



## Joint Committee for the cleaning enterprises (JC 121)

*In accordance with European law, this document only contains provisions of collective labour agreements (CLA) which have been declared universally applicable within the meaning of Directive 96/71/EG, i.e., in Belgian Labour Law, conventional provisions made mandatory by Royal Decree, and which are criminally sanctioned in case of non-compliance.*

*For this reason, this document is regularly updated. It is recommended that posted workers and their employers consult the documents regularly during the period of posting. The date of the last update is indicated in the top right-hand corner.*

*This document is based on sectoral CLA's. The competent Joint Committee is therefore the one that can ultimately deliver a judgment about the right interpretation of its CLA's.*

*Only the Dutch and the French versions of the text of the decision to declare a provision universally binding (AVV Decision) has legal validity for the determination of rights and obligations.*

*The CLA's hereafter can be consulted on the site of the FPS ELSD in Dutch or in French :*

<https://www.werk.belgie.be/nl/themas/paritaire-comites-en-collectieve-arbeidsovereenkomsten-caos/collectieve-4>

<https://www.emploi.belgique.be/fr/themes/commissions-paritaires-et-conventions-collectives-de-travail-cct/conventions-collectives-3>

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# 1 Scope of application

This file applies to enterprises governed by the Joint Committee for the cleaning enterprises for work performed in Belgium.

## **Institution and amendments**

- |     |                  |                                     |
|-----|------------------|-------------------------------------|
| (0) | R. D. 09.02.1971 | Belgian Official Gazette 19.03.1971 |
| (1) | R. D. 06.07.1983 | Belgian Official Gazette 06.08.1983 |
| (2) | R. D. 30.12.1985 | Belgian Official Gazette 24.01.1986 |
| (3) | R. D. 07.05.2007 | Belgian Official Gazette 31.05.2007 |

## **Article 1, §1, paragraph 5**

The joint committee is responsible for the workers whose occupation is mostly of a manual nature and for their employers,

in other words, enterprises whose activities consist mainly or with a clearly distinct group of workers in cleaning activities on behalf of third parties.

“Cleaning activities” shall refer to: any activity which purpose is to make things clean, which does not imply any adjustment work and/or parts replacement (except dry technical filters (cloth) and/or grid), neither repairing, control and adjustment works, nor assembly and disassembly, except for the activities which, during the preparation or the post-treatment, are necessary in order to clean the machines, devices or installations, or to restart these after cleaning, and provided that the time used for preparation and post-treatment is minor compared to the work time dedicated to the cleaning.

For example, the following activities are considered as cleaning activities:

1. The internal or external cleaning of movable and immovable goods or installations;
2. The cleaning of rolling stock;
3. Chimney sweeping;
4. The removal of graffiti.

The enterprises which mainly perform one of the activities listed below also fall within the scope of the Joint committee for cleaning:

1. Disinfection of movable and immovable goods;
2. Extermination of rats and other pests;
3. Running of swimming pools, except hotel, restaurant or café ancillary activities and the operating of bathrooms, showers or toilets;
4. Activities concerning the functional making, tidying or optimization of the working environment in enterprises, schools, hospitals, public bodies and similar establishments, except when the aforementioned activities are performed within the context of a move;
5. Activities concerning the functional making or the tidying of rooms or public areas in hotels, restaurants and similar establishments, except when the aforementioned activities are performed within the context of a move;
6. Running of waste incineration plants;
7. Running of container yards accessible to individuals, except the transport of containers;
8. Running of landfill sites, except the transport of containers.

Also fall within the scope of the Joint committee for cleaning: enterprises performing mainly or with a clearly distinct group of workers door-to-door collection, including taking back, loading and transportation to the discharge point, of waste in bulk or in a container, sorted out or not, such as household waste, bulky waste, paper, cardboard, plastic and metallic waste, beverage cartons, organic waste and others.

“Door-to-door collection” shall refer to a collection activity carried out with a certain frequency determined by a timetable set by the State, a parastatal institution, a province, an intermunicipal structure, a town or a municipality, thus not at the request of individuals or enterprises.

The collection of containers other than the aforementioned ones is not within the remit of the Joint committee for cleaning.



The Joint committee for cleaning is not responsible for the activities pertaining to the scope of the Joint committee for textile care, the Joint committee for metal, mechanical and electrical constructions, the Joint committee for garage enterprises, the Joint committee for the chemical industry, the Joint committee for construction, the Joint committee for transports, the Joint committee for enterprises recovering recycled raw materials and the Joint committee for the audiovisual sector.



## 2 Remuneration

### 2.1 Wage scale (gross)

#### 2.1.1 Adults

In the sector to which your company belongs, no sectoral minimum income currently applies as a result of a CLA that has been made compulsory.

In the absence of sectoral provisions, it is the guaranteed average monthly minimum income (GAMMI) at the interprofessional level that applies in accordance with CLA No. 43 of the National Labour Council.

As of 1 November 2023, it amounts to:

- for workers aged 18 and over: € 1,994.18

For the wage conditions applicable to Belgian companies in this sector of activity, see the following website:

<https://werk.belgie.be/nl/themas/verloning/minimumlonen-paritair-subcomite/databank-minimumlonen>

<https://emploi.belgique.be/fr/themes/remuneration/salaires-minimums-par-sous-commission-paritaire/banque-de-donnees-salaires>

#### 2.1.2 Job classification and seniority

**CLA of 11 June 2009 (94 699). modified by CLA's of 7 December 2012 (112 617) and of 28 January 2014 (120 653) and of 20 June 2017 (140 558) and of 25 October 2019 (155 559) and of 28 September 2020 (161.891)**

*(R.D. 19/04/2010- B.O.G. 06/07/2010)*

*(R.D. 17/07/2013- B.O.G. 11/09/2013)*

*(R.D. 10/04/2015- B.O.G. 20/05/2015)*

*(R.D. 31/01/2018- B.O.G. 22/02/2018)*

*(R.D. 06/03/2020- B.O.G. 13/05/2020)*

*(R.D. 21/03/2021 – B.O.G 03/05/2021)*

##### **Classification**

##### CHAPTER I. *Scope*

##### Article 1.

The CLA is also applicable for cleaning activities paid by means of service vouchers.

