with dependants, €42.99 for single people and €22.02 for co-habitants without dependants.

f) Duration

The duration of benefits is unlimited, *independent of age*.

2.1.2 Gaps/obstacles in access for young people

The main gaps and obstacles in access for young people identified for this scheme in Belgium are the following.

a) Main gaps in access for young people

Because of the age requirements of the scheme, young people under 18 cannot access the unemployment benefit system. Young people working under a student contract have no rights to unemployment benefits. Many traineeships do not have real status under labour and social security law, and do not create rights to unemployment benefits for young trainees on these schemes.

b) Main obstacles in access for young people

Young people are over-represented on fixed-term contracts (29.1% for young people aged 15-29, against only 5.6% for people aged 30-64; see Section 1) and temporary agency work (young people up to 25 take 30.9% of all temporary agency work; for those up to 30 it is as high as 49.6%⁴). They often take jobs in the platform economy that have no clear status in labour law and do not give access to the social security system⁵. They have interrupted work careers that do not allow them to meet the contributory requirements to access unemployment benefits. Although many of them have contributed to the unemployment scheme, these young people fall back on professional integration unemployment benefits, on the basis of their studies, which are considerably less generous and also limited in time (see below under Section 2.2.1).

2.2 Unemployment scheme specifically targeted at young people

2.2.1 Professional integration benefits for school-leavers⁶

2.2.1.1 Eligibility conditions and benefit entitlements

a) Age

Young people under 25 who are no longer in compulsory education (i.e. 18 and over, or until 30 June of the year they become 18), and who have finished their studies, can get access to professional integration benefits under certain conditions.

Vulnerable young people aged 18-30, very remote from the labour market, who (in application of Royal Decree 499) are employed by associations that are officially accredited to accompany them to improve their professional capacities, cannot claim unemployment or professional integration benefits after their employment, if the remuneration for the activity is less than a third of the guaranteed minimum income (which is mostly the case)⁷.

b) Activity status requirements

Young people who are economically inactive.

c) Contributory history required to access the scheme

No contributory history required. To be eligible, young unemployed people must have finished secondary education (this means finishing the entire school year of a list of "right-giving" studies, even without a certificate or diploma) or alternate learning (training that consists of a theoretical education in school or training centre of at least 150 or 240 hours and practical training in a company of at least 20 hours/week). Young people under 21 not only have to prove they have finished this education, but also provide a study certificate or diploma.

d) Waiting period

Before receiving the professional integration benefit, they must follow a 310-day professional integration programme, during which they must show they have taken

⁴ [2105042-FEDERGON-Jaarverslag 2020 220x130_NL_Spreads.indd](#).

⁵ [Future of Work - online version 2.pdf \(youthforum.org\)](#), pp. 29-35.

⁶ <https://www.rva.be/nl/burgers/werkloosheid/beroepsinschakelingstijd>; T35 | Documentatie | RVA.

⁷ [Administratieve instructies / 2021-2 > De personen > Specifieke gevallen > KB 499 Kansarme jongeren \(socialsecurity.be\)](#).

concrete steps to find a job. This can be done by proving a period of work as an employee, self-employed or student worker, as a trainee or in professional training, or by demonstrating efforts to find a job through two positive evaluations of active job-searching.

After this qualification stage, the application for benefits must be filed before the young person turns 25. The age limit of 25 can be extended for young people who were employed or self-employed, or who faced "force majeure" preventing them ending their professional integration period.

e) Replacement rate / benefit level

Benefits are flat-rate, with different amounts depending on family situation and age.

Co-habitants with dependants: €1,322.35/month.

Co-habitants without dependants (household with only replacement incomes): under 18, €337.22/month; 18 and over, €514.84/month.

Co-habitants without dependants (others): under 18, €306.80; 18 and over, €489.32.

