

SOS

INTERIM WORKERS



20 QUESTIONS
20 ANSWERS



Agency work

An agency worker's (called '*Interimmer*' in Dutch and '*intérimaire*' in French) **situation is different from that of a permanent employee** working for a business or company. As a temporary/agency worker, you are employed by the temporary work agency (called '*interimkantoor*' in Dutch or '*agence d'intérim*' in French). That means your position is slightly different. What do we mean by temporary or agency work? Who pays your wage? Are you entitled to paid public holidays? What sort of consequences does your agency work have for social security? And what happens if you get sick, or when your contract ends?

ACV-CSC works hard for equal rights for everyone at work: man, woman, LGBTQIA+, Belgian, non-Belgian, permanent employee and agency worker. These rights are established in legal texts and collective bargaining agreements. Unfortunately, these rights are not always respected. In addition, agency workers are often not aware enough about their rights.

With this guide, we aim to familiarise you with the sometimes-complex subject of agency work and summarise the most important information into 20 questions and 20 answers.

Piet Van den Bergh and **Eva Van Laere**,
on behalf of Interim United

Do you have a problem, or do you have any questions?

Our ACV-CSC trade union representatives in the company where you work will be happy to help you.

Consult the website of Interim United and reach out to our services using the contact form at

www.interimunited.be or via the QR code you see here.



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1. What is agency work?

Agency work is temporary work. Lending employees to other companies is not normally allowed, but agency work is an exception that is permitted.

However, specific laws and rules apply to agency work.

Agency work is only permitted for four reasons (see question 2) and is normally temporary, but the permitted maximum duration can vary, depending on the reason (see question 2). Before you start working as an agency worker, you need to register with a temporary employment agency. Registration is free. You can register as an applicant temporary worker at different agencies without any problem.

Registration means that the agency will look for suitable work for you. The agency does not work just for you, but also for a user company – the company or organisation that is using agency workers and where you will actually work (called ‘gebruiker’ in Dutch and ‘utlisateur’ in French). On their behalf, the agency looks for the right applicant for the vacancy job. Agency work must comply with the definition of ‘dignified work’. The user company must of course respect labour law.

The agency can offer you a job for a short or a longer duration. Although you are allowed to reject job offers, that can have consequences for your right to unemployment benefits.

Even when you are working as an agency worker at the user company, the agency is still your official employer. However, it is the user company that is allowed to give orders and instructions on the work, and is responsible for your welfare, your health and your safety during the assignment. This specifically means the company has authority over you as an employer and must ensure that you can work in complete safety.



The agency and the user company are not allowed to discriminate based on skin colour, age, disability or beliefs, etc.

*If you would like more information about this, or you think discrimination is happening, contact an ACV-CSC representative in the company where you work or your local ACV-CSC services centre (**adressen.hetacv.be - lacsc.be/contactez-nous**). You can also get in touch using the contact form at **www.interimunited.be**.*

2. When and how long is a company allowed to use agency workers?

Agency work is by definition always temporary and can vary from one day to several months. The interim-work sector usually has weekly contracts. The maximum permitted duration can vary, depending on the reason (see www.interimunited.be).

Agency work is only allowed:

- **To substitute a permanent employee.** The duration of an employment contract depends on when the absent employee returns.
- **To handle a temporary increase in work.** The duration must be agreed with the union representation if there is one. If there is no union representative, the maximum duration is three times six months.
- **Performing exceptional work.** With this reason, a maximum duration for using agency workers is regulated in the collective bargaining agreement (CBA). This is usually six months (with a possible extension).
- **Recruiting staff for the reason of intake.** The duration of the employment contract is a minimum of one week and a maximum of six months. If the agency worker meets the job requirements, he/she must receive a permanent contract after the end of the interim-work period. If not, the agency workers may ask the agency for a written or verbal explanation of the reasons why he/she does not meet the requirements.

The reason must be stated in the employment contract. In the case of increased work with consent from the union representative, this must also be stated in the contract.

Is a permanent job offered to you after the end of your agency work? Fantastic! The seniority as an agency worker also counts when calculating the severance pay (if you are dismissed with a permanent contract). The maximum seniority you can achieve as an agency worker is one year. However, if you resign, this arrangement does not apply!



Agency workers are not permitted to work in companies where a strike is happening! In the event of a strike, the company must inform the temporary work agency. The agency must then call you back immediately and is not allowed to recruit other temporary workers for that company. If the company does not respect this rule, contact the ACV-CSC.

Daily contracts

Daily contracts are only allowed when specific conditions are met. The company must be able to justify the use of daily contracts with figures. In addition, the company is obliged to inform and consult with the works council/ union representation on the use of successive daily contracts. If there is no union representation in the company, it must present this information to the Social Fund for Agency workers.

Successive daily contracts are interim contracts with the same user company with a maximum duration of 24 hours, and that follow each other or, at most, are separated by a public holiday or by a normal day off for the user.

The use of successive daily contracts is regulated in the collective bargaining agreement of July 2013 (CBA 108). The regulation on using successive daily contracts was tightened in 2018 and in 2022. Since 2023, the company where you actually work will have to pay an additional contribution to the NSSO if it employs you for too long using consecutive daily contracts. In addition, the company must be able to demonstrate that the need for daily flexibility is justified.

Successive daily contracts mean insecurity. You never know when you will be working, you're never sure about your income: this is what ACV-CSC wants to end!

Have you been working with daily contracts (successive or otherwise) in the same company for a while? You might now be entitled to a contract with a longer duration. Find out from your ACV-CSC union representative at the company where you work, or from your local ACV-CSC services centre. For ACV-CSC, having contracts for two consecutive days is just as problematic as working consecutive daily contracts. Discuss this with your trade union representative or contact us via www.interimunited.be or the QR code on the right.





Adriana (32)

I work through an agency with daily contracts in shifts. That means: on Thursday or Friday I receive a weekly schedule and on the day I work they send me my contract by email. Recently, I've often received messages at 4 p.m. that my shift at 10 p.m. is cancelled. I contacted the ACV-CSC, because that isn't right, is it? How can I combine life and work that way?