##### CHAPTER II. *Job classification*

Art. 2. The job classification is as follows:

##### **Category 1.A: Ordinary cleaning.**

Staff responsible for cleaning offices, laboratories, schools, shops, private residences, theatres, administrative offices (including waiting rooms, registration desks and corridors forming part of these



administrative areas) of general, specialised and psychiatric hospitals and psychiatric nursing homes, etc.

Staff responsible for the cleaning of non-medical institutions for care of the elderly:

- houses;
- service flats;
- housing complexes with services;
- rest homes - (Katz scale I O and A);
- day centres;
- night centres.

Staff responsible for cleaning the body of electronic office equipment. (internal cleaning of these devices belongs to the category 5)

Staff responsible for doing the dishes;

Staff responsible for the cleaning of canteens in schools;

Staff responsible for the cleaning of kitchens which are only occasionally used for cooking or where only pre-cooked food is heated;

Staff responsible for cleaning the parking lots:

Staff responsible for the removal and the triage of waste originating of sites from regular cleaning.

The operators of the scrub-vacuum cleaners belong to the category of 1.A regular cleaning. though the job may possibly lead to a category other than the category 1.A.

### **Category 1.B**

Staff responsible for the cleaning of workshops, production halls and damp, naturally dusty, greasy and oily premises.

Staff on workstations that consist mainly of cleaning sanitary facilities.

Under 'mainly' is to be understood: more than 50% of the totality of the working time on the workstation. In that case, the whole of the working time on the workstation will be paid in category 1.B.

Staff responsible for shampooing the carpets, with the exception of the dry methods, crystallization, stripping of floors (removal of protective layers), and cleaning the ceilings.

Staff responsible for cleaning of general, specialised and psychiatric hospitals, psychiatric nursing homes and animal clinics, except for the administrative-offices as described above in category 1.A..

Staff responsible for the cleaning of medical institutions for care of the elderly:

- rest and nursing homes (RVT) (with permanent care – Katz scale B and C);
- acute care;
- according to the type of beds: geriatrics and V beds

Cleaning of laboratories that have particular characteristics, differing from teaching or office environments, falls under 1.B.

By way of example, come under 1.B: research laboratories for AIDS, biological laboratories presenting risks of infection, as opposed to language labs and social law labs that fall under 1.A.

The appointees in container parks are part of the category 1B.

Staff responsible for cleaning detention centres for illegal immigrants and of centres for the homeless.

Staff responsible for cleaning petrol pumps.

Staff responsible for cleaning kitchens actually used for cooking;

Staff responsible for cleaning test animal cages;

Staff responsible for removing graffiti.

### **Category 1.C**

Staff responsible for cleaning the Underground, the pre-metro, as well as depots and dependent installations, with the exception of the administrative offices.

The following rules apply to special work in the Underground:

- Cleaning of septic pits: category 1C + premium for unhealthy work;
- Cleaning of false ceilings: category 3B;
- Cleaning of metal coverings: category 3B if the working height amounts to over two meters and use must be made of ladders, scaffolding, etc.;
- Cleaning windows (including tinted glass, glass walls and glass doors): Category 4;
- Night work performed during power cuts (for example, from 1 to 4 hours). These activities are paid in category 1C plus night premium at a fixed rate of 7.4 hours per performance. The foregoing does not



mean that workers should not be charged with other tasks at the same site in order to complement their performances up to 7.4 hours;

- Emergency interventions and overtime hours:

Outside the framework of scheduled and planned regular works, there are two kinds of overtime hours:

- between 6 a.m. and 10 p.m., the hours are paid according to the terms of the CLA;

- between 10 p.m. and 6 a.m., the same rules apply.

In addition, a lump-sum start premium of EUR 14.95, linked to the health index (like the salaries), is granted.

Removal of waste on the tracks of the pre-metro is paid in the category 3.B.

Staff responsible for cleaning car body assembly halls and car body workshops. when the cleaning is not done during the production hours in the car factory. except for administrative offices and staff rooms.

### **Category 1.D**

Staff responsible for the cleaning of car body assembly halls and car body workshops (see 1C above). when the cleaning is done during the production hours in the car factory.

### **Category 2.A - Semi-heavy effort cleaning work**

Staff cleaning premises of which, because of the nature of the work. the tools, the equipment and the machinery used. a body effort is required which exceeds the efforts in the classes 1.A. 1.B. 1.C and 1.D. Hereto can be made use of so-called semi-heavy equipment. such as pressure washers with an output of more than 3 kW and which produce a pressure of over 150 bar. without producing industrial high pressure (+ 10 kW and + 250 bar).

Complies. by way of example. to the combination of the factors listed in the first section: the internal cleaning of industrial hoods. ovens and freezers.

The work in slaughterhouses and in the meat processing industry. as it is carried out in slaughterhouses and meat cutting halls. as well as in boning and guts processing zones. etc.. where the staff uses pressure washers and works in a very damp atmosphere. with adapted protective clothing. falls under the category 2.A.

Staff responsible for the evacuation and clearing of debris after a disaster. the protection of installations and machinery and the draining of run-off water after a fire or a flood.

### **Category 2.B - Cleaning of railway wagons. carriages of the Underground and the pre-metro. buses and airplanes.**

Staff cleaning railway wagons. carriages of the Underground and the pre-metro. buses and airplanes

### **Category 2.C**

Same work as that of category 2B. but carried out outside and on the exterior of the wagons. buses and airplanes.

### **Category 2.D**

Staff responsible for degreasing. cleaning and disinfecting new vehicles.

### **Category 2.E - Staff responsible for decontamination**

### **Category 2.F - Staff responsible for the cleaning of IBC containers and drums in PE**

### **Category 3.A**

Collector responsible for the door to door collecting of household and selective waste. such as paper. cardboard. organic waste. PMD (plastic. metal. beverage containers). large garbage. etc. as well as staff responsible for emptying and cleaning sewers. septic tanks and reservoirs. besides the persons mentioned under 3.C. 3. D and 3.E.

