



Labour market integration of asylum seekers and refugees

Belgium

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April 2016



EUROPEAN COMMISSION

Directorate-General for Employment, Social Affairs and Inclusion

Unit A1 — Employment and Social Aspects of the European Semester

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European Commission

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Luxembourg: Publications Office of the European Union, **2016**

ISBN **ABC 12345678**

DOI **987654321**

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Summary table on the support available to (a) asylum seekers; (b) refugees; and (c) third country nationals (TCN) in Belgium

	Refugees	Asylum Seekers	Third Country Nationals
Is the PES involved in the labour market integration of (a) asylum seekers (b) refugees (c) third country nationals (TCN)?	Yes	Yes (if in possession of a labour card C)	Yes
Do (a) asylum seekers, (b) refugees and (c) TCN have access to:	Yes	Yes (if in possession of a labour card C)	Yes
<ul style="list-style-type: none"> Hiring subsidies 	Yes	Yes (if in possession of a labour card C)	Yes
<ul style="list-style-type: none"> Start-up (self-employment) support 	Yes	Yes (if in possession of a labour card C)	Yes
<ul style="list-style-type: none"> On-the-job training 	Yes	Yes (if in possession of a labour card C)	Yes
<ul style="list-style-type: none"> Other labour market integration support? 	Yes	Yes (if in possession of a labour card C)	Yes
Is there a systematic mentorship scheme in place for (a) asylum seekers (b) refugees and (c) TCN?	No	No	No
Are (a) refugees, (b) asylum seekers and (c) TCN eligible to receive unemployment benefits or unemployment assistance?	Yes	Yes (if in possession of a labour card C)	Yes
Are benefits that are generally received by (a) refugees, (b) by asylum seekers (if applicable) and (c) TCN, conditional on job search requirements/activation?	Yes	Yes (if in possession of a labour card C)	Yes
Does the support provided to (a) asylum seekers, (b) refugees (c) TCN end as soon as they get a job?	Yes	Yes	Yes

1 What is the role of PES in integrating (a) (some)¹ asylum seekers² and (b) refugees³?

If the PES is not involved, is there another agency dealing with the labour market integration of migrants?

Does the support offered differ according to different factors (e.g. socio-demographic characteristics, family circumstances, host country language skills. etc.)?

Does the support differ according to the skill level of the target group?

Are there specific programmes for these target groups?

To what extent do these target groups benefit from measures for broader target groups?

Summary: All activities regarding the labour market integration are regulated by regional PES. However, several NGOs receive federal financial support to organise training courses to obtain the basic knowledge to enter the labour market or to provide help concerning recognition of home country diplomas. There is no specific programme for target groups; asylum seekers in possession of a labour card C and refugees may follow the same training programmes as Belgian jobseekers.

In the case of asylum seekers, there are two situations. In the first, asylum seekers who have been registered in the asylum application process by the Commissioner General for Refugees and Stateless Persons⁴ for less than four months do not have access to labour market integration programmes regulated by regional PES. Asylum seekers may only benefit from material assistance. However, the Belgian Reception Act of 2007 foresees that the reception centres will organise different training sessions such as language and computer lessons.

In the second case, asylum seekers may request the labour card C if there has not been a first instance decision in the asylum application by the Commissioner General for Refugees and Stateless Persons within four months following the registration of the application for asylum. This labour card is valid for 12 months and can be renewed as long as there is no decision in the asylum procedure. When asylum seekers have this labour card, they have the possibility to work and to register with regional PES. When they are registered as jobseekers they are allowed to benefit from professional training courses and labour market counselling.

When asylum seekers are granted the refugee status, they no longer need the labour card C to have the possibility to work and have the support of their regional PES. Moreover, a civic integration programme is also organised by Regions but it is applied differently from region to region. In Flanders, this civic integration programme is mandatory for people with a residence permit. This programme includes among others a Dutch language training course and a career orientation. Failure to follow the programme can result in a fine and possible termination of social welfare payments. With regard to the Dutch language training course, people are directed to a specific organization, the "House of Netherlands" (Huis van het Nederlands). Prospective students are directed to a language course (Level A1 to C1 on the Common European

¹ The reasoning for including (some) is that there is no requirement by the EU that asylum seekers are included in integration policies.

² Persons who have applied for international humanitarian protection but have not been granted it yet.

³ Covers all beneficiaries of international humanitarian protection – both refugees and subsidiary protection.

⁴ Internet: <http://www.cgra.be/fr>

Framework of Reference for Languages) appropriate to their level after a placement test⁵.

