



# Joint Committee for Agriculture (JC 144) (except the non-manual employees and the cultivation of flax, cultivation of hemp and primary processing of flax and/or hemp)

*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 Agriculture for work performed in Belgium, (except the cultivation of flax, cultivation of hemp and primary processing of flax and/or hemp)

## **Joint committee for Agriculture Creation and amendments**

- (0) Royal decree 09.02.1971 Belgian official gazette 19.03.1971
- (1) Royal decree 21.03.2000 Belgian official gazette 17.05.2000
- (2) Royal decree 15.07.2004 Belgian official gazette 04.08.2004
- (3) Royal decree 03.09.2015 Belgian official gazette 22.09.2015
- (4) Royal decree 23.06.2019 Belgian official gazette 09.07.2019
- (5) Royal decree 22.11.2022 Belgian official gazette 15.12.2022

### *Article 1, §1, paragraph 14*

Competent for workers whose tasks are of a primarily manual nature and their employers in :(till 31 December 2022):

Competent for workers in general and their employers (from 1 January 2023),

1. agricultural companies as such
2. grass catch crops and grazed orchards, cultivation and drying of tobacco, cultivation and drying of hops, cultivation of medicinal plants, cultivation of sugar beet, cultivation of coffee chicory, cultivation of agricultural seeds and seed potatoes, cultivation of wicker;
3. breeding, poultry farming, beekeeping, fish farming, mussel farming, oyster farming, artificial insemination, including activities carried out wholly or partly on behalf of third parties;
4. care of horses, rental of horse stalls, stables and the maintenance thereof, instructions relating to horse-riding, except for workers performing activities which fall within the competence of the Joint committee for the hotel industry;
5. farm replacement services approved by the competent authority;
6. cultivation of flax, cultivation of hemp, primary processing of flax and/or hemp. "Primary processing" means the separation of the different parts of the plant.

The Joint committee for agriculture is not competent for the employees falling within the remit of a specifically competent joint committee or of the Auxiliary joint committee for the non-profit sector. (from 1 January 2023)



## 2 Remuneration

### 2.1 Wage scale (gross)

16/10/2023:

CLA of 24 May 2023 (180.762) (R.D. 28/09/2023– B.O.G 06/10/2023)  
This CLA shall take effect on 2 January 2023 for an indefinite period.

CLA of 31 January 2022 (173 478) (R.D 03/02/2023 – B.O.G. 30/03/2023)  
This CLA shall take effect on 1 January 2022 for an indefinite period.

CLA of 19 January 2023 (178 065) (R.D 28/06/2023 – B.O.G. 06/09/2023)  
This CLA shall take effect on 1 January 2023 for an indefinite period.

#### 2.1.1 Adults

Categories	
Non-qualified	11.53 EUR
Specialised	12.16 EUR
Qualified	12.72 EUR
Overqualified	12.72 EUR
Seasonal and occasional workers	10.97 EUR

#### 2.1.2 Seniority Allowance (except for the seasonal and occasional workers)

From a seniority of 5 years	+ 0.5 %
From a seniority of 10 years	+1 %
From a seniority of 15 years	+1.5 %
From a seniority of 20 years	+ 2 %
From a seniority of 25 years	+2.5 %
From a seniority of 30 years	+ 3 %
From a seniority of 35 years	+3.5 %
From a seniority of 40 years	+ 4 %

#### 2.1.3 Job classification

**CLA of 31 January 2022 (173 478)**  
(RD 03/02/2023 – BOG 30/03/2023)  
**Fixing wage and working conditions**

CHAPTER I. Scope



Article 1. This collective labour agreement applies to the employers and the workers they employ, who are members of the Joint Committee for Agriculture, with the exception of:

- the workers who are employed in the sector and who are referred to in Article 8bis of the Royal Decree of 28 November 1969, Belgian Official Gazette of 5 December 1969, concerning social security for workers;
- the employers whose main activity is the cultivation of flax, the cultivation of hemp, the primary processing of flax and/or hemp, and the workers they employ. By "primary processing" is meant: separation of the different parts of the plant.

## CHAPTER II. *Job Classification*

Art. 2. Workers are divided into 4 categories:

### 1. Overqualified

Workers who, on the one hand, are capable of performing all the tasks of a skilled worker and who, on the other hand, are responsible for taking management decisions relating to the whole company and who are responsible for the execution such as:

- fixing the date and method of working the land;
- manuring of the soil;
- sowing and planting;
- harvesting;
- phytosanitary activities;
- caring and feeding of the livestock;
- breeding;
- the cropping plan.

These workers have either A2 level training, supplemented by an entrepreneurial course in post-school education or experience as a business manager, or a sufficiently long experience as an entrepreneur.

### 2. Qualified

Workers capable of carrying out independently and comprehensively all the agricultural activities entrusted to them and which relate to all the activities of the company or a branch of the company, capable of using all the machinery and tools they need to carry out these activities, and capable of adjusting and maintaining them. This qualification can be attained either through day or post-school courses, or through work experience, or both.