Daily contracts are not allowed in the construction sector! The construction sector imposes additional restrictions, meaning constructions companies cannot use agency workers to substitute temporarily unemployed permanent employees, not even in the case of an interruption (holiday, compensatory time off, etc.). You can find more information at www.interimuned.be.

3. Do I need to sign a contract?

For any employment as an agency worker (or for any assignment), the agency must conclude a written agreement with the agency worker. You can sign your contract in three different ways:

- On paper.
- Electronically with your identity card, card reader and personal PIN code.
- Electronically with a personal code you have set beforehand.

Agencies usually ask for automatic consent to sign electronic contracts in advance, when you first register. However, you are entitled to ask for paper contracts. Usually, you will be offered weekly contracts, regardless of the expected duration of the assignment. However, the temporary employment agency may also offer contracts for two weeks, a month, etc. Discuss this with your temporary employment agency and, if you have the choice, opt for a stable and long-term job with the same employer. You will benefit in every way!

The contract must be signed by both parties (temporary work agency and the agency worker) before or at the latest when you start your assignment.

Agencies are obliged to use the contract template that the unions and the employers created, and which must include the following:

- The name of the joint committee of the user company (the company or organisation where you work).
- The contract type (fixed term, substituting a permanent employee, etc.).
- The reason for using temporary workers. The potential consent from the union representation and the date of this consent.
- The duration of the contract (usually weekly contracts).

- The weekly working hours.
- Depending on the reason for using agency workers: the reason for substituting or statement of the first, second or third attempt to fill the position for the reason of intake.
- The training of the agency worker.
- The location where the agency worker is employed.
- The work schedule.
- The wage and the supplementary benefits.
- The travel expenses.



Note that more and more agencies work with a smartphone app. A promise or a confirmation of work/assignment is not an employment contract. Make sure that you sign an employment contract in addition to the confirmation or promise! Keep track of written evidence as much as possible, e.g. by making screenshots. They may come in handy!

Other documents: employment regulations

As an agency worker, you should receive the following documents:

- The employment regulations of the agency.
- The employment regulations of the company where you will be working.

These also include the rules on health, safety and organisation of the work, but also on reporting sickness, for instance.



Together with or in the contract, you will often be asked to agree to the employment regulations. Only sign this if you have actually received the employment regulations.

Commercial agreement between the temporary work agency and the user

A commercial agreement is concluded between the agency and the user (the company you actually work for). As an agency worker, you (usually) do not get to see this agreement. The agency is also not legally obliged to provide you with a copy. However, these agreements contain terms that directly affect you. If there is a non-poaching clause, it could limit your freedom as an employee. A **“non-poaching clause”** defines that you cannot enter into employment with the user (with a permanent contract) for a certain period of time unless the user compensates the agency with a substantial amount of money, which usually does not happen. That period is often (excessively) long. Ask your agency about this in order to be well informed and to know where you stand.

If you are new in a company, make sure you visit the ACV-CSC representatives there. They will be happy to welcome you and can give you additional information on how things work within the company.

4. What is a Dimona declaration?

A Dimona is the electronic report with which the temporary work agency communicates every start and end of an assignment to the National Social Security Office (NSSO). Before the agency worker starts working, the agency is obliged to make a Dimona declaration on your employment as an agency worker. It is important that these Dimona declarations correspond with your assignments, because you can only claim unemployment benefit payments if no Dimona declaration is registered for that same period.



If the contract was not signed and you could not come to work, check if the agency has not made a Dimona declaration or refuses to cancel this.

You can follow your Dimona declarations online through Interim@work (you will find the tool if you log in at www.mysocialsecurity.be). That way, you can see if the agency has fulfilled its legal obligations. If you see that a declaration is incorrect or missing, contact the agency. If this is not rectified, contact the ACV-CSC as soon as possible.

5. What happens if I sign my interim contract too late, or I don't sign it?

The contract must be signed by both parties (temporary work agency and you: the agency worker) before or at the latest when you start your assignment. **An interim contract not signed by the agency, or signed too late, is converted into a permanent contract** between you and the agency. That means that at the end of the contract, as an agency worker you are entitled to severance pay. If this situation arises, the Labour Court is involved.

Note that this conversion into a permanent contract does not apply if the following three elements are applicable:

- You received the employment contract before the employment started, but did not sign it.
- You started working or you presented yourself at the user company.
- The agency made a Dimona declaration.

6. How many hours a week do I need to work and how long in advance do I need to receive my work schedule?

Your contract must state if this concerns full-time or part-time employment. **The working hours per week and/or per day must be mentioned in your contract. The minimum working hours are 3 hours a day.** These minimum working hours must be the same as those for the permanent employees of the companies where you work. This also applies to overtime. If the permanent employees work in a system with reduced working hours, you are also entitled to this as an agency worker. You either receive those reduced working hours as compensatory time off, or this is paid in your hourly wage.

If you would like to find out if your interim assignment is in line with the law, check with the union representation of the company where you're working, or request information using the contact form at www.interimunited.be.



Be careful! If your part-time employment contract does not mention a work schedule, then your work schedule is flexible. The interim agency will have to provide you a work schedule at least one week in advance, unless there is a different agreement in your sector. Receiving your work schedule in advance contributes to a better work-life balance, which is good for you and your employer!

7. What about trial periods and 'test contracts'?

The first three working days of the first temporary-work assignment at the same user form the trial period. During that period, both the agency worker and the employer can end the contract without notice. However: the ACV-CSC believes that the agency cannot unilaterally cancel a signed contract if you have not yet started working, not even under the pretext of the trial period.



It is not permitted to extend the trial period in the case of successive employment contracts for the same position, at the same workplace, with the same employer. Nor may your contract be terminated under the guise of the trial period before you have even started working!

Agencies sometimes ask temporary workers to do a test or to come and work on trial, without any payment. Although this is legally allowed, the test must meet the following conditions:

- The test must only briefly test the knowledge of a possible agency worker.
 - The test must never be part of the company's production process.
- ✓ The test must not last longer than half a day.

8. Can I work with an interim contract as a working student or in a flexi job?

Yes. About one out of three student jobs is obtained through temporary work agencies.