Single people: under 18, €369.20; aged 18-20, €580.06; 21 and over, €984.88.

f) Duration

The professional integration benefit is awarded for a period of up to 36 months (called the credit period), which can be extended under certain conditions (periods of employment, self-employment or professional training). Young people who have exhausted their credit period but are qualified as very remote from the labour market, can receive protection benefits, equal to professional integration benefits, during two extra years. They have to remain available for job and training offers adapted to their capacities, and for support measures designed to accompany them to the labour market.

2.2.1.1 Main gaps and obstacles in access for young people

Since the reform of the unemployment systems for young school-leavers in 2012, access to unemployment benefits for young people who have finished their studies has become considerably more restrictive. The age limit has been set at 25 (30 previously). The level of benefits is much lower than those of the minimum unemployment benefits, except for single young people. The conditions regarding availability for the labour market are stricter than under the regular unemployment scheme: after three months of unemployment, young people have to accept any job offer within four hours or 60 km travelling distance. The qualification period, called the professional integration programme, has been extended to a period that is considered by the ILO (Recommendation 176⁸) as unacceptably long. The accompanying trajectories envisaged in the law are not always available for all young unemployed people. Young people often work part time or on short-term contracts (see Section 1), through which they do not acquire sufficient working days to qualify for unemployment benefits after the professional integration period. In 2015, as result of the reform, 18,000 young unemployed school-leavers, especially those who were most remote from the labour market, lost their unemployment benefit: their only options were to apply for (means-tested) minimum-income benefits when they were of legal age, or remain without income.

The Belgian Court of Cassation ruled that the limited duration of integration benefits, which replaced the so-called waiting benefits (unlimited in duration), could be considered as a breach of the standstill principle contained in Article 23 of the Belgian constitution⁹. In their recommendations for the Belgian action plan to implement the Council Recommendation on access to social protection for employees and self-employed people, legal experts

⁸ [Recommendation R176 – Employment Promotion and Protection against Unemployment Recommendation, 1988 \(No 176\) \(ilo.org\)](https://www.ilo.org/public/libdoc/iloorg/1988/1988_176.pdf).

⁹ Court of Cassation, ruling 5 March 2018, S.16.0033.R.

advised the Belgian government to abolish the qualification period for access to the benefits, or at least reduce it to a maximum of 156 days.

2.2.2 Start bonus and bridging unemployment benefits for young people in dual learning

2.2.2.1 Eligibility conditions and benefit entitlements

a) Age

Young people aged from 15 (provided they have finished two years of secondary school) or 16-25 after the period of full-time compulsory education, can opt for dual learning, combining part-time education in school with an apprenticeship in a company.

b) Activity status requirements

Economically inactive.

c) Contributory history required to access the scheme

None.

d) Waiting period

None.

e) Replacement rate / benefit level

Young people in dual learning receive an apprenticeship fee (not considered as a wage) for the hours worked. Employers pay social contributions only for annual holidays, occupational diseases and incapacity for work. During three years, to encourage them to complete their education, young apprentices can also receive a so-called start bonus, provided they successfully finish school. This fee (€500 after the first and second year; €750 after the third year) is considered neither as wage nor as a social protection benefit. When they are temporarily unemployed, they can access so-called bridging unemployment benefits (comparable to professional unemployment benefits) without having to fulfil the qualifying period that is required to access temporary unemployment benefits in the regular unemployment benefit scheme.

Benefits are flat-rate, with different amounts depending on family situation and age.

- Co-habitants with dependants: €1,322.35/month.
- Co-habitants without dependants (only replacement incomes): €337.22/month.
- Co-habitants without dependants (others): €306.80.
- Single people: €369.20

f) Duration

As long as the temporary unemployment period lasts.

