

## Balancing home life - professional life : Belgium

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### Rules and mechanisms for balancing time

The balancing of professional, family and home time in Belgium is organised by means of various mechanisms. The general rules are likely to be improved, depending on the sector or company in which the woman works, by means of specific Collective Agreements. Furthermore, the regions are developing additional measures (for example in terms of time credits or help for certain types of families). The matter is therefore complex and my exposé will be based on the minimum statutory federal rules.

All the data consistently shows significant differences in the matter of balancing professional and home lives, between men and women. A few tentative attempts by the Belgian government are heading towards improving the mechanisms (improvement of parental leave and extension of paternity leave) but much still needs to be done in order to bring about a satisfactory and egalitarian time balance.

In order to understand the figures which follow, it is useful to know that of the 4,139,000 people employed in Belgium, 2,468,000 work in the private and associated sector and 735,000 in the public sector, of which 461,300 are civil servants. We should also note that fixed-term contracts affect 7.8 % of paid employees and are more common in part-time work.

### 1. Audit

#### Part-time

##### Data

	1995	2003	1997	1998	1999	2000	2001	2002	2003	2004
<b>Men and women</b>	<b>15.4%</b>	<b>15.9%</b>	<b>16.8%</b>	<b>17.8%</b>	<b>19.5%</b>	<b>20.0%</b>	<b>19.5%</b>	<b>20.3%</b>	<b>21.6%</b>	<b>22.6%</b>
Men	3.1%	3.2%	3.6%	4.0%	5.0%	5.4%	5.1%	5.6%	6.4%	6.9%
Women	33.4%	34.0%	35.2%	36.8%	39.1%	39.3%	38.5%	39.5%	41.0%	42.4%

Number of employees working part-time as a percentage of the total number of employees.

Main reason for working part-time	Men	Women
(Early) pensioner, can only work part-time	3.9%	0.5%
Can't find full-time work	31.3%	20.2%
Has another job (part-time) as well	6.1%	1.6%
Sandwich education (part-time work and apprenticeship)	10.2%	1.2%
Cannot work full-time for health reasons	6.1%	2.2%
Has to look after children	3.5%	29.1%
Other reasons of a personal or family nature	14.5%	25.7%
Doesn't want to work full-time	6.6%	9.3%
Other reason	17.8%	10.2%
<b>Total</b>	<b>100.0%</b>	<b>100.0%</b>

First half 2001.

If we are interested in the split of women working part-time by reason, the first reason given by women is associated with looking after children (29.1%) and personal and family reasons (25.7%), the third reason is that they have not been able to find a full-time job (20.2%) .

For men, the main reason given is the fact that they have not been able to find a full-time job (31.3%). Family and personal reasons are cited by 14.5% of the male workers questioned. Only 3.5% of men working part-time mention looking after children.

We can see, therefore, that the reasons for working part-time are very different depending on sex and reflect the inequality which persists in the division of family tasks.

An initial consequence of this female domination of part-time work is, obviously, that women's income is much less than men's and, therefore, the financial dependency of women in the household and a greater risk of impoverishment of women in the event of divorce or the death of the husband.

A second consequence of part-time work over a long career period is the difficulty in reaching positions of responsibility and the confinement of women to sectors of employment which are less prestigious and less well paid.

Finally, a third and not inconsiderable consequence is that women are considered much less often to benefit from pension systems which are largely based on conditions inherent in the career. In fact, it has been found that 30 % of women who have had a career for more than 30 years do not reach the minimum pension (entitlement to the minimum pension requires 30 years' full-time employment), compared to 8.5 % of men.

## Specific leave

### Maternity leave

#### Principle

The employer is obliged to grant maternity leave. This leave is 15 weeks, with at least one week to be taken prior to the birth (pre-natal leave) and at least 9 to be taken after the birth (post-natal leave). The other 5 weeks' leave are "floating" i.e. the woman can choose to take them before the expected birth date or afterwards. In the event of illness in the 6 weeks prior to the birth, the maternity leave is reduced by the number of days' absence for illness. In the case of multiple births, the woman can ask for an extension of her maternity leave by two weeks prior to the birth and two weeks after the birth. The employer pays the first month of the maternity leave, up to a maximum of 82% of the unrestricted salary. Thereafter the amount of the benefit is paid by the benefit society and is fixed as a decreasing percentage of salary (75% up to week 15, 60% thereafter), with a limit per day. This system is one of the least favourable in Europe.