The advantage of this system is that, as a working student, you no longer have to look for a job.

The agency looks for a summer job or a sideline job for you during the year. Even if you are working as a student through a temporary employment agency, your rights must be respected! Be alert and contact us if you encounter any problems!

Students benefit from reduced social security charges (for both the employer and the student). Note that the duration of employment with reduced NSSO contributions is limited. For more info, go to **www.jeunes-csc.be** or **www.hetacv.be/je-rechten/jong-acv**.

To get an answer to all your questions on student work, you can contact our Student Work Information Line. You can call, chat with or e-mail our experts. You will find all the contact details at **www.chatmetisa.be** - **www.jeunes-csc.be**.

You can also start working through a temporary employment agency in a flexi-job.

In that case, the term “flexi-job” (along with other mandatory information) must be clearly stated on the temporary employment contract.

Working in a flexi-job offers certain advantages, but also has disadvantages. This type of job is only permitted in specific sectors and under strict conditions.

🔗 Want to know more? Visit **www.lacsc.be/flexijobs** or **www.hetacv.be/flexijobs**.



*Be alert: make sure your rights are respected and contact us if you have any doubts or problems! **www.interimunited.be***

9. Am I entitled to annual holiday and holiday pay?

Paid leave and public holidays are part of the wage. Whether you're an agency worker, or work as a permanent employer. At least in theory, because it can sometimes be different in practice. In most cases, as an agency worker you cannot take paid leave during your employment at the company. In other words, while they are "on a contract".

Who pays the holiday pay?

For a blue-collar worker, the wage for holiday days is not paid by the employer, but by the National office for annual holidays (ONVA/RJV). You will receive this amount by bank transfer into your account in May or June. The holiday pay is only paid out after you have given your account number to the ONVA/RJV.

For a white-collar worker, the payment of the holiday pay is arranged through the agency. The happens at the same time with and on top of the wage that is paid out at the end of each contract.



If your seniority is interrupted due to annual leave, contact the Interim United Helpdesk via www.interimunited.be or interim@acv-csc.be. Annual leave is a right, and agency workers are also entitled to it. ACV-CSC wants to make sure that your seniority is not interrupted by annual leave. Make sure you keep proof in writing or a screenshot of your leave request.

How many holiday days are you entitled to?

The number of holiday days you are entitled to this year is calculated based on the number of days you worked in the previous year. From 231 days, workers are entitled to the maximum number of holiday days (20). For a full-time office worker in a five-day system, which is a minimum of 20 days (two days for each full-time month worked) and 24 days in a six-day system.

The number of equated days off (due to sickness, etc.) is also included in calculating the number of days worked.

A young person who finished their studies and worked at least one month during the year is entitled to the following, the next year:

- Holiday days and holiday pay in proportion to the number of days worked, paid by the employer (for office workers) or the holiday fund (for workers).
- A number of supplementary young-person's holiday days (up to a maximum of four weeks) and a young-person's holiday payment, paid by the National employment office (ONEM/RVA), which is 65% of the normal wage.

How do you take paid leave?

You can ask the agency to take leave during your contract. Agencies usually refuse that. It is therefore a good idea to discuss this in advance with the agency, as far as possible (certainly if you often work with the same agency). If you have received a written refusal, send this to us. We can use this to demand that they respect your right to take paid leave.

If you want to take leave, for example, to go on holiday, it is best to take paid leave days. At times when you have no contracts and do not take up days of paid leave, you can, of course, apply for unemployment benefit payments.

At the end of the calendar year (in December), you cannot request unemployment days if you have not yet taken all of your paid leave.



Younes (20)

I was working with weekly contracts when my grandfather died. I immediately told my supervisor at work that I would be absent on the day of the funeral. The agency said over the telephone that I could take a short leave. But afterwards, I only got a contract and wage for four days instead of five. Fortunately, the ACV-CSC intervened. Besides, as a student my membership is free.

10. What about paid public holidays, birth leave and short leave?

As an agency worker, you are entitled to paid public holidays. Those days are paid by the agency, but this can sometimes lead to a dispute. Because a number of temporary work agencies try to ignore the right to public holidays, there are legal adjustments to stop that.

Public holidays that are between two contracts

Public holidays that are between two contracts (with the same temporary work agency and the same company) must be paid by the agency. That also applies to public holidays before or after a weekend. If the public holiday is on a normal day off (e.g., Sunday), you are entitled to a compensation day if this compensation day is during your contract. In large companies, this day is determined in the works council and is also stated in an annual announcement to staff. If no compensation day was established, you can choose a day yourself in consultation with your boss. If an agreement is not reached, the first day of work following the public holiday will apply as a compensation day.



Three examples:

- *For instance, you work as an agency worker on Tuesday 24 December and Thursday 26 December through the same agency at the same company. In that case, the agency must pay you the public holiday of 25 December.*
- *The public holiday is on a Friday, and you worked Thursday and the following Monday through the same agency and at the same company (and Saturday and Sunday are two normal days off). In that case, the agency must pay you that public holiday.*
- *The public holiday is on a Sunday or another day off. In that case, you are entitled to a compensation day as established by the user company.*

The following rule applies for compensation days such as these: if you are under contract the day before or after, you are entitled to a payment for the public holiday.

Part-time employees with fixed days and a fixed work schedule are not entitled to a paid public holiday if it falls in a regular period of inactivity. For example: you never work Wednesdays and you worked on Tuesday and Thursday, and the public holiday is on a Wednesday; in that case, you are not entitled to a paid public holiday.

Payment of public holidays after the end of the contract

You are sometimes also entitled to the payment of public holidays (or compensation days that replace public holidays) that are after the end of the interim contract:

- Interim assignment of less than 15 calendar days of seniority*: no right to wage for public holidays that are after the end of the contract.
- Interim assignment of 15 calendar days to one month of seniority*: right to wage for one public holiday that is within 14 days after the end of the interim contract.
- Interim assignment longer than one month of seniority*: right to wage for one public holiday that is within 30 days after the end of the interim contract.

You are not entitled to more than one public holiday after the end of the interim contract if you are working for a new employer (or agency). This is because your new employer then pays the public holiday.