2.2.2.2 Gaps/obstacles in access for young people

Young people in dual learning schemes face a serious gap in their social protection status: the work experience in companies is not seen as work under a labour contract, and gives only limited social rights. The National Labour Council recommends that dual learning schemes should guarantee a floor of labour and social protection rights¹⁰. Young people who cannot find an apprenticeship place in a company do not have access to an income from unemployment benefits. The fact that young people in poverty are over-represented in dual learning during compulsory education, and the serious lack of apprenticeship places,

¹⁰ Nationale Arbeidsraad en Centrale Raad voor het Bedrijfsleven. 2011. Maatregelen ter bevordering van de inschakeling van recente schoolverlaters op de arbeidsmarkt – Opmenging van advies nr. 1.702 – Alternerend leren. Advies nr. 1770 – CRB 2011-0585 DEF.

creates situations of extreme vulnerability, since they can neither acquire work experience that increases their chances of finding a job nor receive social security benefits (Verhaest et al., 2018; Vlaamse Onderwijsraad, 2019; Termote & Galand, 2012).

3 ACCESS TO SICKNESS AND HEALTHCARE BENEFITS¹¹

Sickness benefits and healthcare benefits in Belgium are based on a compulsory social insurance scheme mainly financed by contributions for the active population (employees and self-employed people).

3.1 Sickness benefits

This section deals with continued payment of employees' wages by employers during a limited period (guaranteed salary), and with income-related benefits paid by the mutual insurance fund. For the self-employed, flat-rate benefits partially compensate for income lost in case of sickness.

3.1.1 Eligibility conditions and benefit entitlements

The main eligibility conditions and benefit entitlements that apply to the scheme in Belgium as far as young people are concerned are the following.

a) Age

No age requirements.

b) Activity status requirement

To be eligible for sickness benefits, people have to be in employment (including part-time work, fixed-term contracts, or temporary agency work) or unemployed. Self-employed people have their own scheme. Access to sickness benefits is not available to: young helpers to self-employed people; young people with student contracts; young trainees in dual learning; and vulnerable young people employed by accredited associations. Until an agreement was reached in May 2021, doctors in training also did not have access to sickness benefits.

c) Contributory history required to access the scheme

For people in full-time employment and for unemployed people, the requirement is to have done 180 days of actual work in a qualifying period of 12 months. For part-time workers it is 800 hours in the previous 12 months. There has to be proof of payment of social security contributions.

Self-employed people have to prove six months of contributions before qualifying for sickness benefits.

There are no differences according to age groups.

d) Waiting period

The "karenz period" to access sickness benefits was abolished for employees in 2014, and for self-employed people in 2019.

e) Replacement rate / benefit level

During the first month of incapacity for work due to sickness, employees have a guaranteed right to their salary from employers, calculated differently for blue-collar and white-collar workers. The latter have to be employed in "regular" contracts for an indefinite period or on fixed-term contracts for at least three months. White-collar workers on contracts for

¹¹ <https://www.riziv.fgov.be/nl/themas/arbeidsongeschiktheid/Paginas/default.aspx>

less than three months, and blue-collar workers, receive a guaranteed salary provided they continuously worked for the same employer for one month.

For white-collar workers the wage is guaranteed at 100% for one month. Blue-collar workers receive 100% during the first seven days, 85.88% for the next seven days and 25.88% of the capped gross wage ceiling established by the sickness insurance scheme plus 85.88% of the remuneration above this ceiling for days 15-30.

After this period, all employees receive sickness benefits from the health insurance system.

During the first six months of so-called primary incapacity for work, employees receive 60% of their gross daily wage (capped at €147). The maximum benefit is €88.19 gross per day.

From the seventh month, people on "regular" contracts receive flat-rate sickness benefits: for co-habitants with dependants, €62.08 per day; for single people, €49.68 per day; for co-habitants, €42.60 per day. For workers on irregular contracts, the flat-rate benefits are €49.84 per day for co-habitants with dependants, and €36.88 for co-habitants without dependants.

Unemployed people receive sickness benefits at the same level as their unemployment benefits during the first six months, except if these are higher than the sickness benefit calculated at 60% of their last (capped) wage.

The self-employed receive flat-rate sickness benefits: €62.08 per day for co-habitants with dependants, €49.68 for single people and €38.10 for co-habitants.

There are no differences according to age groups.

f) Duration

The period of primary incapacity for work is one year. After this period, people move on to the invalidity scheme.