#### Number of births in Belgium:

	2004
<b>Belgium</b>	<b>115,618</b>
Boys	59,429
Girls	56,189
<b>Brussels region</b>	<b>15,173</b>
Boys	7,799
Girls	7,374
<b>Flemish-speaking region</b>	<b>62,374</b>
Boys	32,061
Girls	30,313
<b>French-speaking region</b>	<b>38,071</b>
Boys	19,569
Girls	18,502

#### Comments:

One problem specific to Belgium is that of the reduction of maternity leave in the event of the mother falling ill within the 6 weeks prior to the birth. In this case the mother only then has the 9 weeks after the birth, which is very little to recover physically and psychologically and to cement the mother-child bond. Putting a 9 week old child in a collective environment is not ideal either.

Mothers who are self-employed are currently entitled to 6 weeks' paid maternity leave and to a subsidy for employing a replacement. Beyond that, there are no provisions.

In 2005, the government introduced a measure which enables the parents of a child hospitalised at birth to extend the post-natal leave by the number of days for which the baby is hospitalised (after the first 7 days in hospital), up to a maximum of 21 weeks. Obviously this measure is laudable. However, it is to forget that in the numerous cases of children seriously ill or handicapped, going home does not mean the end of care and of the need for a parent to be present. Indeed, very often brief stays in hospital for examinations and specific treatment alternate with stays at home. These seriously ill

children or those with a major handicap cannot be accepted at traditional care facilities. Specialist care facilities are rare and are not generally appropriate for very small children.

Furthermore, unlike other countries, Belgium totally ignores the particular difficulties of being pregnant with twins or triplets and the consequences of multiple births. These pregnancies in fact need particular monitoring and for the mother to rest well before the due date. After the birth it is about managing an extremely exhausting situation, for in the case of the birth of both twins and triplets, the mother is entitled (upon request!) to just two weeks' additional pre-natal and two weeks' additional post natal leave!

In terms of help for families, a full-time family helper (during the week) and a part-time home help are made available for 3 years to families who have triplets (65 cases a year in Belgium).

However, the federal government does not have any provision for families having twins (1000 cases per year) or births close together.

In French-speaking Belgium, a part-time home help is allowed upon submission of a file in the case of the birth of twins and for a family with a baby when the two oldest children are aged less than 2½, which remains very restrictive.

## **Paternity leave**

### Principle

The employer is obliged to grant paternity leave. Since 2002, it has been 10 working days, to be taken within 30 days after the birth. The ten days can be taken in one go or staggered. In order to be entitled to his salary, the employee must inform his employer prior to the birth. If that is not possible, he must inform the employer as soon as possible. The first 3 days' leave are paid for by the employer. During the next 7 days the employee does not receive any remuneration but is paid a benefit via his health insurance institutions. The amount of this benefit is 82% of gross salary (limited).

### Comments

Belgium has not yet reached the "father's month" but progress has been made in this area and it is to be hoped that this is just a step towards a real awareness of the role of the father with regard to the new-born baby, as well as help for the mother. Paternity leave is starting to be accepted in people's minds, even if surveys reveal that pressure in the work place is still causing a series of dads to waive their right to these 10 days with their families.

## **Parental leave, leave for palliative care and leave for medical assistance**

## Principle

### *Parental leave :*

Any full-time, salaried employee in the private sector can make an application for parental leave if he/she is the parent of a child aged less than 6 and he/she has been employed in the company for at least 12 months. Where the child is at least 66% physically or mentally disabled, entitlement to parental leave is extended until the child reaches age 8. Parental leave can be taken either full-time for 3 months, or part-time for 6 months, or at 1/15 time for 15 months. Reduction to half-time for 6 months is not a right for people working in small and medium-sized companies employing fewer than ten people as at 30 June the previous year. In this case, the employer's consent is required. The employer can defer this leave for a maximum of 6 months if the work business *[sic]* justifies this, but cannot refuse it. Parental leave is paid by ONEM up to a maximum of 658.34 euros for complete interruption.

The public sector offers opportunities to put the career "on hold". The associative sector adopts special rules in accordance with the Collectives Agreements entered into by sector. The parental leave can be extended in certain sectors or companies by means of working Collective Agreements.

*Leave for palliative care:* This is leave taken to look after a loved-one with an incurable disease. It is for a maximum of two months and gives rise to benefits.