Birth leave

As an agency worker (or co-parent), you are equally entitled to birth leave. Thanks to the trade unions, the number of days of birth leave was increased to 20 days in 2023.

If you are under contract at the time you start your birth leave, you are entitled to 3 days of leave paid by the agency. The remaining 17 days will be paid by your health insurance fund.

Short leave

As an agency worker, you are entitled to leave due to certain family events (such as a wedding or death of a family member), or to fulfil certain civic obligations. This leave is called 'short leave'.

You can find the events that entitle you to short leave at **kleinverlet.hetacv.be - www.lacsc.be > Petit chômage.**

* Seniority means the different (successive) daily or weekly contracts with the same agency. Interruptions between two contracts are also counted if the interruption is no longer than seven calendar. If your seniority has been reduced because you have taken annual holidays, do not forget to inform us. Annual holidays are a right for everyone, including agency workers. Your employer cannot deny your seniority because of annual holidays.

11. What do I earn?

As an agency worker, you are entitled to the same wage as the comparable permanent employee with the same position in the company where you work. If the permanent employees have other wage benefits such as luncheon vouchers, ecocheques, travel expenses, shift premiums and home-working premiums, you are also entitled to these as an agency worker. This wage and any other benefits are paid by the agency.



Even if you are entitled to the same wage as a new permanent employee for the same work, the comparison is often not made correctly. The comparable employee is usually a new employee (minimum wage). Companies are very creative in inventing new positions and job descriptions that do not match one-to-one with a position with better pay. In addition, job descriptions sometimes change, meaning the specific interpretation might not correspond with your position. If you have doubts, contact your union representative, your local ACV-CSC services centre, or use the contact form at www.interimunited.be.

Your wage as an agency worker depends on the type of work you do and the sector you work in. In certain sectors, agency workers are entitled to a 'premium for supplementary pension' on top of the gross wage.

This premium, pay or wage scales are established in negotiations between unions and employers. If you would like to know what wage scale applies to you, you can contact:

- The ACV-CSC union representation in the company where you work.
- The union manager of your professional association.
- www.hetacv.be - www.lacsc.be



Advance tax payment on the wage of agency workers:

Tax legislation obliges temporary employment agencies to withhold an advance tax payment from the wage. The tax withheld from the wage for agency workers is usually limited to a legal minimum (11.11%). This means that as an agency worker, you get a higher net wage than permanent employees, but this does not correspond with the eventual taxes you need to pay. To avoid having to pay additional taxes afterwards, many agencies already apply this as an increased advance tax. You sometimes need to ask for this.

You can always ask the agency to adjust your advance tax payment to your professional activity or to your family situation. If you would like to know how much the correct advance tax payment is, you can find out using the gross-net calculator at www.hetacv.be - www.lacsc.be.

If the permanent employees have other wage benefits, you are also entitled to this as an agency worker! Such benefits are sometimes only assigned after six months of seniority. If you have any doubts or questions, one of the ACV-CSC union representatives in the company where you work will be happy to help.

12. Am I entitled to travel expenses?

You are entitled to a refund of your travel expenses between your home and your workplace, based on agreements concluded for the permanent staff of the company you work for.

If you take public transport to go to work, and if there is a “third-party payment scheme” (SNCB invoices the employer) for the permanent staff of the company you work for, you are also eligible to this scheme. If there is no such scheme, you are entitled to a partial refund of your travel expenses by public transport anyway.

If the company you work for does not refund your travel expenses when you use your own private transport, you are entitled to a financial contribution if you have to travel more than a certain distance, based on the table used for this purpose in the interim sector. You can find more information on www.interimunited.be. You are also entitled to a bicycle allowance, similar to the one granted to the permanent staff.

Note: If you are employed by a company that does not provide a bicycle allowance to its workers, you are still entitled to a bicycle allowance(*) per actually travelled kilometre (with a maximum number of kilometers per day).

(*) This amount will be indexed every year on 1 January.

If the sector you work in has better conditions, you are also entitled to these as an agency worker!

13. Am I entitled to certain premiums on top of my normal wage?

Year-end and union premium

You are entitled to two premiums, a year-end premium and a union premium, if you meet a number of conditions.

If you have worked as an agency worker for at least 65 days (of 7.6 hours) or 494 hours during the reference year, between the 1st of July and June the 30th of the following year, you are entitled to a **year-end premium**. That is 8.33% of the gross wage that you earned during that period. If you start permanent employment with the user (the company where you work) after your interim contract, 60 days or 456 hours during the reference period are enough. In that case you should contact us, and we will ensure that the Social Fund for Agency workers receives this information.

As a member of the ACV-CSC, your year-end premium is paid faster, and you also receive a union premium on top of your year-end premium.

Through collective bargaining and thanks to the hard work of trade unions, the union premium was €120 in 2024!

Consult the website of Interim United to find out the current premium.

The union premium is a premium that is only paid to members of the union. It is a partial refund of your membership fee. You can find more information at **www.interimunited.be**.



Only the unions pay that **union premium of €120** on top of the year-end premium. As a member of the ACV-CSC, you should therefore present your document for the year-end premium to the ACV-CSC, to receive both premiums. If you only present the form to the Social Fund, you will NOT receive your union premium. Not yet a member? Join today and receive the union premium as well as the end-of-year premium!

The days you worked as a working student with reduced ONSS contributions are not included in calculating the 65 days you need to have worked to be entitled to the year-end premium.

Equivalent days (such as sick leave) of course count in calculating the 65 days. For more information, see **www.interimunited.be**.

Results-oriented premium

A results-oriented premium is a bonus for employees in companies where a collective bargaining agreement (CBA) 90 was signed. The bonus is linked

to the operating results. Agency workers are entitled to this bonus on the same conditions as permanent employees. The law considers this benefit to be a wage.

Other premiums

In certain industries and companies, workers are entitled to shift, night and/or Sunday working, home working and Covid-19 premiums, etc. As an agency worker, you are also entitled to these premiums under the same conditions as permanent employees.