3.1.2 Gaps/obstacles in access for young people

The main gaps and obstacles in access for young people identified for this scheme in Belgium are the following.

a) Main gaps in access for young people

Access to sickness benefits is not available to: young helpers to self-employed people; young people with student contracts; young trainees in dual learning; and vulnerable young people employed by accredited associations (KB 499). Until recently, doctors in training were also not covered by the scheme: this problem was solved when an agreement was reached in May 2021.

b) Main obstacles in access for young people

The legal experts (Van Limbergen et al., 2020) who advise the federal government on the national plan on access to social protection for employees and the self-employed, are of the opinion that the qualification period (800 hours in 12 months) to access sickness benefits for people working part time is unjustifiably long compared with that for full-time workers. Young people doing part-time jobs with a reduced number of working hours cannot qualify for sickness benefits.

3.2 Healthcare benefits¹²

In this section, the focus is on the general rules related to the reimbursement of healthcare costs that apply to young people.

¹² [Geneeskundige verzorging: kosten en terugbetaling – RIZIV \(fgov.be\)](https://www.riziv.fgov.be/nl/geneeskundige-verzorging-kosten-en-terugbetaling).

3.2.1 Eligibility conditions and benefit entitlements

The Belgian health system is based on the principles of equal access and freedom of choice, with a compulsory national health insurance system that covers the entire population and has a very broad benefits package. Compulsory health insurance is combined with a private system of healthcare delivery, based on independent medical practice, free choice of service provider and predominantly fee-for-service payment. The reimbursement of services provided depends on the employment situation of the patient, the type of service provided, the statute of the socially insured person, and the accumulated amount of user charges already paid.

a) Age

No age requirements. Young people under the legal age are insured via their parents.

b) Activity status requirements

No activity status requirements. Employees (including those in atypical forms of work) and the self-employed are covered, even in periods of labour incapacity, notice, unemployment, pension or maternal leave. Doctors in training and young people in training with a labour contract are covered. However, there are a few exceptions to the general rule that people are insured through their employment: (i) people in occasional or very short-term work are not covered; and (ii) the following are not covered by the health insurance on the basis of their activity, but as dependants in their family, or as residents officially registered in Belgium: vulnerable young people working in associations (KB 499), young people in dual learning during compulsory education, young people on student contracts, students working as self-employed who pay reduced rates of contributions or are exempt from contributions, and young helpers (including students) to self-employed people.

c) Contributory history required to access the scheme

No requirement related to the period of insurance. However, people have to join the health insurance scheme and pay contributions.

d) Waiting period

No waiting period required.

e) Replacement rate / benefit level

The health insurance system reimburses health costs incurred, except for the personal share of the insured. On average, insured people receive reimbursement at around 80% of the health costs. For low-income people (less than €19,277.56 gross income per year), who fall under the system of increased reimbursement, reimbursement is on average around 90%. In addition, there is a so-called maximum bill – a total annual expenditure for healthcare costs, different for income groups, above which insured people will see their healthcare costs fully reimbursed. For young people under 19 this ceiling is €689.78, irrespective of their income. For young people aged 0-17, costs for dental care are fully reimbursed. Certain groups of insured people (beneficiaries of increased reimbursement and people with a chronic sickness) can benefit from the third-party payment system when they visit or consult with a general practitioner. For people receiving increased reimbursement, third-party payment is mandatory for certain costs (general practitioners, hospital care and pharmacy).

f) Duration

No limit to reimbursement period.

3.2.2 Gaps/obstacles in access for young people

The main gaps and obstacles in access for young people identified for this scheme in Belgium are the following.

a) Main gaps in access for young people

Access to healthcare benefits, on the basis of their activity, is not available to: young helpers (including student helpers) to self-employed people; young people with student contracts; self-employed students who pay low rates of contributions or are exempt; young trainees in dual learning; and vulnerable young people employed by accredited associations. They can receive healthcare benefits if they join a health insurance fund and pay personal contributions, or are insured as dependants of their family. People performing occasional work or who are employed in the so-called share economy are not seen as employees and therefore not covered on the basis of their activity.

b) Main obstacles in access for young people

The legal experts who assist the government (Van Limbergen et al., 2020) on its national plan on access to social protection, have advised the government to also make healthcare insurance compulsory for the categories of young people quoted above, to avoid situations where young people who are working depend on their families for reimbursement of their healthcare costs or have to pay personal contributions.