In the Walloon Region, such a civic integration programme became also mandatory and provides for French language training courses⁶, citizenship courses and socio-professional support. In the Brussels-Capital Region, there is no mandatory civic integration programme. People in the Brussels-Capital Region may follow the Dutch language training course in the "House of Netherlands".

All activities regarding the labour market integration are regulated by regional PES. However, several NGO's receive financial support from the federal state agency, FEDASIL, to organise training courses to obtain the basic knowledge to enter the labour market or to provide help concerning the recognition of home country diplomas. **Asylum seekers in possession of a labour card C and refugees have, in this case, the same rights as Belgian jobseekers, but also same duties**, i.e. to be available for work and to accept any suitable job offered. Asylum seekers and refugees may register for professional training courses provided by regional bodies responsible for providing vocational training (Bruxelles Formation⁷, FOREM⁸ and VDAB⁹). These activities differ from region to region. This may be explained by the fact that the integration into the labour market is a regional responsibility in Belgium.

However, there is no specific programme for these target groups. Asylum seekers in possession of a labour card C and refugees may follow the same training programmes as Belgian jobseekers. But, asylum seekers must have a sufficient level of French or Dutch language to follow professional formations. When they do not have such a level, they should first follow language courses before starting to follow professional trainings.

Moreover, specific measures are established to upgrade skills of low-skilled jobseekers. Low-skilled asylum seekers in possession of a labour card C and low-skilled refugees are included in this target group. In the Brussels-Capital Region and the Walloon Region, refugees and asylum seekers may be supported by Socio-professional Integration Bodies (OISP) that focuses exclusively on this target group. These agencies provide for six training actions: literacy; basic training; pre-training (or training in work requirements) and skills training, which are the prerogative of training providers; on-the-job training; and career guidance. The latter two are reserved respectively for on-the-job training workshops and access points for employment and social services.

2 How does the support provided to (a) (some) asylum seekers and (b) refugees compare to other categories of migrants (third country nationals)?

Summary: In Belgium, there is no specific support provided to asylum seekers, refugees or third-country nationals. The nationality or the foreign origins do not constitute a condition to create specific target groups. In these three cases, they benefit from same measures as for Belgians.

Asylum seekers without a labour card C are not allowed to register to PES and cannot follow training courses. When asylum seekers are in possession of a labour card C or have obtained the refugee status, they have access to the labour market and may register to PES as jobseekers. The main difference between asylum seekers and recognised refugees is that the latter group do not need a labour card C to work. Third country nationals may also have access to the labour market. However, they must have a labour card B in order to work as an employee; or a professional card to become self-

⁵ Caritas International (2011), *Accompagnement sur mesure: Clé d'une intégration réussie*.

⁶ There is no information available on the level of French language training course offered.

⁷ For Brussels workers and jobseekers in the French-speaking area.

⁸ For the Walloon Region.

⁹ For Flanders and for Brussels workers and jobseekers in the Flemish-speaking area.

employed in Belgium. They also have access to training courses provided by regional bodies responsible for providing vocational training.

Asylum seekers in possession of a labour card C, refugees and third country nationals have to follow the civic integration programme in Flanders and Wallonia. In the Brussels-Capital Region, there is no mandatory civic integration programme but it is possible.

In Belgium, there is no specific support provided to asylum seekers, refugees or third-country nationals. The nationality or the foreign origins do not constitute a condition to create specific target groups. In these three cases, they benefit from the same measures as for Belgians. However, some associations (like the CIRE) have concluded a partnership with regional PES to support asylum seekers, refugees and third country nationals in the procedure of recognition of diplomas and qualifications acquired in another country.

3 Do (a) asylum seekers, (b) refugees and (c) other third-country migrants have access to other ALMPs such as:

- Hiring subsidies
- Start-up (self-employment) support
- On-the-job training
- Other labour market integration support

Summary: In the same way as for Belgian nationals, asylum seekers, refugees and other third-country nationals have access to active labour market policies (e.g. start-up support, professional trainings, etc.).

However, the conditions are not the same for these different groups. The Non-EU nationals must have a labour card (or 'professional licence') in order to practice a profession or work as self-employed in Belgium. The main difference between asylum seekers and recognised refugees is that the latter do not need professional licences or a labour card¹⁰.

In Belgium, there is no specific financial support for employers or prospective employees (asylum seekers or recognised refugees). Nationality, foreign origin or status (recognised refugee or asylum seeker) are currently not eligible features to create specific policies of positive discrimination for these categories of people.