### **Category 3B**

Personnel for semi-heavy effort cleaning work. that may require heavy effort before cleaning. Their equipment may optionally include ramps, hoists, scaffolding.



This is the case for example in blast-furnaces, ferrous metal rolling mills, foundries, some halls in heavy industry, etc.

This applies of course only for the machine halls of this type of industries and not for the other facilities, such as offices, sanitary and social institutions, etc.

### **Category 3.C.**

Conducting vehicles for the door to door collection of household and selective waste such as paper, cardboard, organic waste, PMD (plastic, metal, beverage), bulky items, etc.

Driver-collector responsible for the door to door collection of household and selective waste such as paper, cardboard, organic waste, PMD, bulky items, etc.

Staff entrusted with the cleaning of public streets and squares with the aid of a vehicle.

Staff responsible for the insertion and removal of mobile sanitary facilities. These persons are entitled to the premium for unhealthy work provided for in Article 8 of the collective agreement on wages, wage supplements and bonuses.

### **Category 3.D**

Driver-mechanic, male or female, of vehicles collecting solid or liquid waste and / or transporting it: the driver-mechanic is able to perform the maintenance and repairs of the chassis cab, car mechanics, as well as all compaction systems, all building systems for drainage, loading, unloading, including the pumping and piping systems.

### **Category 3.E**

Driving a bull-compactor to garbage dumps, with 4 wheels with barbs (machine type TRASH MASTER).

### **Category 4 Skilled window cleaning**

Staff trained in cleaning window-panes, domes, windows, curtain walls, lighting fixtures, walls, ceilings, etc.

The qualification is obtained after a training period. This indoor and outdoor work requires the frequent use of an equipment comprising ladders of all sorts, bridges and ramps with their components, etc.

The window cleaning for which a height worker is required belongs to category 4.D

### **Category 5 Craftsmen**

The craftsmen are governed by the Joint Committees responsible for the activity sectors competent for their professions, or where appropriate, the company minima, with a minimum wage of the category 1.A.

The following guarantees are granted to the drivers exclusively employed to convey staff:

- a) a minimum salary of 1.A + 0.25 EUR;
- b) the more favourable conditions as of 30 April 1991 are maintained.

The operators of Clarks, of hydraulic platforms or of bobcats fall under the category 5.

### **Category 6**

Staff employed in "Car Wash" enterprises falls under the Joint Committee on the Cleaning and Disinfection Enterprises.

### **Category 7 Chimney sweeps**

7.A. 0 months seniority in the profession of window cleaner

7.B. 9 months seniority in the profession of window cleaner

7.C. 17 months seniority in the profession of window cleaner

7.D. 25 months seniority in the profession of window cleaner

### **Category 8 Industrial cleaning: maintenance, cleaning and handling in shipping, industry and the environment**

#### 1. Description of the work

Cleaning, maintenance and treatment of reservoirs, pipes, sewers, drains, separators, roads, tunnels, vehicles, ships, industrial installations and buildings.

#### 2. Equipment



For the above mentioned work heavy industrial equipment is used. except for preparatory and / or accessory activities.

### 3. Training

To perform the activities described above in category 8. passing the basic safety training VCA. within the deadline set by the VCA standard. as well as the customer-organized safety induction test for access to the site. are minimum requirements.

### 4. Categories of workers (male and female)

Industrial cleaning as described above may and can only be performed by staff governed by category 8.

Description of the categories:

#### **8. Assistants without vocational training in industrial cleaning**

Under vocational training in industrial cleaning is to be understood: high pressure sprayer or pressure vacuum operator or safety unit operator or chemical cleaner.

At the earliest after six, and at the latest after 12 months of seniority, the workers are automatically promoted from category 8 to category 8.A.

This means that a labourer with 6 months seniority in category 8, who has successfully completed one of the training courses mentioned in the first paragraph, is promoted from category 8 to category 8.A.

#### **8.A Assistant.**

An assistant in industrial cleaning is not a 2<sup>nd</sup> or 1<sup>st</sup> operator; he does not drive the heavy equipment; he does not drive or operate the machines.

On occasion he works with spray or suction heads set by someone else.

He assists in all of the operations before. during. and after the industrial cleaning.

However. the workers of category 8A will have the opportunity to have their acquired competence and training valorised by the management in order to ascend to category 8.B depending on the opportunities in the company.

This negotiation will possibly be conducted via the union delegation and in its absence. via the regional union secretaries responsible for the said activity branch.

At the latest after 12 months seniority, in category 8.A workers will be automatically promoted from category 8.A to category 8.B.

#### **8.B Second operator**

##### **8.B 2nd operator without a driver's license C**

He is not a 1st operator; he does not drive heavy equipment; he does not drive the machines. On occasion he operates the machines. He assists in all actions before. during and after industrial cleaning.

The employer shall provide the necessary facilities to the worker of category 8.B who want to obtain a driver's license C

##### **8.B1**

Has a driver's licence C. Is obliged to operate the rolling equipment.

##### **8.B2**

Has 6 months seniority in category 8.B1.

Seniority in the same company guarantees a move from 8.B1 to 8.B2.

##### **8.B3**

Has 6 months seniority in category 8.B2.

Seniority in the same company guarantees a move from 8.B2 to 8.B3.

##### **8.B4**

Has 6 months seniority in category 8.B3.

Seniority in the same company guarantees a move from 8.B3 to 8.B4.

#### **8.C Assistant 1st operator**

Is in possession of a valid driver's licence for vehicles C and E. with ADR certificate. He has an effective minimum experience of three years in an 8.B4 function.

Each operator 8.B4 will receive training at his request so as to enable him to perform his work in an autonomous manner and / or thoroughly. He therefore requires a general knowledge on the different





cleaning techniques. and he must have successfully completed both the specialized technical and security courses

Obtaining the various required driver's licenses is part of the training.