4 ACCESS TO MATERNITY, PATERNITY AND PARENTAL CASH BENEFITS^{13/14}

Maternity and paternity benefits are social benefits that are part of the compulsory social insurance scheme, mainly financed by contributions, covering the active population (employees and self-employed people) and providing earnings-related benefits to employees and lump-sum benefits to self-employed people. Parental leave benefits do not form part of social security, but are social benefits that allow employees to interrupt their employment for a certain period to care for their children, between birth and age 12, as a measure to reconcile work and family life. Time credit, a leave scheme based on a collective agreement, also provides benefits for employees who (partially) interrupt their career for certain reasons, including to take care of children.

4.1 Eligibility conditions and benefit entitlements

The main eligibility conditions and benefit entitlements that apply to the scheme in Belgium as far as young people are concerned are the following.

a) Age

No age requirements for cash benefits related to maternity, paternity, adoption, foster parent leave, parental leave or time credit.

b) Activity status requirement

To be eligible for cash benefits related to maternity, paternity, adoption and foster parent leave, claimants must work as employees (full time or part time) under any type of labour contract, including fixed-term and agency work, or as self-employed. Cash benefits related to maternity leave can also be granted to unemployed people who fulfil the qualification conditions under c) below.

Cash benefits related to parental leave and time credit to take care of children are only open to employees.

Access to maternity, paternity and parental leave cash benefits is not available to: young helpers to self-employed people; young people with student contracts; young trainees in dual learning; and vulnerable young people employed by accredited associations.

¹³ <https://www.riziv.fgov.be/nl/themas/zwangerschap-geboorte/Paginas/default.aspx>

¹⁴ <https://werk.belgie.be/nl/themas/feestdagen-en-verloven/ouderschapsverlof>

Activity status requirements do not differ according to age.

c) Contributory history required to access the scheme

To be eligible for cash benefits related to maternity leave, employees and unemployed people need to have worked for 120 days during a qualifying period of six months before the leave. For part-time employees this is 400 hours per week during six months. For paternity, adoption and foster parent leave, no contributory history is required.

To be eligible for cash benefits related to parental leave, employees must have been in employment for 12 months out of the 15 months before the application. For time credit, employees must have been in employment for two years with the same employer.

There are no differences in contributory history according to age.

d) Waiting period

No waiting period.

e) Replacement rate / benefit level

Maternity leave cash benefits for employees are: during the first month, 82% of the wage (capped at €147/day); and the remaining weeks at 75% of the capped wage.

Maternity leave cash benefits for self-employed people are: a flat-rate benefit of €499.54/week for full-time leave, and €249.77 for part-time leave.

Paternity leave cash benefits for employees are: three days of the guaranteed wage, paid by the employer; and the following days at benefits of 82% of the wage (capped at €147).

Adoption and foster parent leave cash benefits for employees (full-time and part-time) are: three days at 100% of the wage paid by the employer; and the following days at benefits of 82% of capped wages. Self-employed people can receive a flat-rate benefit of €499.54 weekly.

Parental leave opens a right to flat-rate benefits: €851.59/month for full-time leave, €425.79 for part-time leave, €144.45 for 1/5 leave and €72.22 for 1/10 leave. A higher benefit is provided for single parents: €1,400.01 for full-time leave.

During time credit, employees can receive flat-rate benefits of €520.65 if they have seniority of less than five years, and €607.43 for five years or more of seniority.

There are no differences in the benefits according to age.

f) Duration

Maternity leave cash benefits for employees are for 15 weeks.