The asylum seekers when they obtain refugee status must first leave the reception structure in which they live and find housing on the Belgian rental market. When they find a home, and if they have no income, they may contact the Public Centre for Social Welfare (CPAS) in the municipality where they live and benefit from a social integration income. Belgian nationals can also benefit from support to become financially independent through professional training, get help for study, or get a job via the system of 'Article 60', etc.

They can also benefit from measures such as the Activa Plan or first job convention (In French: *convention de premier emploi* (CPE)) if they meet the specific criteria for these measures, as for any other Belgian citizen¹¹, but not because they are asylum seekers or refugees.

¹⁰As mentioned before, asylum seekers must now wait four months (instead of six) before working in Belgium with a labour card C. The reduction of the waiting period to four months came into force on 9 November 2015.

¹¹ For the employer, there is a reduction of social contribution for low-skilled young people in first job convention (CPE).

4 What are the concrete obstacles/challenges faced by (a) asylum seekers and (b) refugees in successfully integrating into the labour market?

Summary: The language barrier is the main obstacle to the integration of refugees into society and the labour market. The validation of skills in terms of education is difficult and complex. It is also difficult to access higher education because of the loss of the integration income during the study period.

A recent study¹² showed that asylum seekers and refugees face many barriers to integrate into the labour market. The results are based on a survey of 54 refugees living in Belgium (Antwerp, Brussels and Liège) for at least two years.

Firstly, the language barrier is the main obstacle to the integration of refugees into society in general, but also to professional integration, to training and official services. For asylum seekers, the difficulty is in the administrative procedures required to obtain refugee status (Caritas international, 2011¹³). Language learning is difficult for 62 % of respondents. These difficulties are mainly due to the lack of contact with the indigenous population, the lack of childcare places, the frequent changes of teachers and the lack of intensive courses. However, the civic integration course appears to be useful to understand the functioning of Belgian society but is only offered in Flanders and Brussels.

Secondly, the validation of skills in terms of education is difficult and complex for asylum seekers and refugees in Belgium: 68 % of respondents have a high school or higher education diploma but only 17 % requested a diploma equivalence. Moreover, many newcomers have professional experience for which a formal qualification was not necessary in their country of origin. In Belgium, the validation of skills exists for a limited number of occupations. For the others, refugees must first complete a vocational training in the same industry before being able to value these skills on the job market.

Thirdly, support is offered by various institutions to prepare refugees and asylum seekers for the labour market: an integration path (*Inburgering*, only in Flanders), the Public Centre for Social Welfare (in French: *Centre Public d'Action Social* (CPAS)) and the regional PES. Given the limited number of recognitions of diplomas or skills, training and education are essential in order to get jobs. However, it is difficult for refugees to access higher education because the CPAS often refuses to maintain the integration income during the study period. This principle of 'fastest path to employment' explains why the CPAS often guides refugees to qualified and short trainings that don't always match with their profile or their skills. Moreover, many refugees are 'activated' by the CPAS in the status of 'Article 60'. This status allows to have a first work experience and practice a national language. Unfortunately, the offer isn't varied and isn't a stepping stone to a better job. After one or two years, refugees have to seek employment again.

Finally, it is difficult for refugees and asylum seekers to find their way in the existing supply of trainings and jobs. It's also difficult for them to apply. This is why there is a need for support, guidance and information (Caritas international, 2011).

The listing of these barriers shows that the support offered to refugees and asylum seekers is still insufficient. Nevertheless, there are ways to promote their professional integration (Caritas international, 2014):

- conduct better analysis of skills and professional background and simplify their transposition into the Belgian system;

¹² Caritas International (2014), *Réfugié cherche travail : Résultats d'une étude sur la formation et l'emploi menée auprès de réfugiés*.

¹³ Caritas International (2011), *Accompagnement sur mesure: clé d'une intégration réussie*.

- take better account of skills and professional background of refugees by the regional PES in order to guide them towards appropriate trainings and jobs;
- better access to education by organising level tests and entrance exams when the diploma required can't be submitted by the refugees and asylum seekers;
- invest in a longer term integration programme and offer more financial incentives to employers;
- provide a more active and adapted support by the regional PES (particularly Actiris and Forem).

5 Is there a systematic mentorship scheme in place for (a) asylum seekers and (b) refugees integrating into the labour market (and/or society more generally)?

Summary: There is not a systematic mentorship scheme in place for asylum seekers and refugees to help integrate into labour market and society.

The integration into the labour market is a regional responsibility in Belgium. The situation varies from one region to another.