The labour contracts and their attachments shall specify the categories to which the workers belong. The requirements stated in the description of the category 8.C are minimum requirements and they form a whole.

The workers who have exercised the 8.B4 function for five years and have successfully achieved the specialized courses both in the technical and the safety areas are automatically promoted from the category 8.B4 to category 8.C.

#### **8.D Warehouse operator**

Staff responsible for warehouse management. stock control and management. as well as for the acceptance. distribution. administration and first-line maintenance of goods. equipment and material.

#### **8.E Garage staff**

Staff responsible for the maintenance. repair. construction and troubleshooting of material and equipment to be used for industrial cleaning tasks (cars. trucks. bicycles. dumpers. diggers/loaders. construction material. high-pressure units. combi and vacuum trucks. tankers. pumps. breathable air units...)

#### **Category 8.F Controller**

A controller is in possession of a valid training certificate and is authorized to issue inspection certificates and is responsible for inspecting materials, masks, vacuum suction equipment, high-pressure equipment and technical equipment for chemical cleaning.

#### **Category 9 – Waste incinerators**

##### **9.A Assistants**

Workers who perform simple tasks that do not require any professional knowledge.

- Staff for cleaning the premises of the factory and its equipment (unloading hall. boiler hall. slag hall. administrative offices. etc.).
- Assisting the technicians of the maintenance team.
- Painting the appliances and tubes.
- Excavation work.

##### **9.B Non-specialized worker**

Worker who is capable. after a short training period. to perform simple and repetitive work.

- Operating mechanical devices such as brushes. transport devices for heavy objects.
- Operating the scissor mechanism.
- Operating vehicles inside the plant.
- Assisting the technicians of the maintenance team.
- Maintenance of the environment of the plant: roads. lawns. etc.
- Operating household waste unloading bridges (roller bridges) without their maintenance.

##### **9.C Specialized worker**

Worker who. after a long training period. efficiently exercises part of the profession as well as the tasks requiring specific knowledge and skills.

- Assistant mechanic and assistant electrician: competent to assist the skilled technicians in their maintenance tasks of the electromechanical installations of the factory. following the guidelines of the entrepreneur or his representatives.
- Worker responsible for the supervision. management and maintenance of the water treatment station. under the supervision of the entrepreneur or his representatives.
- Operating various appliances.
- Operating the household waste unloading bridges (roller bridges) and the simple mechanical maintenance.
- Worker executing monitoring and control rounds.

##### **9.D Skilled worker**



Worker who is capable, under the supervision of the entrepreneur or his representatives, to enter the profession with efficiency and who is able to execute activities requiring initiative and skill.

- Worker in charge of the maintenance of the electromechanical installations of the factory.
- Maintenance of the electrical installations of the factory.
- Worker responsible for the repair activities in the workshop; able to manufacture or to reproduce parts using machine tools and to carry out welding work.

### **9.E Highly skilled worker**

Worker who is able, on the basis of general guidelines and instructions from plans, specifications or any other professional document, to carry out his activities in an autonomous manner with initiative, skill and efficiency.

The worker must be able to provide guidelines and monitor the work carried out by the workers of the above categories.

- Skilled worker in engineering and automation in charge of maintenance and supervision of the electromechanical installations of the plant, as well as the control and automation circuits.
- Worker who is able to identify all types of electrical circuits and to repair and modify any installation.

## **Category 10 Landfills**

### **10.A Assistant**

Worker performing simple tasks that do not require any professional knowledge.

- Staff for cleaning the premises, sites and their equipment (degassing station for electric valorisation, water treatment plant, technical rooms, other administrative offices, etc.).
- Assisting the technicians in the management and maintenance work.
- Operating the material for the reconstruction of sites and for the covering-up of waste.
- Assisting the operators in the field of cleaning and maintenance of the yard equipment.
- Maintenance of the neighbourhood (roads, lawns, etc.).

### **10.B Specialized assistant**

Worker who is capable, after a training period of appropriate length, to execute simple and repetitive activities:

- The tasks described under 10.a.
- Driving machines for moving materials or waste, such as a tractor with bucket or tank, articulated truck, loader on wheels and loader on tracks.
- Driving light compaction machines (<18 tons).
- First level maintenance of the above-mentioned machines.
- Assisting the technicians in operating the technical equipment.

### **10.C Specialized worker**

Worker who, after a long training period, efficiently exercises the profession as well as jobs that require specific knowledge and skills:

- Assistant electro-mechanic, assistant mechanic or assistant electrician capable to assist the skilled technicians in their maintenance tasks of the electromechanical installations of the sites, according to the guidelines of the entrepreneur or his representatives.
- Assistant electro-mechanic, assistant mechanic or assistant electrician capable to assist the skilled technicians in their tasks of driving and maintaining the technical equipment of the sites, according to the guidelines of the entrepreneur or his delegates.
- Worker performing the monitoring and the supervision and inspection rounds.

### **10.D Operator of appliances**

Worker who, after a long training period, efficiency practices the profession as well as tasks that require specific knowledge and skills:

- Driving waste compaction machines.
- Driving machinery for terrain reconstruction in slopes or in piles (hydraulic excavator)
- Driving all other machines operated on the site.
- Cleaning and maintenance of all the machines operated on the site.
- Assisting the maintenance technicians for all machines operated on the site.
- Operating the material for reconstructing the sites and covering-up of the waste.



#### **10.E Skilled worker**

Worker who is capable, following the instructions of the entrepreneur or his representatives, to efficiently enter the profession and who is competent to carry out work which requires initiative and skill:

- Technician responsible for the maintenance of the electromechanical equipment on the sites.
- Technician in charge of operating and maintaining the technical equipment on the sites.
- Technician in charge of monitoring and of the supervision and inspection rounds.

#### **10.F Highly skilled worker**

Worker who is capable, on the basis of general guidelines and instructions from plans, specifications or any other professional document, to carry out the work in an autonomous manner with initiative, skill and efficiency. He must be able to give guidance and to monitor the work carried out by the workers of the above-mentioned categories

- Skilled worker in control of engineering and automation, in charge of the maintenance and supervision of the electromechanical installations of the landfills, as well as of the control and automation circuits.
- Blue collar worker who is able to identify and to repair all types of electrical circuits

#### CHAPTER III. *Duration of the agreement*

Art.3. This CLA comes into effect on 1 July 2009 and is concluded for an indefinite period.