### 3. Specialized

Workers with at least three years' experience in the activity or company and who can carry out at least half the tasks of a qualified person.

### 4. Non-qualified

Other permanent workers.

## CHAPTER V. *Validity*

Art. 8. This CLA shall take effect on 1 January 2022 and is concluded for an indefinite period.

## **2.2 Bonuses/Allocations**

### **End of the year bonus**

**CLA of 4 July 2019 (153 333), amended by CLA of 13 October 2020 (161 894)**

*(RD 11/11/2019 - BOG 05/12/2019)*

*(RD 21/03/2021 - BOG 04/05/2021)*

#### **End of year bonus**

##### *CHAPTER I. Scope*

Article 1. This collective labour agreement applies to the employers and the workers they employ, who are members of the Joint Committee for Agriculture, with the exception of:

- the workers who are employed in the sector and who are referred to in Article 8bis of the Royal Decree of 28 November 1969, Belgian Official Gazette of 5 December 1969, concerning social security for workers;
- the employers whose main activity is the cultivation of flax, the cultivation of hemp, the primary processing of flax and/or hemp, and the workers they employ. By "primary processing" is meant separation of the different parts of the plant.

##### *CHAPTER II. Allocation Modalities*

Art. 2. To the blue collar workers referred to in Article 1 shall be allocated at the expenses of Agricultural Guarantee and Social Fund, an end of year bonus to the extent of the performances they have made in the sector during the reference year.

Art.3. The end of year bonus amounts to 6 % and is calculated on the gross wage that the male or female blue collar worker concerned has earned in the reference year.

The annual gross salary on which the end-of-year bonus is calculated is increased by a fictitious daily salary for a certain number of assimilated days, as set out in the instructions of the Social and Agricultural Guarantee Fund.

To these assimilated days are added the days of temporary unemployment due to force majeure corona.

Art 4. Under "reference year" is to be understood the period running from 1 July of the previous year to 30 June of the year in which the bonus is paid.

Art. 5. The end of year bonus is paid to the beneficiaries in the month of December following the reference year to which the bonus is calculated.

Art.6. The following persons shall also be entitled to an end of year bonus paid according to the terms referred to in Article 3:

- The male and female blue collar workers who retired or who entered the System of unemployment with corporate allowance in the course of the reference year;
- The relatives of male and female blue collar workers who are deceased in the course of the reference year;
- The male and female blue collar workers whose employment agreement ended during the reference year with a notice term or a termination of the employment contract by the employer and the payment of a termination severance or whose employment contract was terminated by mutual agreement;
- The male and female blue collar workers linked by an employment contract for a fixed period or for specific work that will end in the course of the reference period.



Art. 7.

Are not entitled to an end of year bonus. the male and female blue collar workers:

- who resign itself;
- who are made redundant because of a compelling reason.

CHAPTER III. *Validity*

Art. 10.

This CLA comes into effect on 1 July 2019 and is concluded for an indefinite period. (*art 3 is amended from 1 March 2020*)

**CLA of 19 January 2023 (178 065)**

(*R.D. 28/06/2023 – B.O.G 06/09/2023*)

**Fixing wage and working conditions for seasonal and occasional work**

CHAPTER I. *Scope*

Article 1. This collective labour agreement applies to the employers of the companies belonging to the Joint Committee for Agriculture and to their occasional workers as defined in Article 8bis of the Royal Decree of 28 November 1969, adopted in implementation of the Law of 27 June 1969 revising the Decree-Law of 28 December 1944 on social security for manual workers.

CHAPTER III. *End-of-year bonus, including annual lump-sum premium*

Art. 4. The occasional workers referred to in Article 1 who, during the reference period running from 1 January to 31 December of the year, declared at least 25 days on the occasional form in one or more companies referred to in Article 1 shall be entitled to an end of year bonus and a purchasing power bonus which together amount to EUR 82.94 on January 1st, 2023.

These premiums are paid by the “Agricultural Guarantee and Social Fund”.

§2. The amount of the premiums is linked to the smoothed health index, in accordance with the provisions of the collective labour agreement of 4 July 2019, concluded within the Joint Committee for Agriculture, on the linkage of wages to the Consumer Price Index and registered under No. 153274/CO/144.

CHAPTER VII. *Validity*

Art. 8. This collective labour agreement shall take effect on 1 January 2023 and is concluded for an indefinite period.

## **Flat-rate bonus**

### **CLA of 31 January 2022 (173 478)**

*(RD 03/02/2023 – BOG 30/03/2023)*

### **Fixing wage and working conditions**

#### CHAPTER I. *Scope*

Article 1. This collective labour agreement applies to the employers and the workers they employ, who are members of the Joint Committee for Agriculture, with the exception of:

- the workers who are employed in the sector and who are referred to in Article 8bis of the Royal Decree of 28 November 1969, Belgian Official Gazette of 5 December 1969, concerning social security for workers;
- the employers whose main activity is the cultivation of flax, the cultivation of hemp, the primary processing of flax and/or hemp, and the workers they employ. By "primary processing" is meant: separation of the different parts of the plant.