In Flanders and the Dutch-speaking part of Brussels, refugees and asylum seekers have to participate in two civic integration programmes (i.e. *Inburgering*¹⁴) which includes coaching in the search for employment and individual counselling. The primary programme consists of a social orientation course (which consists of an introduction to the Flemish and Belgian society), a basic Dutch as second language course, career orientation (which implies coaching in the search for employment or studies, and culture and leisure activities.) and programme counselling (which includes individual counselling of the person integrating.) The primary civic integration programme is organised by the Flemish welcome office. The office also seeks the advice of the '*Huis van het Nederland's*' (Dutch Language House) and, if necessary, of the VDAB (Flemish Employment and Vocational Training Agency). During the secondary programme, the refugees can shape the choice they made during the primary civic integration programme to either start working or to take up further education. The person integrating can, for instance, follow vocational training or entrepreneurship training. The secondary programme is organised by the regular facilities at VDAB. Nevertheless, the VDAB does not provide a specific mentorship for the asylum seekers or refugees.

In Brussels and Wallonia, there is also not a specific mentorship in place for asylum seekers and refugees. Indeed, as soon as they get the labour card C in order to work, they have the same rights as Belgians and have access to support from PES (Actiris and Forem).

Refugees have to be registered in a municipality in order to integrate into the labour market. After that they can register with a Public Centre for Social Welfare (CPAS) in order to have financial help, housing, medical help and legal advice and receive a minimum income. In the CPAS they receive support by a social worker.

The CPAS is another source of employment in particular through the system of 'Article 60'. In accordance with Article 60 § 7 this is a form of social assistance and involves providing employment for a person who is not in the labour market and integrating the beneficiary in the system of social security and the labour process. This system allows refugees and asylum seekers access to a first professional experience in Belgium.

Nevertheless, the mentorship may be provided by different NGOS which are most of the time financed by the ESF (Convivial, Caritas international, Ciré, etc.). The NGOs, Caritas International and Convivial, will meet refugees in the reception centres, introducing themselves and their role in the integration process and determining what kind of assistance individual refugees and families will require. After refugees move to municipalities, NGOs assist with interpretation and translation, administrative steps

¹⁴ Internet: <http://inburgering.be/en?lang=en>

such as registration with the municipality, and accessing mainstream services such as financial assistance and medical insurance.

6 Are (a) refugees and (b) (if applicable) asylum seekers eligible to receive unemployment benefits or unemployment assistance?

Summary: Unemployment benefits for foreign workers are strictly related to the possession of a labour card. Foreign workers have the same rights as Belgian workers.

If the worker receives unemployment benefits and loses the labour card, these benefits stop after 60 days¹⁵. Refugees are then fully eligible to unemployment benefits or assistance.

Asylum seekers who have a registered asylum application for less than four months have no access to the labour market and they are not eligible to receive unemployment benefits. Other asylum seekers receive a limited labour card (labour card C) and are then eligible to unemployment benefits or assistance.

As unemployment beneficiaries, asylum seekers with a labour card have to fulfil some obligations like inscription to a regional PES, work availability, etc. They have also to work for some time before having access to unemployment benefits¹⁶:

- For workers under 36 years old: 312 days (one year) before the application;
- For workers between 36 and 49 years old: 468 days (18 months) before the application;
- For workers over 49 years old: 624 days (two years) before the application.

Asylum seekers who worked with a labour card B¹⁷ in Belgium before their registration by the CGRSP are eligible to unemployment benefits for only 60 days. However, they have to ask a derogation to be jobseeker. In the event that a worker loses his labour card B, they can register in the asylum application. If granted the refugee status, they can then receive directly unemployment benefits without a new application to the PES.

7 In what ways are benefits that are generally received by (a) refugees and (b) by asylum seekers (if applicable), conditional on job search requirements/activation?

Summary: Refugees and asylum seekers with a labour card depend on the regular unemployment scheme. Like Belgians, they have to seek work actively and collaborate with the PES (training, personalised appointments, etc.).

Asylum seekers who worked with a labour card B¹⁸ in Belgium and lose their job are eligible to unemployment benefits for only 60 days but have to ask a derogation to be jobseekers. Indeed, they cannot work for another employer.

¹⁵ Article 69 of the Royal Decree of 25.11.1991.

¹⁶ Royal Decree of 22.12.1999.

¹⁷ The labour card B is limited to the occupation to only one employer and is valid for 12 months. Granting the employer to an employment authorisation automatically entails granting the worker concerned of the labour card B. It is therefore for the employer to submit the application.

¹⁸ The labour card B is limited to the occupation to only one employer and is valid for 12 months. Granting the employer to an employment authorisation automatically entails granting the worker concerned of the labour card B. It is therefore for the employer to submit the application.