*(Categories 1A and 1B are most recently amended from 1 October 2019*

*Categories 2B and 3C are amended from 1 January 2014*

*Category 4 is amended from 1 October 2019*

*Categories 8 and 8A are amended from 1 October 2020*

*Categories 8D and 8E are added from 1 July 2017*

*Category 8F is added from 1 October 2020)*



## 2.2 Bonuses/Allocations

### End of Year bonus

**CLA of 24 November 2005 (77 890), as amended by the CLA of 28 January 2014 (120 641) and amended by CLA of 20 June 2017 (140 554)**

*(Royal Decree 19/04/2006 - Belgian Official Gazette 01/08/2006)*

*(Royal Decree 09/10/2014 - Belgian Official Gazette 28/11/2014)*

*(Royal Decree 28/01/2018 - Belgian Official Gazette 13/02/2018)*

**Amount and allocation and payment terms of the complementary advantages at the expenses of the "Social Fund for the cleaning and disinfection enterprises"**

Article 1.

In application of Article 7 of the Statutes adopted by the CLAs of 18 April 1968 establishing a Welfare Fund and establishing its statutes, declared generally binding by Royal Decree of 5 July 1968,

published in the Belgian Official Gazette of 24 July 1968, "the following additional social benefits are allocated at the expenses of the "Social Fund for the cleaning and disinfection enterprises":

1 ° an end of year bonus;

CHAPTER I. *End of year bonus*

Art. 2.

The reference period to which the bonus relates is between 1 July of the previous year and 30 June of the year to which the bonus relates.

As of the end 2002, the reference period 2001 to 2002, and the restructuring of the social fund, the gross bonus of 9% is calculated on the gross wages of the reference period reported to the National Social Security Office.

From the reference year 1993-1994 onwards, and for the first time for the calculation of the end of year bonus in 1994, a system has been developed to partly assimilate the days of illness. 63.158% of the wage loss is assimilated.

From the reference year 2013-14 onwards, and for the first time for the calculation of the end of year bonus in 2014, the pregnancy leave is equated during maximum 90 days per pregnancy leave and as far as there are effective prestations during the reference period of the end of year bonus.

In order to compensate for the delayed application of the 1.1 p.c. (from 1 January 2017 to 30 June 2017), the percentage of the Christmas bonus on the wages of the first and second quarter of 2017 will be increased to 10.199.

Art. 3.

From the end of 1993 onward, the bonus shall be allocated if the blue collar worker has at least 60 days of Social Security or assimilated in the sector, or if the gross income stated on the title is at least equal to:

wage category 1A of the month of January of the reference period x 3 hours x 60 days, rounded down or up to the nearest ten.

example: 2003: EUROS 9.4070 x 3 x 60 = 1 € 693.26 EUROS rounded down to 1690.

Art. 4.

If a blue collar worker, by applying of the above limits, is not entitled to an end of year bonus, and also proves that he has completed his military service in the period after the performance in the sector, the premium rejected because of his low performances shall be added to the end of year bonus which he is entitled to in the year following the military service, provided that the sum of both titles exceeds the limits that apply for the payment of the bonus in the last bonus year.

Art. 5.



If a worker, younger than 21 years of age (on the last day of the reference period), is not entitled to the end of year bonus as a result of the application of the above mentioned age limits, then he or she may cumulate this title, which does not entitle him or her to the bonus, with the title of the next reference period, provided that the sum of both titles is higher or equal than the limits that apply for allocating the bonus for the second year.

Art. 6.

The terms of seniority and minimum wage do not apply to the following categories of blue collar workers, provided they were entitled to the bonus of the previous service year:

1. The pensioners who have completely stopped working in the sector;
2. The persons enjoying pre-pension and the system for older unemployed;
3. The persons who were laid off for economic reasons.

The Management Board of the Fund shall determine the terms of application of this arrangement.

Art. 7.

The bonus is paid by the "Social Fund for the cleaning and disinfection enterprises" from the month of December onwards of the year to which the bonus relates.

The payment of the bonus shall be based on a money order prepared by the Management Board of the Fund.

The money orders are sent by the Fund to the blue collar workers in the course of the month of December of the year.

The blue collar worker, who is a member of one of the representative Trade Union organizations shall submit the money order to the local section of this organization.

The worker who is not a member of one of the representative Trade Union organizations, completes the money order in full and returns it to the Fund by registered letter.

The minimum amount per money order is fixed at 5 EUROS. No money order is issued when the bonus has not reached an amount of 5 EUROS.

The right to a bonus is barred, following 42 months from the end of the reference period referred to in Article 2, to which the end of year bonus relates.

Art. 8.

These provisions are minimum benefits. More advantageous conditions on company level shall be maintained unabridged.

CHAPTER VIII. *Final provisions*

Art. 43. This CLA comes into effect on 1 May 2003 and is concluded for an indefinite period  
(Art.2.and art. 9 are amended from 1 July 2017)

## **Compensation for sleeping hours**

### **CLA of 5 March 2007 (82 424)**

*(Royal Decree 12/07/2007 - Belgian Official Gazette 06/08/2007)*

### **Introducing a daily allowance for business travels and the compensation for "sleeping hours".**

#### *Sleeping hours*

##### Art. 3.

Taking into account the legislation on mandatory rest periods provided for in Article 38ter of the Labour Act of 16 March 1971, it happens that the workers cannot be employed, 5 days per week. For example, a worker works at night from Monday to Thursday. For the Friday the employer has only on day performance to offer which, however, cannot be performed because of the rest periods that have to be observed.

The missed hours, due to the change between day and night work schedules are called "sleeping hours" and compensated by multiplying the gross 100 % hourly wage of the worker by the normal number of hours he missed and should, according to his individual standard schedule, have performed that day.