#### CHAPTER III. *Wage conditions*

##### C. Lump-sum premium

Art.6. § 1. From calendar year 2016 on, the employer pays each year. on 1<sup>st</sup> July, a lump-sum premium to the workers referred to in aforementioned Article 1. This lump-sum premium is only granted to the workers who worked during the reference period, i.e. from July 1<sup>st</sup> of the previous calendar year to 30<sup>th</sup> June of the current calendar year in companies belonging to the Joint Committee for Agriculture.

"Employment" comprises the worked and assimilated days as defined in the Article 16 of the Royal Decree of 30 March 1967 laying down the general implementing modalities of the acts on the workers' annual leave (Belgian Official Gazette of. April 6<sup>th</sup>. 1967)  
(See link:[KB van 30 maart 1967](#) (in Dutch) or [AR du 30 mars 1967](#) (in French) )

§2. For the workers employed full-time with a complete reference period, the amount of this gross premium is 55.00 EUR.

For part-time workers. the gross premium will be calculated on the basis of the premium of full-time workers and this, depending on the duration of the part-time work.

For the workers who cannot provide evidence that they have worked during a whole reference period. the gross premium will be calculated in proportion of their working time. Every started month accounts for 1/12<sup>th</sup>. When the occupation comes to an end, the premium is paid off with the last wage settlement.

§3. The amount of the premium is linked to the evolution of the smoothed health index, in accordance with the provisions of the CLA of 4 July 2019, concluded within the Joint Committee for Agriculture, concerning the indexation of wages (agriculture excluding flax ) and registered under No. 152 3274/C0/144. This premium is fixed at EUR 60.07 on 1<sup>st</sup> of January 2021.

§ 4. At company level. this lump-sum premium may be transposed into an equivalent benefit (in case of transposition into meal vouchers, the employer's share increases by 0.5 EUR per day) through the conclusion of a collective labour agreement, filed at the latest on May 1<sup>st</sup> of the current year, and provided that a copy of that company CLA is forwarded to the Chairman of the Joint commission for Agriculture .

As long as the basic agreement is renewed at the level of the Joint Committee. the conversion will be automatically extended

#### CHAPTER V. *Validity*



Art.8. This CLA comes into effect on 1 January 2022 and is concluded for an indefinite period

## **Fidelity bonus**

### **CLA of 19 January 2023 (178 065)**

*(R.D.28/06/2023 – B.O.G. 06/09/2023)*

#### **Fixing wage and working conditions for seasonal and occasional work**

##### CHAPTER I. *Scope*

Article 1. This collective labour agreement applies to the employers of the companies belonging to the Joint Committee for Agriculture and to their occasional workers as defined in Article 8bis of the Royal Decree of 28 November 1969, adopted in implementation of the Law of 27 June 1969 revising the Decree-Law of 28 December 1944 on social security for manual workers.

##### CHAPTER IV. *Fidelity bonus*

Art. 5. The occasional workers referred to in Article 1 who have declared at least 15 days in the course of the calendar year on the occasional form in one or more of the companies referred to in Article 1 shall be entitled to a taxable fidelity bonus equal to EUR 0.50 per day worked from the Agricultural Guarantee and Social Fund.

##### CHAPTER VII. *Validity*

Art. 8. This collective labour agreement shall take effect on 1 January 2023 and is concluded for an indefinite period.

## **Additional allowance for working on a public holiday**

### **CLA of 13 May 2022 (174 199)**

*RD 12/02/2023 – BOG 04/04/2023*

#### **Additional allowance for seasonal workers working on a public holiday**

Article 1. This collective labour agreement applies to the employers of the companies belonging to the Joint Committee for Agriculture and to their occasional workers as defined in Article 8bis of the Royal Decree of 28 November 1969, adopted in implementation of the Law of 27 June 1969 revising the Decree-Law of 28 December 1944 on social security for manual workers.

##### Article 2.

Seasonal and casual workers who work on a public holiday are entitled to an additional allowance, on top of the usual salary for the hours actually worked.

##### Article 3.

The additional allowance is calculated as follows: the number of hours worked on the public holiday multiplied by the hourly wage.

##### Article 4.

The additional allowance is paid with the first salary settlement following the public holiday worked.

Art.5. This CLA comes into effect on 1 May 2022 and is concluded for an indefinite period.



### **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**

There is no CLA, which is made compulsory by Royal Decree, available



## 4 Working hours

On average on an annual basis: 38 h/week

*CLA of 4 July 2019 (153 332) (RD 20/11/2019- BOG 06/12/2015)  
This CLA comes into effect on 1 July 2019 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>

### 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>