As an agency worker, you are entitled to the premiums that comparable permanent employees are entitled to (such as result-oriented premium, shift premium and home-working premium). Benefits are sometimes only assigned after six months of employment. That then applies to both permanent employees and to you. If you have any doubts or questions, the ACV-CSC union representative where you work will be happy to help. You can also contact the ACV-CSC at interimunitied@acv-csc.be.



Note that it is illegal to pay employees a bonus for not being ill, not smoking or not reporting a work accident. All employees, including agency workers, have the right to take sick leave. Also, work accidents must always be reported! See below.

14. What happens if I'm sick or have a work accident?

As an agency worker, you usually work with weekly or daily contracts. That means agencies have no interest in extending a contract or offering a new one if you are sick. Worse still, agencies sometimes try to reduce the planned contracts by withdrawing the Dimona declarations (see question 4) for the days on which – still under contract – you need to work.

The laws governing guaranteed wage, the wage to which an employee is entitled during a certain period if he/she cannot work due to sickness, or an accident are quite complicated. They vary depending on how long you work in the company (your seniority) and your status (blue-collar worker or white-collar worker). Compared to permanent employees, agency workers are highly disadvantaged by this system, and they are nevertheless encouraged to go to work when they are sick.

WHAT IF YOU BECOME SICK DURING YOUR INTERIM CONTRACT?

If you become sick during an interim contract, you must notify the interim agency immediately and preferably also the company where you are currently working (the 'user'). You must present a medical certificate to the interim agency, often within 2 working days (see the employment regulations).

The deadline for submitting the medical certificate may not be less than 2 working days! You are entitled to a guaranteed wage if you have been working for the same agency for at least one month. The wage guarantee applies until the end of your contract (end of the week, month, etc.). After that, or when you are not entitled to a guaranteed wage, you will receive a sickness payment from the health insurance fund from day one.

Have you been ill for over a month? Under certain conditions you may receive a compensation in addition to the sickness payment from your health insurance fund. For this, you should contact your ACV-CSC services centre.

WHAT IF YOUR SICK LEAVE IS EXTENDED UNTIL AFTER YOUR CONTRACT ENDS?

If your sickness period continues after the end of your interim contract, you are entitled to a supplementary payment - provided that you have a medical certificate, have notified your employer and worked for the same agency for at least one month. Note that the double seniority condition no longer applies: another victory of union work! The agency makes this supplementary payment up to 30 days after the first day of the guaranteed wage was paid.



Working students who work for agencies (according to the system of reduced ONSS contributions) are not entitled to a health-insurance payment.

To determine your seniority, different (successive) daily or weekly contracts with the same agency are taken into account. Interruptions between two contracts are also counted if the interruption is no longer than seven calendar days.



Please note! The abolition of the medical certificate for one day/the first day of illness also applies to temporary workers! This measure is only possible a limited number of times per year. Check the most recent rules at www.interimunited.be.

Employees, including agency workers, no longer need to submit a sick note to their employer (in your case, the agency) for 1 day of sick leave. There is a maximum of 3 exempt days per calendar year. Warning: be aware that even if you do not need a medical certificate, you will still need to notify your employer. Be vigilant and always prevent your employer when you are ill: this is a legal obligation.



Please note that if you think you will be ill for more than 1 day, you should consult a doctor and hand in your sick note to the agency within 2 working days. Inform your temporary employment agency immediately, and preferably also the company where you work.

WHAT IF YOU BECOME SICK AFTER YOUR LAST INTERIM CONTRACT?

Under certain conditions, you are entitled to a supplementary payment on top of the payment from the health insurance fund, made by the agency.

Agency workers who become sick on the first day of work following the end of their interim period are entitled to a payment on top of the payment from the health insurance fund for one week. That payment is made by the agency, and is around 25% of the wage.

This payment is only made if:

- You have worked at least 65 days without interruption of more than 7 calendar days, with the same interim agency;
- You have presented your medical certificate within 2 days after the end of your last interim contract.



Has your seniority been “reduced” because you took up your annual holidays? If so, do not hesitate to contact your ACV-CSC delegate or your ACV-CSC service centre. Annual holidays are a right for everyone, including temporary workers. The ACV-CSC wants to make sure that annual holidays do not cancel accumulated seniority, and that rights are preserved!

WHAT HAPPENS IF YOU ARE SICK LONG TERM?

If you are sick for more than one month, you can – under certain conditions – receive a supplementary payment through the Social Fund for Agency workers. This payment is 40% of the sickness payment that the health insurance fund pays. You can find the conditions and the form for receiving this payment on the website of the Social Fund for Agency workers. (www.fondsinterim.be).



Unfortunately, sick agency workers are disadvantaged – if you are sick or need an operation, your contract will usually not be extended/ renewed. Be careful.

ACCIDENT AT WORK

If you are the victim of a work accident, your medical expenses are refunded, and the agency continues to pay your wage until the end of the contract. After that, the insurance company makes the payment for your temporary incapacity to work. The key is to act quickly:

- Notify the agency and the company where you work immediately*.
 - The agency is obliged to complete a work-accident declaration form (within eight days!).
 - Give the agency as much information as possible about the accident (photos, witnesses, etc.).
 - Also give these to the insurance company.
 - Ask your agency for a copy of the declaration and keep this safe.
 - Make sure you also notify the health insurance fund within 48 hours.
- If your accident is not recognised, they will make a payment to you.

* Have you been with the same temp agency for less than a month? Then you are entitled to compensation paid by the health insurance fund. You must notify them immediately.

If you have doubts or questions, contact your ACV-CSC representative or your ACV-CSC services centre. More information at www.interimunited.be.



Be aware that unlike the guaranteed wage in case of illness, you don't need any seniority to be covered by the insurance in case of a (recognised) occupational accident. If your accident is wrongfully not recognised as a work-related accident, please contact your trade union representative or use the contact form at www.interimunited.be.

15. What if I'm pregnant?

Inform the agency if you are pregnant. Send a photo of your medical certificate to the agency by email and copy in yourself or your partner to avoid arguments about whether or not the email arrived.