These sleeping hours are reimbursed only if the employer cannot offer 5 days continuity of employment

To assess the worked shifts, the hours are allocated to the day on which the shift begins. If, due to a change between day and night schedule and because of the rest to be observed by the worker, this latter cannot start work in the new shift, sleeping hours shall have to be paid.

Sleeping hours are not eligible for the calculation of overtime. Only the actual performances should be taken into consideration in order to determine whether the daily or weekly limit was exceeded. The hours during which no work was performed, do not open the right to overtime pay.

##### Art. 4.

In no event shall the above systems of day compensation and sleeping hours constitute a precedent for other categories of workers.

#### *Final provisions*

Art. 5. This CLA comes into effect on 1 March 2007 and is concluded for an indefinite period.



## **Bridging Hours and Overtime**

**CLA of 11 June 2009 (94 700). as amended by the CLA of 30 June 2011 (105 861) and by the CLA of 20 June 2017 (140 557)**

*(Royal Decree 28/04/2010 - Belgian Official Gazette 23/07/2010)*

*(Royal Decree 05/03/2012 - Belgian Official Gazette 05/11/2012)*

*(Royal Decree 31/01/2018 - Belgian Official Gazette 22/02/2018)*

### **Working hours, overtime and work organization**

#### *Working hours*

##### Art. 2.

The maximum weekly working time limit (Article 19 of the Labour Code of 16 March 1971, as amended by the Act of July 20, 1978), amounts to 37 hours a week, without taking into account the extra days of leave granted.

Taking into account the extra days of leave provided for in Article 16 of this CLA, granted in order to reach, for a full-time worker an effective average number of working hours of 36.50 hours per week, a factor S of 36.50 hours shall be indicated on the social documents for the NEO.

The performance of overtime is limited to the cases permitted by law. At company level, organizational measures shall be taken to limit the performance of overtime in order to boost employment.

The employer shall file an individualized quarterly report on the overtime worked. This report is submitted to the Works' Council or, in the absence of the Union Delegation or in the absence thereof to the regional Trade Union secretaries.

##### Art. 3.

The working time limits laid down in Articles 19 and 20 of the Labour Act of 16 March 1971, or a lower limit fixed by collective agreement, may be exceeded, provided that the working week, calculated over a period of a quarter, does not exceed the average working time established by law or collective agreement.

#### *Calculation of overtime*

##### A. General system

##### Art. 4.

Taking into account the facilities of the employers have to spread the 481 hour work schedule over thirteen consecutive weeks, and without prejudice to the wage allowances that are provided for in the CLA wages, the wage allowances and the bonuses (i.e. for work on Sundays, night work, etc.), the overtime hours shall be calculated on the hours that exceed the normal working week of 37 hours as well as the hours in excess of the normal quarterly duration of 481 hours.

##### Art. 5

The wages of the hours exceeding the 37 hours per week, shall receive an additional 50%.

The wages of the hours exceeding 481 hours per thirteen consecutive weeks, shall receive an additional 50%.

However, the same hour shall not result in a double increase.

##### Art. 6

The value of the overtime is divided into two parts: 100% = the hourly wage, plus the supplement of 50% (e.g. 150 = 100 + 50).

The supplement of 50% shall be paid to the workers, together with the wages of the period during which the overtime was performed.

The value of 100% of overtime nevertheless entitles to compensatory rest, which shall be converted in paid leave. This compensatory leave is taken per usual working day, within 4 weeks after the performance, except where the work rules specify otherwise. The compensatory leave will be paid in the period in which it is taken.

The payment of the allowance can be converted in extra compensatory rest. To do so, the worker shall make his choice beforehand and in writing. This decision is considered final and will be applied to any future performance of overtime.



Art.7.

For the workers of the category 9. a similar system derogating from the general system and from the application of Article 6 of the CLA of 12 May 2003 on the wages. wage allowances and bonuses relating to work performed on Sundays or on public holidays. may be set:

The application of this derogation is subject to the conclusion of a CLA which shall be signed by the regional leaders of the Trade Union Organizations of the place the company's seat is established.

B. Bridging Hours for the waste processing activity

The general scheme for the calculation of overtime. included in the above Articles 4. 5 and 6 applies.

Art. 8.

The current system only applies to companies employing staff in the categories 3.A - 3.C - 3.D.

Art. 9.

In accordance with the provisions of the Royal Decree of 17 March 2009 on the working hours of the workers of the Joint Bargaining Committee 121. published in the Belgian Official Gazette of 16 April 2009. for the establishment of working hours. the idle time for loading and unloading of vehicles is not considered as time during which the staff is at the disposal of the employer.

This provided idle waiting time is called bridging time.

Art. 10.

The number of bridge hours per person shall not exceed 200 per calendar year. Any derogations from the limit of 200 hours may be negotiated at company level by the Trade Union delegation and the competent regional Trade Union Secretaries or. in the absence of a Trade Union delegation. by the competent regional Trade Union Secretaries of organizations represented in the Joint Bargaining Committee 121. This number of hours shall not exceed the maximum limit of 500 hours per calendar year.

Art. 11.

The bridging hours are paid at the same hourly rate as the driving time. the collection and the disposal of waste.

*Flexibility*

Art. 13.

The weekly working hours of 37 hours or in the case of individual employment contracts established by collective agreement shall be observed as an average over a quarterly period.

In principle. the average working hours shall be observed over a period of two consecutive weeks. If this proves to be difficult, other organizational rules may be negotiated upon at company level.

*Variability Margin*

Art. 15.

The credit established by Article 3 of the Royal Decree of 25 June 1990 assimilating the performances of some part-time blue collar workers with overtime. published in the Belgian Official Gazette of 30 June 1990. is raised to 37 hours per month. The hours performed on top of the work schedules, which are laid down in employment contracts, shall be entrusted to volunteers.

Further, the parties shall observe the CLA of the National Labour Council No. 35 of 27 February 1981 on certain provisions of the labour act regarding part-time work. This provision shall remain in force as long as the Royal Decree of 25 June 1990 referred to or any royal decree. extending the legal effect of Article 3 unaltered. remains valid.