Maternity leave cash benefits for self-employed people are three weeks for compulsory leave, plus nine optional additional weeks.

Paternity leave cash benefits for employees are: 10 days for children born before 1 January 2021, 15 days as from 1 January 2021 and 20 days as from 1 January 2023.

Adoption and foster parent leave cash benefits for employees and self-employed people are: six weeks (eventually extended with two weeks); and 12 weeks for children with disabilities.

Parental leave cash benefits can be requested for a maximum of four months, and a maximum of eight months part time, 20 months for 1/5 leave and 40 months for 1/10 leave.

There are no differences in duration according to age.

4.2 Gaps/obstacles in access for young people

The main gaps and obstacles in access for young people identified for this scheme in Belgium are the following.

a) Main gaps in access for young people

None of the schemes has age requirements, but many categories of young people do not have access to maternity, paternity and parental leave cash benefit schemes. This is the case for young helpers to self-employed people, young people with student contracts, young trainees in dual learning and vulnerable young people employed by accredited associations (KB 499). Until recently, doctors in training did not have access to maternity or paternity leave cash benefits: in May 2021, an agreement was reached with the association representing doctors in training which extends the schemes to them¹⁵.

b) Main obstacles in access for young people

For most leave cash benefit schemes, there are no significant obstacles in access for young people who qualify for the schemes. For time credit, and to a lesser extent parental leave cash benefit schemes, the seniority requirements are such that they are difficult to access for young people.

5 GUARANTEED MINIMUM INCOME SCHEMES¹⁶

The guaranteed minimum income in Belgium forms part of the right to social integration through a job or an integration income (*revenu d'intégration/leefloon*), whether or not coupled to an integration project. The (means-tested) integration income must ensure a minimum income to people without sufficient resources and unable to procure them by personal effort or other means. Benefits are established at federal level but granted locally by the public centres for social work (PCSWs).

5.1 Eligibility conditions and benefit entitlements

The main eligibility conditions and benefit entitlements that apply to the scheme in Belgium as far as young people are concerned are the following.

a) Age

The minimum-income scheme in Belgium, called integration income and falling under the "right to social integration", can be accessed from age 18 (civil majority), with three exceptions: minors emancipated by marriage, single people looking after (a) child(ren), and pregnant minors. There is no maximum age limit. Young people under 18 may apply for individual social support, for which there is no legal age requirement.

b) Activity status requirement

People without sufficient resources, and unable to procure them by personal effort or other means, may apply. This may be people who are economically inactive, in apprenticeship or training, in employment (full-time or part-time, fixed-term contracts, agency work or self-employment) or unemployed but with an income below the level of the minimum income.

c) Other eligibility conditions

There are residence and nationality requirements, entitlement to other benefits has to be exhausted, maintenance claims must be met, and means are tested at the level of the household (including those of dependants, but with some exceptions); but there is no difference in respect of young people.

Claimants must demonstrate their willingness to work unless this is impossible for health or equity reasons. PCSWs may propose a job, or agree on professional training or accompanying measures.

¹⁵ [Microsoft Word – Advies NPCGZ ASO NL.docx \(zorgneticuro.be\)](#).

¹⁶ <https://www.mi-is.be/nl/recht-op-maatschappelijke-integratie>

Beneficiaries under 25 are entitled to social integration as a priority through employment within three months of the claim.

The individual social integration plan (*projet individualisé d'intégration sociale*, PIIS¹⁷) is compulsory (unless there are health or fairness reasons) for people under 25 where the granting of the right to social integration is subject to continuing studies or concerns a path of professional integration with the long-term aim of an employment contract, or where the person concerned has not claimed the right to social integration in the previous three months.

For people aged 25 and over, the PIIS is compulsory only if they have not claimed the right to social integration in the previous three months. It is always possible to draw up an optional PIIS.

If people breach, without valid reason, the PIIS they have signed, the payment of their integration income can, after formal notice, be wholly or partially suspended for one month (three months in the case of a second violation within one year).

d) Benefit level

Co-habiting people, €656.45 per month; single people, €984.68 per month; co-habitants with dependent family members, €1,330.74.

