

6 April 2020

Unemployment due to force majeure | Practical questions

The Government recently decided that all employers facing economic difficulties due to the Covid-19 crisis may rely on the regime of temporary unemployment due to force majeure for their employees (See, our previous newsflashes of [10 March](#) and [19 March](#) 2020).

In addition, the regime has been simplified so that the employer only needs to submit an electronic declaration to the authorities and the employees subsequently must fill out their personal details via an online form in order to receive payment of the unemployment benefits.

Under this regime the employees are entitled to (i) unemployment benefits capped at 70% of their normal gross monthly salary (which in turn is capped at EUR 2,754.76 gross), and (ii) a supplement of EUR 5.63 paid by the Belgian authorities per unemployment day.

Many employers have availed themselves of his regime but many practical questions remain, such as:

- Can the employer supplement the unemployment benefits of the employees and are such supplements subject to social security contributions?
- Is the employer legally required to pay the bank holidays which fall within the period of temporary unemployment?
- What if an employee becomes ill during a period of temporary unemployment? Is he entitled to a guaranteed salary during such period of illness?
- Will the simplified regime of temporary unemployment due to force majeure be extended automatically if the lockdown measures of the Government are extended as well?
- Can an employer oblige his employees to take up all their vacation days prior to the application of the regime of temporary unemployment?

VBB would be pleased to assist you with any questions related to the regime of temporary unemployment due to force majeure or any other questions you may have related to the employment law measures that the Government has adopted in the framework of the Covid-19 crisis.

Feel free to reach out to us by clicking on the following link: [Covid19Helpline](#)

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