The social partners recall:

If the anticipated schedule in the course of one quarter is exceeded at least one hour per week on average. the following provisions apply:

The worker concerned. at his request. is entitled:

- a) to a review of his employment contract. without however exceeding the normal number of working hours established by law or by CLAs;





b) to a compensatory rest. provided that the length of the extra hours performed during the quarter reaches on average 20% of the agreed upon schedule.

That compensatory rest shall be granted within the thirteen weeks following the quarter.

The procedures for granting the compensatory rest shall be fixed by agreement between the employer and the worker concerned. In the absence of such an agreement. a compensatory rest of minimum 1 driving hour shall be allocated per week; that compensatory rest shall not exceed 20% of the weekly working time laid down in the employment contract.

The calculation of the average of the extra hours performed during the holiday periods shall be operated by assimilating it to the work performed during the other months of the quarterly average. so as to avoid that the holiday period would affect the calculation of the average.

Under "quarter" is to be understood the quarter taken into account for the calculation of the social security contributions

#### *Tourist centres*

Art. 18.

In tourist centres where it is difficult to record fixed work schedules in the employment contracts. these latter shall mention the following:

- a. the number of working hours per period (maximum one quarter the employer guarantees per worker);
- b. the working hours are variable;
- c. the continuous performance per day is situated between a minimum of 3 and a maximum of 9 hours.

In principle. the workers are compensated per hour worked.

Derogations to this principle may be negotiated and obtained on company level, for instance a lump-sum payment.

These derogations shall be negotiated with the Union Delegation or. in the absence of a delegation the representatives of the Trade Union Organizations. represented in the Joint Bargaining Committee for the Cleaning Enterprises.

They are laid down in a CLA concluded on company level. which bears the signature of the competent Regional Trade Union secretaries. These CLAs shall be submitted in bundles to the advice of the Joint Committee 121 during a meeting held monthly. Then they shall be registered at the Registry of the Directorate-general of the Collective Labour Relations and submitted to the approval of the Minister of Work.

Any infringement of the requested derogation in the application of the minimum amounts shall be deemed to have been committed on the day of refusal of approval of the CLA by the Minister of Labour.

#### *Duration of the agreement*

Art.33. This CLA comes into effect on 1 July 2009 and is concluded for an indefinite period.

(Article 15 is amended from 1 July 2011 and article 5 is amended from 1 July 2017)

## **Lump GRLP compensation**

**CLA of 11 June 2009 (94 697), most recently amended by the CLA of 27 January 2016 (132 616 )**  
*(Royal Decree 17/03/2010 - Belgian Official Gazette 14/09/2010)*  
*(Royal Decree 10/01/2017 - Belgian Official Gazette 01/03/2017)*  
**Lump GRLP. Compensation**

### CHAPTER II. *GRLP compensation*

#### Art. 2.

The GRLP compensation is allocated as reimbursement of expenses incurred by the staff outside the seat of the cleaning company. listed in the work rules. but specific to the company. The GRLP compensation shall be mentioned in the form 281.10 of workers. under the heading "costs proper to the employer".

#### Art. 3.

The compensation referred to in Article 2 has its origins in the GRLP facilities that apply for sedentary workers (Title II. Chapter II. Section II of the General Regulations for Labour Protection). Given the mobile nature of the employed staff. making it impossible for the companies to provide for a number of sanitary provisions (such as for example bathrooms, canteens, toilets, drinks. etc.). it is indispensable to be able to appeal to the existing private facilities.

#### Art. 4.

From 1 January 2016 onwards. a GRLP compensation per worked day of net EUR 1.63 shall be paid to the workers.

### CHAPTER II *Duration of the agreement*

Art.5. This CLA comes into effect on 1 July 2009 and is concluded for an indefinite period.  
*(Article 4 is amended most recently from 1 January 2016)*

## **3 Reimbursement of Travel, Board and Lodging expenses**

As from 30 July 2020, the allowances will have to be paid to posted workers only under the conditions mentioned in Article 5, paragraph 1, subparagraph 2, of the Act of 5 March 2002 concerning the working, remuneration and employment conditions in case of posting of workers in Belgium and the monitoring thereof. In other words, they will only have to be paid when the posted workers have to move to or from their usual workplace in Belgium, or when they are temporarily sent by their employer from that workplace to another workplace).

On the other hand, they may not apply to travel between the country of origin and the workplace in Belgium.

### **Transport costs**

**CLA of 2 March 2016, as last amended by the CLA of 25 October 2019 (155.560)**

*(RD 07/03/2017- BOG 29/03/2017)*

*(RD 06/03/2020 – BOG 13/05/2020)*

#### **Transport costs**

##### *CHAPTER I. Scope*

Article 1. This collective labour agreement shall apply to the employers and manual workers, hereinafter referred to as "workers", of companies belonging to the Joint Committee for Cleaning, S.M.E. and others.

This collective labour agreement also applies to employed workers, under open-ended contract or a contract for a definite period, for work carried out in Belgium, regardless of the country of establishment of the employer.

##### *CHAPTER II. Public transport by rail*

Art. 2. With regard to transport organised by the S.N.C.B., the employer's contribution is 100% of the S.N.C.B. 2nd class social subscription, excluding prepaid cards and not exceeding 100% of the costs for home-workplace transport.

##### *CHAPTER III. Public transport other than railways*

Art. 3. In the case of public transport other than railways, the employer's intervention in the price of the subscriptions is 100% of the actual transport price, excluding prepaid cards and not exceeding 100% of the costs for home-workplace transport.

##### *CHAPTER IV. Combined public transport*

Art. 4. Where the worker uses several means of public transport, these are reimbursed up to 100%, excluding prepaid cards and not exceeding 100% of the costs for home-workplace transport.

##### *CHAPTER V. Travel by own means*

Art. 5. Workers who travel by their own means are entitled to an intervention at the expense of the employer.

Where the worker travels by any means of transport other than those provided for in Chapters II, III, IV and VI, they shall be entitled to a daily allowance per day worked, the amount of which is set out in the table in the Appendix.