In the coming three years, an extra increase of 2.6875% is planned, but the benefits will still be below the at-risk-of-poverty (AROP) threshold and will thus remain inadequate. These amounts may be combined with family benefits received for children. There is no difference in benefit levels according to age under the integration income system.

e) Distinctions between different groups of young people

Young people under 18 can apply for minimum-income benefits if they are minors emancipated by marriage, single people looking after (a) child(ren), or pregnant minors.

5.2 Gaps/obstacles in access for young people

The main gaps and obstacles in access for young people identified for this scheme in Belgium are the following.

a) Main gaps in access for young people

Young people under 18 who are not emancipated for one of the exceptional reasons, cannot access integration income. They can only eventually receive individual social support that is not linked to legal age requirements.

b) Main obstacles in access for young people

The AROP rate is higher among young people aged 16-29 than among people aged 30-64 (see Section 1). Guaranteeing young people access to a minimum income that is adequate and lifts people out of poverty is therefore of key importance. The obligation for young people who apply for social integration income to accept an individual PIIS, as a form of "contractualisation" of social assistance, can help young people find their way to the labour market and to participation in society, provided that the plan is adapted to the needs and capacity of the youngsters. However, research (Depauw et al., 2015) shows that social activation is not always sufficiently personalised, especially for the most vulnerable young people. Breaches of the PIIS may lead to suspension of income, which can render their situation even more fragile.

¹⁷ <https://www.mi-is.be/nl/geindividualiseerd-project-voor-maatschappelijke-integratie-gpmi>

6 HOUSING BENEFITS¹⁸

In Belgium, housing benefits are granted by the regions to help people with low income to pay rents in the private housing sector. They are meant to support people who qualify for social housing but cannot access it because of the lack of social housing possibilities, or people who have to leave private housing that is declared uninhabitable.

6.1 Eligibility conditions and benefit entitlements

The main eligibility conditions and benefit entitlements that apply to the scheme in Belgium as far as young people are concerned are the following.

a) Age

Housing benefits in Flanders and Brussels can be granted to all people with very low income, without age limit, and who have been on the waiting list for social housing for a long time, or who have had to move out of a house that has been declared uninhabitable. In Flanders, young people under 25 have to prove that they are able to pay the difference between the rent and the housing benefit. In Wallonia, candidates for housing benefits have to be 18 or independent minors.

b) Activity status requirement

Not applicable.

c) Other eligibility conditions

Flanders: to have been on a waiting list for social housing for a long time (at least four years), or to be living in an uninhabitable house on a low annual income equal to the maximum income level to qualify for social housing (single people, €25,557; co-habitants, €38,335 plus €2,143 per person). Housing benefits can only be applied for in cases where the rent of the dwelling does not exceed certain ceilings.

Brussels: households with income less than the minimum income (see Section 5.1.d).

In Wallonia: living in an uninhabitable house and with a very low income (single people, €14,500; co-habitants, €19,900 plus €2,700 per child).

d) Benefit level

Flanders: depending on income, household size, rent, and location, a maximum of €152.56 plus €25.43 per person. In 2020 the average benefit was €176.86.

Brussels (reforms are planned in 2021 and 2022): for people on the waiting list for social housing, €120-160 plus €20-40 per person (new amounts from the end of 2021); for people moving out of uninhabitable houses, €169.30 plus 10% per person in household (new amounts not public yet).

Wallonia: maximum €100 plus €20 per child.

e) Distinctions between different groups of young people

Not applicable.