The agency is not allowed to end your employment due to your pregnancy, unless for medical reasons (such as if you perform high-risk activities). Any prejudicial treatment due to pregnancy is discrimination, and therefore prohibited. Nevertheless, we regularly see that in practice, agencies no longer extend the contracts of pregnant employees.

If you suspect that the agency has stopped your employment due to pregnancy, the agency itself must be able to provide evidence that there are other, fair reasons to stop your employment. Do not hesitate to contact the ACV-CSC if you have any questions about this. You will find more information at www.interimunited.be.

You will find more information about your rights and duties during your pregnancy and afterwards in the brochure '*Kind op komst*' ('Expecting a baby') at www.hetacv.be - www.lacsc.be or in our services centres.

16. What about my health and safety at work?

As an agency worker, you are entitled to the same protection concerning health, safety and welfare as permanent employees at the user company.

What are the agency's obligations?

When you work in the following jobs, the agency must give you a workstation sheet before you start to work:

- A safety role: for example, operating vehicles, cranes or overhead cranes that might be a hazard to other employees.
- A role that requires increased alertness: supervising and/or checking systems that might be a hazard to other employees.
- A role with a specific risk: positions with a physical risk (such as noise or vibrations), biological, chemical or psychosocial risk; or that involve extremely monotonous, repetitive and/or time paced work.

The workstation sheet must include at least:

- Where you will work (definition of the workstation and features).
- Previous and/compulsory training before you start your activities at the

workstation.

- If you need a medical 'health assessment' (examination, questionnaire, consultation, etc.). In this case, the workstation sheet states the risks associated with the workstation, and that justify the health supervision.
- If you need to wear personal protection equipment (helmet, safety shoes, gloves, safety glasses, etc.) when you are working in the company.
- Measures that must be taken immediately in the case of pregnancy protection.

The workstation sheet can also include the measures that must be taken to prevent work accidents and to protect your health (this is advisable).



- *You must not work in a workstation other than the one described in the workstation sheet. If you have doubts or problems, you should contact your union representative or www.interimunited.be (contact form) as soon as possible. Health always comes first!*
- *If you have a high-risk position, a medical examination by a company doctor is obligatory! If you still have a valid certificate from a previous examination for the same risks (valid for a maximum of one year), this examination does not need to be repeated.*

What are the obligations of the company where you work?

When you first start to work, the company is obliged to organise an induction:

- You will receive information about the risks of your workstation, the hazard zones in the company, first aid, emergency exits in case of fire, access to social facilities (canteen, washing facilities), the company's management, the possibility of requesting a spontaneous consultation with the company doctor.
- You must receive the necessary training before you start work (training on the risks at the workstation and at the company in general).
- There must be a mentorship. The company must assign an experienced employee who will help you with the work and who indicates the risks at your workstation and at the company). The following must be checked in advance at the company where you work that:
 - you have the professional qualifications required for the workstation;
 - you were subject health supervision at work and/or you were found to be suitable for the job.

In companies with ACV-CSC representation, a meeting between you and the union representation is possible. The representatives then explain what their roles are, and what they do in the consultation bodies. If you are invited, make sure you accept. Also save the contact details of the ACV-CSC representatives: they can help if there are problems. If no induction is organised, visit the ACV-CSC union representative(s), who will know how everything works at the company and can give you all kinds of tips and help if there are problems.



Malika (28)

I'm an agency worker with weekly contracts. The permanent employees at the company get things like suitable work clothing, warm underwear, comfortable work shoes, etc. but we don't. My feet are always very painful in the evening. A friend recommended I join the union. I'm an agency worker, not a second-rank employee.

How can I avoid a work accident?

Always follow the safety instructions that you receive from the employer and the service for prevention and protection at work. During the information, training and induction sessions organised by the employer/user, a company manager must explain the risks at your workstation, which safety instructions you must follow, and the protection and prevention equipment you can use to prevent work accidents. These different protection measures are taken after a risk study and an analysis of the work accidents that have happened at the company. The employer must accept these measures following a recommendation from the representatives of the Committee for Prevention and Protection at Work (CPBW/CPPT).

Some work accidents happen because there is no necessary safety training and protection equipment at work. If you yourself notice a hazardous situation, report this immediately and in a suitable way to your direct manager at the company where you work. If the situation continues, contact the ACV-CSC representatives, or your local ACV-CSC services centre using the contact form at **www.interimunited.be**.



To protect yourself as much as possible against work accidents, you need to get personal protection equipment, and you have to wear this. If it is compulsory by law or according to the work regulations, the company where you work must provide, free of charge:

- *Your personal work clothing.*
- *Your personal protection equipment (PPE).*

You must receive this work clothing and personal protection equipment before you start working. The company itself must ensure work clothing and/or personal protection equipment (helmet, glasses, safety shoes) are delivered and maintained. You should not pay anything for this (not even a deposit). However, after signing a proof of receipt, you can in fact be obliged to pay for the work clothing and/or personal protection equipment if you do not return this at the end of the interim assignment. The PPE must be the same as for the permanent employees at the company where you work. The list of PPE you must wear during your work is on the workstation sheet.

17. Can I take training?

Training: not always possible for agency workers

Agency workers are almost never invited to take training during their working hours. Training days are often organised outside the employment contract, meaning only expenses are paid, and no wage is paid. The right to training leave is also more theory than practice. That is unfortunate, especially because the evolution of job offers presents many challenges on the job market. The individual rights to five training days a year could offer an answer for this. Please do not hesitate to contact us if you have any questions or concerns.

Training fund

The Training Fund for Agency workers supports agency workers who want to take general training or training on safety at work. This training always happens during working hours. The agency pays your wage during the training hours.

VDAB (Vlaanderen) – Bruxelles Formation (Brussels) – Forem (Wallonie)

These regional agencies can also recommend training. In that case, you are a jobseeker, and you don't receive any wage.

Training cheques

As an agency worker, you can use training cheques.

Other training options

Besides VDAB, Bruxelles Formation, le Forem and the Interim Training Fund, there are various other training bodies such as adult education.

If you would like more information on training leave and training cheques, see our brochure '*Opleiding voor werknemers*' ('Training for Employees'). You will find this at **www.hetacv.be** - **www.lacsc.be** and in our services centres.