However, this contribution is limited to 90% of the price of the monthly train card per month (collective labour agreement No. 19 of the National Labour Council + 15%).

##### *CHAPTER VI. Travel by bicycle*



Art. 6. Manual workers who travel by bicycle, without a motor, are entitled to an intervention at the expense of the employer. For the calculation of distance, reference is made to the number of kilometres travelled by the shortest route, calculated from home to work and from work to home. Manual workers who travel by bicycle must notify their employer in writing. Employers can check at any time whether the transport is actually done by bicycle. With effect from 1 January 2020, the employer's contribution for journeys by bicycle (whether or not electrically propelled) or speed pedelec is increased to EUR 0.24 per kilometre.

CHAPTER VII. *Home-workplace travel in case of more than one construction site*

Art. 7. When workers are working on several construction sites per day or per week for which they are required to buy several public transport subscriptions, the employer's contribution is due for all these subscriptions.

Where own means of transport are used, the total amount of the intervention shall be equal to that provided for in Article 5 of this agreement.

CHAPTER VIII. *Reimbursement period*

Art. 8. The intervention of the employer in the transport costs borne by the workers will be paid once a month for workers with a monthly subscription or on the occasion of the payment period that is customary in the company with regard to tickets that are valid for one week.

CHAPTER IX. *Reimbursement terms and conditions*

Art. 9. a) Employers will ask workers, at the time of their engagement and on the occasion of each change of address, for a certificate/transport ticket, issued by the S.N.C.B. and/or the other public transport companies.

If the certificate entails a cost, it shall be reimbursed by the employer against provision of proof of payment.

b) For cases of travel by own means, as provided for in Articles 6 and 7 of this collective labour agreement, a declaration, indicating the distance travelled, signed by the worker shall replace the certificate/transport ticket provided for above.

c) Employers can check at any time whether the number of kilometres corresponds to reality.

Art. 10. The intervention of the employer in the transport costs is due from the first day of work.

CHAPTER X. *Transport totally organised by the employer*

Art. 11. The provisions of this collective labour agreement shall not apply to employers who fully organise the transport of workers on their own account.

CHAPTER XI. *Final provisions*

Art. 12. This collective labour agreement comes into force on 1 January 2016 and is concluded for an indefinite period. (*art.6 and 7 are modified as of 1 January 2020*)



Annex

Amount of the employer's intervention -personal transport

KM	Per day	Per month	KM	Per day	Per month
1	1.32	21.96	43-45	6.56	109.20
2	1.48	24.60	46-48	6.93	115.20
3	1.61	26.76	49-51	7.29	121.20
4	1.76	29.28	52-54	7.50	124.80
5	1.88	31.20	55-57	7.72	128.40
6	2.02	33.60	58-60	8.01	133.20
7	2.16	36.00	61-65	8.30	138.00
8	2.24	37.20	66-70	8.66	144.00
9	2.38	39.60	71-75	9.09	151.20
10	2.52	42.00	76-80	9.52	158.40
11	2.67	44.40	81-85	9.88	164.40
12	2.78	46.20	86-90	10.32	171.60
13	2.89	48.00	91-95	10.68	177.60
14	3.03	50.40	96-100	11.04	183.60
15	3.14	52.20	101-105	11.54	192.00
16	3.25	54.00	106-110	11.90	198.00
17	3.43	57.00	111-115	12.34	205.20
18	3.53	58.80	116-120	12.77	212.40
19	3.68	61.20	121-125	13.06	217.20
20	3.82	63.60	126-130	13.49	224.40
21	3.90	64.80	131-135	13.85	230.40
22	4.04	67.20	136-140	14.28	237.60
23	4.18	69.60	141-145	14.64	243.60
24	4.26	70.80	146-150	15.22	253.20
25	4.47	74.40	151-155	15.44	256.80
26	4.54	75.60	156-160	15.87	264.00
27	4.69	78.00	161-165	16.23	270.00
28	4.83	80.40	166-170	16.66	277.20
29	4.91	81.60	171-175	17.02	283.20
30	5.05	84.00	176-180	17.46	290.40
31-33	5.27	87.60	181-185	17.75	295.20
34-36	5.63	93.60	186-190	18.25	303.60
37-39	5.92	98.40	191-195	18.61	309.60
40-42	6.28	104.40	196-200	19.04	316.80



## 4 Working hours

### Working time:

On a quarterly basis. 36 hrs.30 min. on average

*CLA of 11 June 2009 (94 700) RD 28/04/2010 -BOG 23/07/2010*

This CLA comes into effect on 1 July 2009 and for an indefinite period.

### 10 Public Holidays (Royal Decree 18 April 1974 art.1):

New Year's Day (1/1)

Easter Monday

Labour Day (1/5)

Ascension

Whit Monday

National Holiday (21/7)

Ascension (15/8)

All Saints day (1/11)

Armistice Day (11/11)

Christmas (25/12)

More information on the site of the FPS ELSD:

<https://employment.belgium.be/en/themes/international/posting/working-conditions-be-respected-case-posting-belgium/public-holidays>

### Additional Holiday (besides the 10 public holidays):

11th extra-legal public holiday. taken in principle on the feast of the Community.

If workers habitually work for the same client. and if the staff of this client is entitled to a non-statutorily established public holiday other than the 11th extra-legal public holiday. the workers are entitled to wages for that day. at the same conditions as applicable for a paid public holiday.

*CLA of 11 April 1991 (28 607) RD 10/01/1992 - BOG 07/03/1992*

This CLA shall enter into force on 1 May 1991 and shall be concluded for a period of one year.

Thereafter, it shall be tacitly extended from year to year.

### 20 Legal Holidays (in five-day system):

The legal holidays which the worker is entitled to, shall be calculated annually as a function of the sum of the number of worked days and equivalent days in the holiday service year.

More information on the site of the FPS ELSD:

<https://employment.belgium.be/en/themes/international/posting/working-conditions-be-respected-case-posting-belgium/minimum-paid>