*Leave for medical assistance:* This is leave taken to look after a seriously ill family member.

## Data

### **III.2.3 - Parental leave, leave for palliative care and leave for medical assistance**

décembre 2005	Région flamande	Région wallonne	dont Communauté germano-phone	Région de Bruxelles-Capitale	Pays	mois -1	an -1
<b>hommes</b>	4 736	903	8	277	<b>5 916</b>	- 280	1394
<b>femmes</b>	18 023	5 936	78	1366	<b>25 325</b>	- 714	2 767
<b>total</b>	<b>22 759</b>	<b>6 839</b>	<b>86</b>	<b>1 643</b>	<b>31 241</b>	<b>- 994</b>	<b>4 161</b>
mois -1	- 815	- 134	3	- 45	- 994	---	---
an -1	3 063	869	10	229	4 161	---	---

December 2005    Flemish region    French region    of whom German-speaking    Brussels    Country    month -1    year -1

men  
women  
total  
month -1  
year -1

### Comments :

The benefit offered for a replacement (658.34 euros) was increased in 2005 following claims by family associations and family guides. Nevertheless, it is still low compared to an average salary. Full-time parental leave will, therefore, only appeal to couples where one of the two parents earn an above-average salary or to couples where the salary of one parent is barely any higher than the benefit offered. In the case of a lone parent, it will be hard to choose this formula. In order to make parental leave a feasible choice for everyone, the benefit should be calculated in the same way as for maternity leave, i.e. a reasonable percentage of salary.

We can see that it is usually the formula of parental leave at 4/5 time which is the most favoured by employees of both sexes. This can cause problems in the event that the work to be done is not adjusted accordingly, with the workload remaining the same for the person. Furthermore, if the person is relieved of some of his work but no replacement is found, the tasks removed from him will be allocated to colleagues who will then suffer from too much work. The 4/5 formula must therefore be accompanied by proper reflection on the division of work within the company.

## **Time credits and career breaks**

### Principle

Any worker working full-time or at least  $\frac{3}{4}$  time in the private sector can apply for time credits when he has been employed in the company for at least 12 months. The request for time credits must be made in writing three months prior to the anticipated start date. The employer can defer his agreement for up to 6 months if this deferment is justified by the organisation of the work. The time credit can be for a period of 12 months full-time, 24 months half-time and 5 years  $\frac{1}{5}$  time over the whole of the person's career.

In the public sector, career breaks are the rule, regulated by different rules depending on the levels (federal, community, region, province, district...). Here, by way of example, is the rule for federal services contracts: a member of staff can take 72 months' career break part-time (1/2, 1/3, 1/4 and 1/5) throughout his career. He/she must be present in the company every week. Each break can last a minimum of 3 months and a maximum of 12 months. Anyone who interrupts his/her part-time career under this leave provision, has his/her contributions reduced and an allocation paid by the ONEm

## Data

Time credits are split as follows by region and sex in Belgium :

### Time credits - complete break

décembre 2005	Région flamande	Région wallonne	dont Communauté germanophone	Région de Bruxelles-Capitale	Pays	mois -1	an -1
<b>hommes</b>	2 429	842	7	347	<b>3 618</b>	- 66	- 146
<b>femmes</b>	5 921	2 194	87	692	<b>8 807</b>	- 119	- 393
<b>total</b>	<b>8 350</b>	<b>3 036</b>	<b>94</b>	<b>1 039</b>	<b>12 425</b>	<b>- 185</b>	<b>- 539</b>
mois -1	- 163	- 22	5	0	- 185	---	---
an -1	- 378	- 183	- 3	22	- 539	---	---

December 2005    Flemish region    French region    of whom German-speaking    Brussels    Country    month -1    year - 1

men  
women  
total  
month -1  
year -1

### Complete career break - public services

décembre 2005	Région flamande	Région wallonne	dont Communauté germanophone	Région de Bruxelles-Capitale	Pays	mois -1	an -1
<b>hommes</b>	1580	1061	7	155	<b>2 796</b>	- 24	651
<b>femmes</b>	3 954	1 774	55	363	<b>6 091</b>	13	- 320
<b>total</b>	<b>5 534</b>	<b>2 835</b>	<b>62</b>	<b>518</b>	<b>8 887</b>	<b>- 11</b>	<b>331</b>
mois -1	- 32	32	- 1	- 11	- 11	---	---
an -1	152	131	- 12	48	331	---	---

