

The Protocol Directorate of the FPS Foreign Affairs has the honour to inform diplomatic missions and consular posts that a new provision has been introduced within Joint Committee No. 337, that applies to most locally recruited staff.

Since 1 January 2024, Joint Committee No. 337 has provided for a right to training for diplomatic missions employing fewer than 20 workers (employees and manual workers) in accordance with the collective labour agreement concluded on 16 January 2024 and made compulsory on 1 January 2024.

Article 3 defines what is meant by training:

Formal training: courses and internships designed by trainers or speakers. These courses are characterised by a high degree of organisation on the part of the trainer or the training institution. They take place in a location that is clearly separate from the workplace. These courses are aimed at a group of learners. They can be designed and managed by the company itself or by an external organisation.

Informal training: training activities, other than those covered by formal training, which are directly related to work. Such training is characterised by a high degree of self-organisation on the part of the individual learner or group of learners in terms of timing, location and content, with content being determined according to the individual needs of the learner in the workplace and with a direct link to work and the workplace, including participation in conferences or fairs for learning purposes.

The number of employed workers is calculated in full-time equivalents, using the same calculation method as provided for in the Act of 3 October 2022 on various labour provisions.

Articles 4, 5 and 6 specify the training arrangements:

In companies with fewer than 10 workers, each worker has an individual right to training of **1 day per calendar year**.

Training refers to both formal and informal training.

In addition to their rights under the Act of 3 October 2022 on various labour provisions, workers employed by an **employer with between 10 and fewer than 20 workers** have a collective right to an average of **two days' training** per calendar year.

Workers are entitled to training in proportion to how much time they work. The total training time to which the worker is entitled is calculated on 1 January each year on the basis of the worker's working hours.

Articles 7 and 8 of the collective labour agreement set out the practical arrangements:

- The planning and content of the training will be agreed with the employer;
- At the end of the year, the remaining training days (not used) are carried over to the following year.

The aim is for the worker to have been able to benefit from their right to training at the end of each five-year period, which can begin no earlier than 1 January 2024, or before the end of the employment contract if it ends before the end of the aforementioned five-year period.

At the end of the 5-year period, the balance of the available training credit is reset to zero.

Article 9 sets out the terms and conditions relating to working hours and pay.

- Training time must be considered to be working time;
- The training may be taken by the worker either during their regular working hours (preferably) or outside their regular working hours.
- Training during working hours = covered by regular salary;
- Training outside working hours = entitled to payment of the regular salary for those hours (no entitlement to any extra pay).

This collective labour agreement must be applied in diplomatic missions employing fewer than 20 workers (employees and workers) of locally recruited staff falling under Joint Committee No. 337 (the majority of locally recruited staff except domestic workers and gardeners).

Secondly, the Protocol Directorate informs diplomatic missions and consular posts that Joint Committee No. 337 has an auxiliary fund.

The Social Fund's mission is to offer training initiatives to workers in the sector and to anyone likely to be employed in it.

An explanatory note on this Social Fund is attached.

Finally, the Protocol Directorate would like to inform you that Fund 337 will hold an information session for diplomatic organisations, in English.

The scheduled date is Tuesday 10/12/2024 from 10am to 11am on Teams.

The Protocol Directorate asks diplomatic missions and consular posts to send an email to Fonds337@fe-bi.org to register and receive the link.