18. Am I entitled to social benefits?

The Social Fund for Agency workers makes supplementary payments and can provide a certificate of work performed if you want to apply for a mortgage.

Economic or technical unemployment

If you become economically or technically unemployed or in the event of force majeure or a crisis, you will receive a supplement of €4.90 (2025) for each working day not worked on top of your unemployment payment (if you are entitled to this) The condition is that you have an interim contract.

Long-term incapacity to work

If you have worked two months as an agency worker and become long-term sick, you are entitled to a supplementary payment. The payment is 40% of the gross payment from the health insurance fund. You will receive this payment from the second month of sickness, for a maximum period of three months.

Help with getting a loan

If you work as an agency worker, you do not have a permanent job, and it is often difficult to get a loan. To take out a loan with a bank, you can ask the Social Fund for Agency workers to issue a Certificate of your work performed as an agency worker. That can help in getting a loan as an agency worker, because you can then prove that you work on a regular basis and have an income.

19. How do I end my contract and what if I become unemployed after a period of agency work?

Do you want to end your contract voluntarily?

You can only end your interim contract if both parties, the agency and the agency worker, agree to this. If you are not going to work and have signed a contract, the agency can demand compensation from you. This compensation is equal to the wage that you would receive for the days on which you have not worked.

Is your contract terminated unilaterally and early by the temporary employment agency?

The temporary employment agency is obliged to continue to pay you your salary until the end of the contract, or it must give you a new assignment with the same pay and working conditions. But usually they do not!

Note that these rules only apply if both parties have signed the contract.

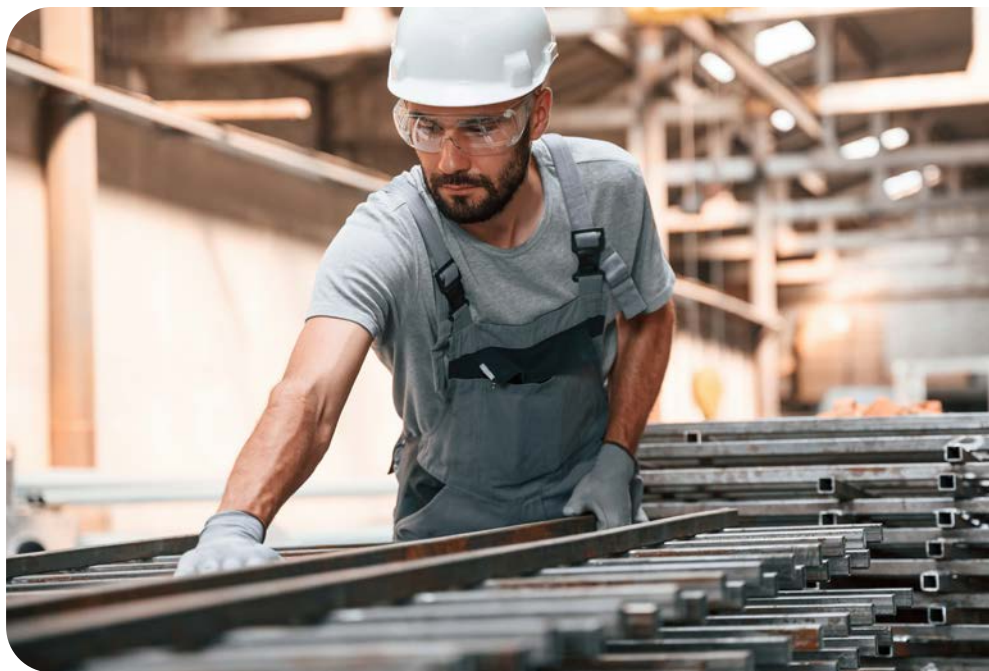
Is your contract not extended or renewed?

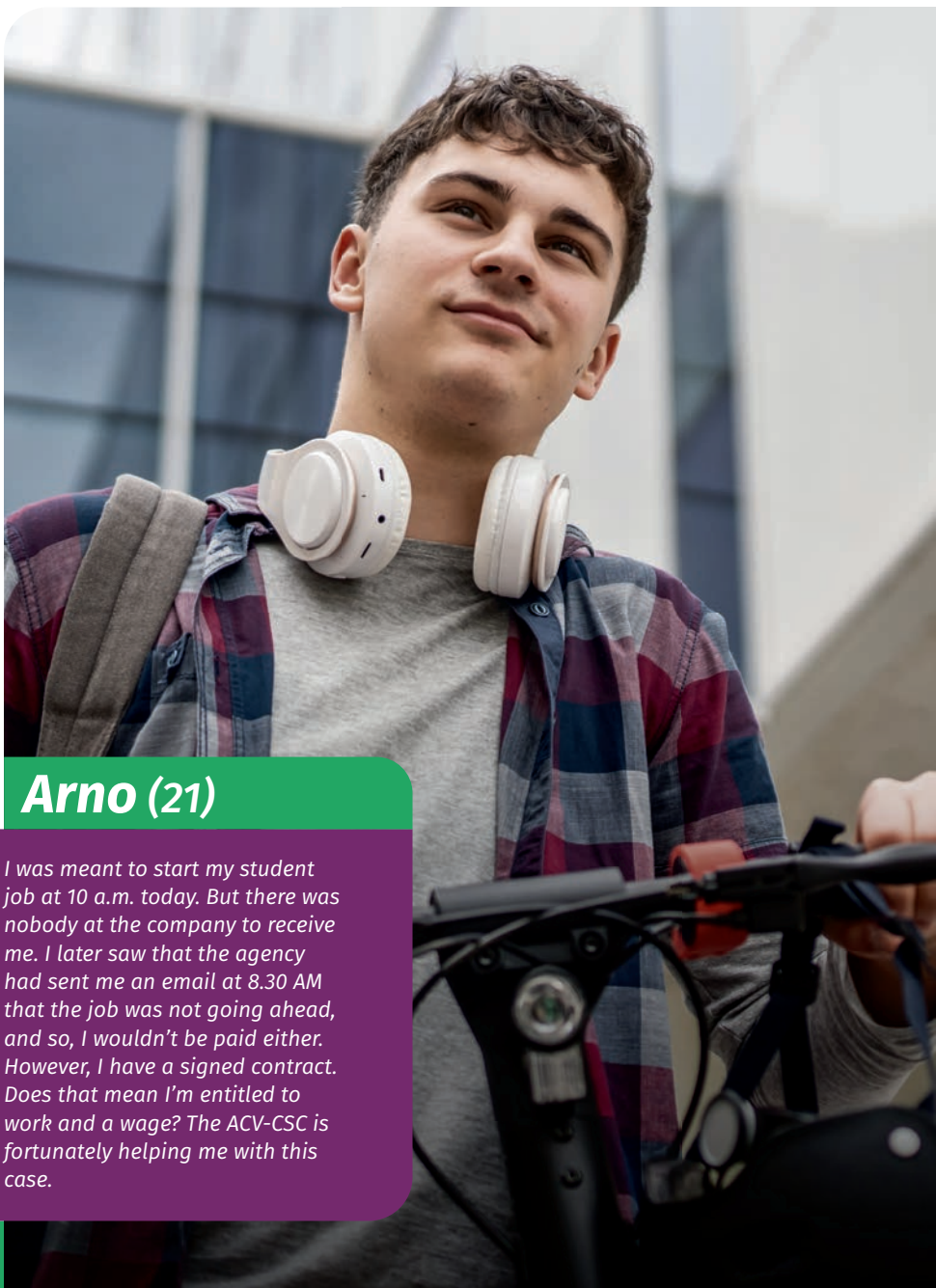
An interim contract is an agreement for a fixed duration. In principle, you