December 2005    Flemish region    French region    of whom German-speaking    Brussels    Country    month -1    year - 1

men  
women  
total

month -1  
year -1

### Time credits - reduced contribution

décembre 2005	Région flamande	Région wallonne	dont Communauté germano-phone	Région de Bruxelles-Capitale	Pays	mois -1	an -1
<b>hommes</b>	24 007	6 354	97	1 341	<b>31 702</b>	- 9	4 704
<b>femmes</b>	35 033	12 064	141	2 459	<b>49 556</b>	221	10 298
<b>total</b>	<b>59 040</b>	<b>18 418</b>	<b>238</b>	<b>3 800</b>	<b>81 258</b>	<b>212</b>	<b>15 002</b>
mois -1	116	80	4	16	212	---	---
an -1	10 780	3 590	52	632	15 002	---	---

December 2005    Flemish region    French region    of whom German-speaking    Brussels    Country    month -1    year -1

men  
women  
total  
month -1  
year -1

### Career break - reduced contributions

décembre 2005	Région flamande	Région wallonne	dont Communauté germano-phone	Région de Bruxelles-Capitale	Pays	mois -1	an -1
<b>hommes</b>	10 236	4 168	52	377	<b>14 781</b>	- 28	1 317
<b>femmes</b>	32 567	14 898	298	1 709	<b>49 174</b>	- 696	- 3 383
<b>total</b>	<b>42 803</b>	<b>19 066</b>	<b>350</b>	<b>2 086</b>	<b>63 955</b>	<b>- 724</b>	<b>- 2 066</b>
mois -1	- 532	- 176	- 2	- 16	- 724	---	---
an -1	- 2 157	143	21	- 52	- 2 066	---	---

December 2005    Flemish region    French region    of whom German-speaking    Brussels    Country    month -1    year -1

men  
women  
total  
month -1  
year -1

### Comments

Once again we can see big differences between men and women, but also, in the case of time credits, between the Flemish-speaking region and the other regions. The Flemish

region tops up the benefit received. This policy encourages more men to opt for the formula.

## **Other leave enabling time to be balanced**

Other leave enabling family (or personal) life and professional life to be balanced are also provided for by the law. These are days for

*Short-term leave* : leave connected with various events in family life, such as marriages, deaths or the performance of civil or judicial duties. It is paid if the employer is notified of the event in advance and proof of its occurrence is provided.

*Leave for emergencies* : An emergency means the occurrence of an unforeseen event which requires the immediate presence of the male or female employee at home (e.g. a loss at home or the hospitalisation of a loved-one). This leave cannot exceed a maximum of 10 days per year and is not paid unless agreed otherwise between the employer and the employee.

*Leave to care for a sick child* : 10 days maximum per year, upon submission of a medical certificate for the child, leave not paid unless a collective agreement specifies otherwise.

## **Discussion**

**Part-time work** has certain advantages for male and female workers in a series of professions where hours can be chosen and where salaries are acceptable. Nevertheless, being restricted to part-time for a long period means freezing the professional career, a precarious financial situation in the event of a life accident and does not permit access to much more than the survivorship pension ... We do not, therefore, see part-time work as a solution to be recommended for many people. We believe that a reduction in working time and/or adjustment of working hours are mechanisms which are much more useful and egalitarian.

**Career breaks for family reasons** are one of the ways of meeting the needs of balancing time. The problem which arises in our country at the moment is that the way in which such breaks are organised and designed does not enable real parity to be achieved between the sexes. In fact, the low levels of replacement income proposed, which are not calculated as a proportion of salary, mean that it is predominantly women who take this kind of leave because of their position in the employment market.

With the snowball effect, this means that as this leave is still predominantly taken by women, it can have a negative impact on their professional careers (hesitation on the

part of employers to take them on, career breaks compared to men, difficulty resuming the same post after leave, not well viewed by superiors and colleagues...).

Faced with this constant, various proposals are on the table :

- Pay leave for family reasons and time credits based on a reasonable percentage (at least 75%,) of salary.
- Specify an obligation to use time credit, for a period to be decided (between 1 and 5 years), which all workers (whether parents or not) have to take during the course of their careers.
- Specify a period of “leave for family reasons” of a total duration to be decided (between 1 and 5 years) across the whole of the career for all workers, male and female.
- Extend paternity leave

### **Structures and services for working parents**

Themed leave and even changes to working hours cannot, on their own, meet all the needs. If we want to reach a stage where everyone who can and wants to carry out a professional, social and citizenship activity alongside his/her family life, it is essential that we develop satisfactory structures for taking care of sick children, the seriously ill and disabled and older people.

