

Questions about cross-border employment?

Mobile employee

I'm an EU citizen and I live and work in Belgium. Which rules apply to my situation?

All EU citizens living and working in a member state of which they are not a citizen are in all aspects entitled to the same treatment as the citizens of that member state.

If you are a EU citizen and work in a different member state, you cannot be denied access to that country. However, you may be subject to all restrictions imposed on citizens of that member state. This means you may be denied the right to travel inside the country or to leave the country.

In addition, each member state can take appropriate or similar measures. EU citizens can for example be forced to go into quarantine. Importantly, the same measures need to apply to the citizens of the member state in question.

Seconded employee

An employee who is temporarily transferred by their employer from their own member state to a receiving country (Belgium) to work on the employer's behalf is considered a seconded employee by the NSSO. You always need to carry the portable document A1 in Belgium.

Do you have to comply with the rules of the receiving country (Belgium) with regard to employment?

If you are in Belgium and continue to work here, the Belgian legislation continues to apply. After all, Belgium is the receiving country. You are entitled to the same basic working and employment conditions, and the Belgian rules on minimum wages, maximum working hours and minimum rest periods as well as health, safety and hygiene at work etc. apply to you.

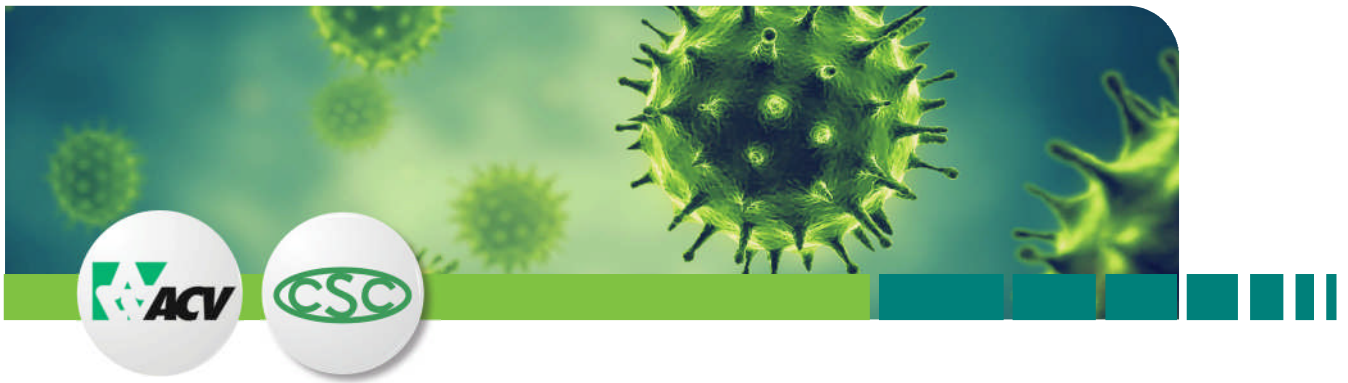
If you are not permitted to work at your place of work due to COVID-19 measures, you have to comply with the relevant rules of the receiving country. The Belgian legislation also continues to apply in case of telework.

You are nevertheless still entitled to social security benefits from the country where you pay your social security contributions. This is the member state where you reside (not Belgium).

What social security laws apply to telework?

You started working in Belgium prior to the coronavirus crisis.

If you are a seconded employee who started working in Belgium prior to the outbreak of the COVID-19 pandemic and you are currently located in Belgium, you should not be affected by national restrictions to



travel outside Belgium. You are required to continue the secondment period as indicated on the Portable Document A1.

You started working in Belgium prior to the coronavirus crisis, but you are currently in a different member state.

Inform yourself effectively before travelling to your home country or a different member state. The country where you work as a seconded employee (in this case Belgium) may impose entry restrictions. Check first whether you will be able to return.

If you are denied entry, you will be unable to continue your secondment period. Contact your employer in such a situation. They will have to contact the competent body in the member state that has drawn up the A1 for further instructions.

You were scheduled to start working in Belgium after the outbreak of the coronavirus crisis.

Please contact the competent body in the member state that has issued the A1 for further instructions.

The start of your secondment period may be postponed. If this is the case, your employer should contact the competent body in the member state that has drawn up the PD A1 for further instructions.