8 Does the support provided to the (a) asylum seekers, (b) refugees and (c) other migrants end as soon as they get a job or does it continue for a while during the first phase of their employment? If yes, what support continues?

Material support (e.g. housing and living allowances) covers only asylum seekers. When asylum seekers become refugees, they are treated as Belgian people and benefit from social security.

As Belgian nationals, asylum seekers, refugees and other third-country nationals who are authorised to work in Belgium have access to all active labour market policies such as start-up supports, professional training, etc. Some of these measures end as soon as they get a job and some continue for a while, depending of the type of the measure. Basic and professional trainings are generally daytime training targeted to the unemployed and therefore end before the participants get a job. But the workers can also follow these trainings if they want to. Moreover there is also some professional training proposed by the PES or their training institution targeted to workers (IT, languages, personal development, etc.). Activation measures such as reduction of social contributions and activation bonuses obviously benefit the workers. Some of them are temporary (the first trimesters of the hiring) and others are permanent. In all cases, financial support ends as soon as a person gets a job.

Concerning the civic integration programmes, it depends on the region. In Flanders, the civic integration programme is mandatory for everyone with a residence permit, even if they are working. In the Walloon region, people who work are exempted from this requirement. However, workers can participate in the programme on a voluntary basis. In the two regions, the programme schedule can be adapted to the workers obligations.

9 To what extent are social partners systematically involved in (a) labour market integration service provision and/or (b) labour market integration service/policy definition and design?

Summary: Social partners are present at all levels of power. They are involved in the labour market integration service provision as well as in the labour market integration policy definition.

(a) Workers unions (mainly the FGTB-ABVV and the ACV-CSC) are conducting specific actions in order to improve the labour market integration of all the categories of migrants. The actions range from providing trainings, to combating discrimination in hiring or in the workplace and providing free legal aid. These actions aim to support asylum seekers, refugees and third-country nationals, but also undocumented migrants, who can also join unions if they want to.

Employers unions have also taken some initiatives to better integrate workers and entrepreneurs with a migrant background. For example in the framework of the 'job-channel' project¹⁹, the UNIZO²⁰, in partnership with the VOKA, the VERSO and the VKW²¹, established a 'Diversity Service Point', aimed to raise awareness and support for diversity management in SMEs. This service developed an appropriate methodology for on-the-job (Dutch) language training in small organisations and devoted attention to

¹⁹ OCDE (2010), *Equal opportunities? Labour market integration of the children of immigrants*, pp.233-234.

²⁰ The organisation for self-employed and SME's in Flanders.

²¹ Respectively, the Flemish network of enterprises, the Employer association of the not-for-profit sector and the Association of the Christian employers.

the problem of clients who discriminate and to the specific needs of migrant entrepreneurs.

(b) At regional level, it is worth reminding that in Belgium, the PES are managed jointly by representatives of government, employers and workers. The social partners are thus involved in the decisions and the implementation of the employment policies conducted by the PES.

Social partners are also involved in decisions at federal level. For example, the reduction of the waiting period to get a labour card C from six to four months that came into force on November 2015 had first been discussed by both workers and employers representatives. The unions agreed with this reduction but demanded that the regulation of hiring by collective agreements, the existence of the workforce already available and the recognition of diplomas²² are taken into account.

10 To what extent is the labour market integration of refugees well-coordinated within the country? Do employment agencies and asylum authorities coordinate?

Summary: The situation is different from one region to another. In Brussels and Wallonia, the labour integration is coordinated by the respective PES. In Flanders, the labour integration is coordinated through the 'Inburgering'.

As mentioned above, refugees must be domiciled in a municipality in order to integrate into the labour market. The integration into the labour market is a regional responsibility in Belgium. In our opinion, the collaboration between the employment agencies and asylum authorities is weak. This is probably due to the context of Belgium where certain jurisdictions belong to the federal level (such as the welcoming of asylum seekers) whereas other jurisdictions belong to the regions level (such as employment).

The situation varies from one region to another. In Flanders and the Dutch-speaking of Brussels, the labour integration is coordinated through the Inburgering. Indeed, in the second phase of the Flemish integration plan, the refugees are supported by the VDAB. In Brussels and Wallonia, the labour integration is coordinated by the respective PES: Actiris for Brussels, Forem for Wallonia and ADG for the German Speaking Community. They provide a welcome/integration path.

According to a study by Caritas International²³, the Walloon and Brussels PES take little to no account of the needs of refugees, who are, little to not at all oriented towards training or employment.

²² RTBF.be, published on 9 September 2015

²³ Internet: http://www.caritas-int.be/sites/www.caritas-int.be/files/refugie_ch_travail.pdf

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