In the case of children, in Belgium we enjoy a pre-school and primary school system which is satisfactory and accessible which is the envy of parents in other European countries such as Germany, Portugal or Greece. In fact, one possibility for balancing work and family time becomes accessible to parents whose child reaches 3, thanks to the generalisation of the primary school.

However, school does not solve everything, far from it: looking after children after 3.30 pm remains a big problem, parents who start work before 8 am or finish after 6 pm have to juggle makeshift solutions, looking after ill children is not easy to organise and managing Wednesday afternoons remains a conundrum for many parents. To the point that for parents who have had the opportunity of relying on satisfactory care facilities for their very small child, starting school marks the start of a much more complicated period and the emergence of additional stress. Furthermore, the permanent race against the clock which characterises our lifestyles often goes against complying with the rhythms of the child and of the well-being of the family. Nevertheless, when it comes to the supply of public services for taking care of children between the ages of 3 and 6, Belgium comes off quite well.

However, the period from 3 months to 3 years remains the one with all the difficulties of finding a method of looking after the child which meets the needs of the child and the parents. Indeed, we know that the rate of cover for needs is only 25% (i.e. the number of care places for the under 3s is equivalent to 25% of the total number of such children in Belgium). The goal set by Europe is that by 2010 each country should reach a rate of cover of 33%. This means that currently a good number of children are looked after alternately by their parents (still more often than not the mother), by official structures (taking into account that not all children go to an approved childcare facility 5 days a week), and by third parties (grandparents, neighbours, friends, unregistered childminder). This situation is not satisfactory.

When a childcare solution is found, it is not always what one would have wanted. Certain questions sometimes arise in terms of staff available, training, atmosphere.... These questions are linked to a large extent to the limited resources available to the young children's sector within the French community, but also to the way in which jobs in education are considered, jobs predominantly carried out by women.

Recognition of the importance of these jobs, their difficulties, their demands, and hence their value, is one of the major challenges of our society.

The same applies in the case of professions looking after old people.

Furthermore, provisions can be put in place by companies to improve the time balance of their male and female staff (such as top-ups for benefits in the case of career breaks, flexible working hours, company crèches, premises and monitoring for sick children, service portals for staff, help in looking after sick children, etc.). Small and medium-sized companies can group together to offer services to their staff as well.

### The axes of the debate

The formulas favoured by some depend on their vision of the importance of family life and professional life, on their vision in terms of equality of the sexes, on the importance which they place on the needs of children or adults, on their vision of the common good and, of course, on their place in the economic circuit.

Thus representatives of employers (FEB) are not very receptive to the needs of male and female staff to balance their time, their reasoning being based first and foremost on the short term and, therefore, on an extension of the working hours and a reduction in costs (in the long term, well thought-out measures for balancing time can prove more profitable by providing more cost-effective workers who are less stressed and more motivated to work ...).

The unions do not defend time balancing measures as a matter of priority. The majority of their current demands are geared to maintaining employment, adjusting career aims, maintaining early pensions and pensions, maintaining income.

Feminist associations are fighting for better childcare cover for the under 3s and the improvement of out-of-school care, as well as for structures to take care of dependents. Their way of thinking is to externalise the family and educational tasks and to demand equality primarily by passing through the employment market. It needs to be remembered that the French community is in a difficult financial situation which prevents them, and them alone, from having very ambitious childcare policies.

Associations of parents at home strive for recognition of the value of family and educational work. They have few links at political level. Their fight for support for women returning to work is the one which gets the most coverage, no doubt because it links the job market and employment, a dominant value in our society.

The League of Families (65,000 member families in French-speaking Belgium) are trying to defend points of view which balance equality with recognition of family needs. The formulas put forward obviously have a cost which presuppose choices of society.

Within the parties, the approach in terms of social time is above all that of the ecologist party, but this concept is also propounded by certain members of the socialist and humanist parties. For many, however, it is still about a vision perceived as utopian. A town time management policy is still at the research stage.

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All statistical data relating to Belgium comes from the Federal Economics Service,

The principles governing the various themed leaves are set out in detail in "Keys to the employment contract" and "Keys to ... Work and Maternity", "Keys to parental leave", brochures edited by the SPF for employment, work and social action

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