have to work until the end of the contract. After that, the agency pays your wage for the period worked. After the end of your contract, you are entitled to a temporary (such as in the case of economic unemployment) or full-time unemployment benefit payment. However, for this you must register (again) with the VDAB (Flanders) or Actiris (Brussels Capital Region) within eight days after you last employment. **The agency must provide you with a C4 (dismissal letter) and an employment certificate after the end of your contract.** It is advisable to pass on these forms to your ACV-CSC services centre as soon as possible, to create or to complete your unemployment file, once you meet the conditions (more information on www.hetacv.be/je-rechten/werkloosheid).

If you work part time, contact your ACV-CSC services centre and check if you are entitled to an income guarantee payment (IGU). You will find more information at **www.interimunited.be**.

Make sure your unemployment file is always in order, and act quickly. That way, you avoid a lot of administrative hassle and possible penalties.





Arno (21)

I was meant to start my student job at 10 a.m. today. But there was nobody at the company to receive me. I later saw that the agency had sent me an email at 8.30 AM that the job was not going ahead, and so, I wouldn't be paid either. However, I have a signed contract. Does that mean I'm entitled to work and a wage? The ACV-CSC is fortunately helping me with this case.

If you have an unemployment file created in an ACV-CSC services centre, there is no need for an in-person visit if you have questions about your file. You can also consult your file online (your payments received, tax records, etc.) through 'Mijn ACV'/'Ma CSC' (My ACV-CSC) at **www.hetacv.be** - **www.lacsc.be**. Log in with your ID card and card reader through CSAM or with the itsme® app. The first method requires an electronic card reader (eID) and the PIN code, which you entered when you received the electronic identity card at the citizen service of your local authority. You must also install the free software on your computer that you can find at **<https://eid.belgium.be>**. There, you will also find all the information you need if you still don't have eID.

If you have worked at least 65 days or 494 hours in total, you are entitled to a year-end premium. If you are a member of ACV-CSC, you will also receive a union premium. Check the current amount on **www.interimunited.be**.

20. I have a problem. Who can I go to?

Do you have a problem with your interim assignment or your contract? Are you not getting what you're entitled to? Contact the ACV-CSC: we will be happy to help.

- Visit an ACV-CSC union representative in the company where you work. They know how everything works in the company, and can tell you about wage scales and benefits, work regulations, etc. They can also put you into contact with the union secretary of the ACV-CSC who follows your company, or with the legal services of the ACV-CSC if that is necessary.
- If no there is no union representative in the company where you work, you should contact your local ACV-CSC services centre or contact the interim team through **www.interimunited.be**.

For more detailed information, you can always visit **www.interimunited.be** or **www.hetacv.be** - **www.lacsc.be**.

If you don't have the union representative's contact details, contact the professional association that monitors the company where you work. You can also find their details in the work regulations of the company you work for.

Not a member yet?

The ACV-CSC defends and protects the interests of 1.5 million members in the field of work, income and unemployment. With individual advice, personal calculations and legal assistance, we ensure that your professional life goes as smoothly as possible.

But there's more. By concluding strong CBAs (collective bargaining agreements), we also contribute toward a fair society of solidarity. The more members we have, the more we can do.

Benefits as a member:

- a special service for temporary workers, offering personal advice and, if necessary, mediation between the temporary employment agency and the company where you work (the user);
- Legal advice + follow-up.
- Career advice and guidance.
- Creation + follow-up of your unemployment file.
- Help with your tax return.
- Legal assistance in the case of labour disputes (after six months of uninterrupted membership).
- Support at the workplace. In companies with a union, there are on average fewer work accidents, wages are higher, you receive more training and leave, and there is less staff turnover.
- Additional discounts and premiums with certain associations.
- A strike premium from 6 months of membership
- A reduced contribution via the trade union premium (if you have worked as a temporary worker for at least 65 days between 1 July and 30 June of the following year). In 2024, this premium amounted to 120 euros. Visit www.interimunited.be for the current amount of the trade union premium.



Any questions or problems? You can always reach us via the QR code on the right or via **www.interimunited.be**.



For more benefits, visit **www.hetacv.be** - **www.lacsc.be** and become a member online! Or contact one of our local services centres. You can find address details and opening times at **adressen.hetacv.be** or at **lacsc.be/contactez-nous**.

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INTERIM WORKERS deserve

LES INTÉRIMAIRES méritent le

RESPECT

Heb je een vraag over je werk?

A question about your job?

Une question sur votre travail?



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BETWEEN 1 JULY AND 30 JUNI //

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