6.2 Gaps/obstacles in access for young people

The main gaps and obstacles in access for young people identified for this scheme in Belgium are the following.

a) Main gaps in access for young people

The most serious problem regarding access to housing for young people is the lack of social housing, with more than 200,000 families on waiting lists. Housing benefits would thus be

¹⁸ https://www.belgium.be/nl/huisvesting/huren_en_verhuren

an important instrument to help young people access affordable housing on the private housing market. In reality, housing benefits in Belgium are granted to a very limited number of people, irrespective of age. In Flanders, they cannot be granted to young people under 22, due to the eligibility conditions linked to the benefits. In fact, access to social housing is reserved to people aged 18 or over. Additionally, to qualify for housing benefits, people must have been on the waiting list for more than four years.

b) Main obstacles in access for young people

See above. The number of housing subsidies that are granted¹⁹ is very small.

7 REFORMS, NATIONAL DEBATES AND RECOMMENDATIONS

7.1 Reforms implemented since 2015

During the COVID-19 crisis, the gradual reduction of unemployment benefits has been temporarily suspended for the period of the crisis; equally, the duration of the professional integration benefits for young school-leavers has been extended. People living on minimum-income benefits, irrespective of their age, have received an extra allowance of €50 during the crisis. Recently, a special fund of €24 million was created to enable PCSWs to help young people, beneficiaries of minimum income or not, to pay the costs of rent, transport, ICT and other expenses, after a social analysis of their needs.

In 2018, the unemployment system was reformed: since then, a greater focus on activation has been combined with an accelerated reduction of unemployment benefits over time. This reform was not particularly aimed at young unemployed people, who benefit more often from professional integration benefits.

7.2 National debates

The debate on young people's access to social protection was lively at the time of the reform of the unemployment scheme for school-leavers in 2012, and continued in 2015 when the first unemployed young school-leavers lost their benefits.

Nowadays the debate is more focused on access to social protection for people in non-standard work, where young people are over-represented. In November 2020, a report (Van Limbergen et al., 2020) was published that contains an extensive analysis of the Belgian social security system, tested against the criteria of the EU Recommendation on access to social protection for employees and self-employed people: formal coverage, effective coverage, adequacy and transparency. The report also refers to the gaps in areas of the social security system where the beneficiaries are often young people.

In the National Labour Council, discussions are ongoing on the social protection and the social statute of non-standard work, including platform work. The council consistently rejects the creation of a new labour law regime, different from workers' or self-employed contracts, with fewer rights in labour law and in terms of social protection. The policy declaration of the Minister for Social Affairs of the new federal government states that the federal government will come up with proposals to ensure better protection of platform workers, in terms of both labour law and social protection²⁰.

¹⁹ In 2020, in Flanders, out of 8,953 applications, 3,785 housing benefits were granted; see [jaarverslag 2020 2.pdf \(wonenvlaanderen.be\)](#). In Brussels, 3,700 households currently benefit, but the reforms planned would reach up to 12,800 households in 2021 and 15,000 in 2024 (see Nawal Ben Hamou, Noodplan huisvesting 2020-2024, Staatssecretaris voor huisvesting Brusselse Hoofdstedelijke regering).

²⁰ Belgische Kamer van Volksvertegenwoordigers, Algemene beleidsnota Sociale Zaken, 20 November 2020, Doc 55 1580/003.

7.3 Good practice and recommendations

In line with the recommendations of legal experts (Van Limbergen et al., 2020), all workers who deliver paid work under the authority of a person, even if according to Belgian law this is not considered work as an employee, should fall under the compulsory affiliation to the social protection system for all social risks. This would solve problems for young people who currently only have partial social rights under the social protection system, such as vulnerable young people working for associations, young people in dual learning, doctors in training, and young people in student work.

On the basis of the analysis in this report, the author recommends that the system of professional integration of young school-leavers be reformed, to ensure that young people have access to benefits, by shortening or abolishing the waiting period and by extending the duration of the benefits, in line with the international recommendations on minimum duration of access to benefits. In line with the National Labour Council recommendation, dual learning schemes should guarantee a floor of labour and social protection rights.

To guarantee the adequacy of benefits for young people, who are even more at risk of poverty than people in other age groups, it is recommended that professional integration benefits, as well as minimum benefits for unemployment and labour incapacity, could be increased to reach the 60% of median income threshold.

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