

You have received temporary protection and you want to work?



FEDERAL PUBLIC SERVICE
JUSTICE



You have received temporary protection (A card) and you want to work?

Temporary protection is an exceptional procedure established by an EU directive.¹

By an implementing decision of 4 March 2022, the Council of the European Union noted **the existence of a massive influx of displaced persons into the Union who had to leave Ukraine due to armed conflict.**

Who is eligible for temporary protection?

- Ukrainian nationals and their family members whose main residence was in Ukraine before 24 February 2022;
- Stateless persons, and nationals of third countries other than Ukraine who have been granted international protection or equivalent national protection in Ukraine and their family members whose main residence was in Ukraine before 24 February 2022;
- Third-country nationals legally residing in Ukraine before 24 February 2022 on the basis of a valid permanent residence permit and who are unable to return to their country or region of origin under safe and sustainable conditions.

Who are family members?

- The spouse or unmarried partner who is in a steady relationship in accordance with the Belgian legislation on foreigners;
- Unmarried minor children, including those of the spouse, whether legitimate, illegitimate or adopted;
- Other close relatives who were living in the family unit at the time of the mass influx of displaced persons and who were then wholly or mainly dependent on the family for support.

¹ Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof. This directive has been transposed into Belgian law.

If you wish to benefit from temporary protection, **you must present yourself in person at the registration centre with documents proving that you belong to one of the categories mentioned above².**

Contact details and opening hours of the registration centre – visit the following website:
<https://info-ukraine.be/en>



If the conditions for temporary protection are met, you will be issued with **a certificate**.

You must then visit the municipal administration of your place of residence with this certificate and the municipal administration will give you a residence permit issued to third-country nationals admitted or authorised to stay for more than three months on a limited basis ("A. Limited stay" card).

The A card is valid until 4 March 2023 and can be extended twice by 6 months.

² For Ukrainians, proof of citizenship; for stateless persons and nationals of third countries other than Ukraine, a photo ID card + proof of status in Ukraine; and for family members: a photo ID card + document proving the family relationship or cohabitation.

If you are **in possession of an A card or an Annex 15** pending issuance of the A card (the Annex 15 is valid for 45 days), you can:

1. Receive the **equivalent of the living wage**; the application must be submitted to the PCSW of the municipality where you live;
2. Join the mutual insurance company. Pending entitlement to mutual insurance, you are entitled to **urgent medical assistance**;
3. **Work**. As a beneficiary of temporary protection status, you have **unlimited access to the labour market**. The same access to the labour market is provided for certain members of your family who are not themselves beneficiaries of this status but whose stay is linked to yours.

The people who are authorized to stay as beneficiaries of the temporary protection are exempted from holding a professional card in order to carry out a self-employed activity³.

Pending registration at the registration centre, you must register as soon as possible with the local authority of your place of residence, and you will receive an Annex 3 entitled **Declaration of Arrival**. With this annex you are **not permitted** to work and you do not receive any social assistance.

3 Royal Decree of 30 July 2022 modifying the Royal Decree of 3 February 2003 exempting some categories of foreigners from having to hold a professional card in order to carry out a self-employed activity.

You have applied for international protection and you want to work?

You can also **apply for international protection** at the Office des Etrangers (OE). You can do this from Monday to Friday (except on public holidays) at **Rue Passchendaele 2, 1000 Brussels**, at **8.30 am**.⁴

Please note: The processing of applications for international protection by Ukrainian nationals is **currently suspended** at the General Commissariat for Refugees and Stateless Persons (CGRA)⁵. If you are a Ukrainian citizen or have international protection status obtained in Ukraine, you can **apply for temporary protection**.

The procedure grants international protection:

- To persons who have left their country of origin because of a well-founded fear of persecution for reasons of nationality, race, political or religious beliefs or membership of a particular social group (Geneva Convention);
- To persons who, if returned to their country of origin, face a real risk of serious harm. Serious harm includes the death penalty or execution, torture, inhuman or degrading treatment, a serious threat to a civilian's life by reason of indiscriminate violence in internal or international armed conflict (subsidiary protection).

4 See the website: <https://dofi.ibz.be/fr/themes/protection-internationale/demande-de-protection-internationale/centre-darrivee-petit-chateau>

5 For more information on the possibility of applying for international protection visit the website of the Commissariat Général aux Réfugiés et aux Apatrides: <https://www.cgrs.be/en>



If you have submitted an application for international protection and after four months you have not yet received a decision from the Commissariat Général aux Réfugiés et aux Apatrides (CGRA), you have the right to work. You must, however, be in possession of a certificate of registration (AI). The four-month period begins when you file your application for international protection (Annex 26 or Annex 26quinquies). In this case, **you do not need a work permit** and if you are hosted, you must inform your host centre.

Your right to work remains valid until the CGRA has notified you of a decision on your application. If you receive a negative decision from the CGRA and you appeal against this decision, **your right to work is valid until the Aliens Litigation Council takes a decision** on your appeal procedure.

If you have been granted **subsidiary protection status** or recognised as a **refugee**, you have the **right to work**. You will then receive an **A card which gives you unlimited access to the Belgian labour market**.

If your application for international protection is definitively **refused**, you are **no longer allowed to work**.

If you work during the first four months of the process or after your application for international protection has been denied, you are working illegally.

Are your rights as a worker respected?

If your rights are not respected you may find yourself being **exploited**.

All workers in Belgium have the same rights. Even if you are working illegally or staying illegally. You have the right to be paid for the work you do, the right to holiday, the right to time off if you are ill, the right to work in a safe and healthy environment and the right to be covered by your employer's insurance in the event of an accident at work.

If your rights as a worker are not respected, contact the organisations mentioned below.

On the other hand, as a worker **you cannot hire or pay other people**. If your employer offers it, refuse it.

If your employer offers you to work as a self-employed person or as a partner, **make sure you contact the organisations listed below**. If you accept, you will have to meet **a number of legal obligations**, including paying social security contributions yourself.

The following test will help you to determine whether **your rights as an employee** are respected

Question	Yes	No/ don't know	Your rights
Have you signed an employment contract in a language you understand? Has the exact content of the employment contract been explained to you in a language you understand?			
Do you know who you will be working for and where?			
Do you know the tasks you will carry out?			
Do you know the duration of your commitment?			
Do you know the exact amount of salary you will receive?			In Belgium, the minimum wage is 1,806.16 euros gross per month (indexed on 01/01/2022) for an adult aged 18 or over who has not yet completed 6 months of work in the company, or 9.8651 euros gross/hour for 40 hours.
Do you know how many hours you will be working (per day, per week)?			In Belgium, as a general rule, working hours may not exceed eight hours per day or forty hours per week.

Question	Yes	No/ don't know	Your rights
Have you been informed about the days of leave you are entitled to (per week, per year)?			In general, you are entitled to a minimum of 20 days' holiday per year in a 5-day working week.
Can you move around freely outside working hours?			
Does the employer treat you with dignity?			The employer cannot make you work in undignified conditions, threaten you, use violence or force you to do something.
Do you have your own identity and residence documents?			The employer cannot confiscate or keep these documents.
Do you receive an official payslip?			
Do you receive your full salary every month?			
Do you have suitable clothing or equipment for your work?			

The following test will help you to determine whether **your rights as a self-employed worker** are respected

Question	Yes	No/ don't know	Your rights
If you are self-employed, have you chosen to be self-employed yourself?			
If you are self-employed, do you know that you have to join a social insurance fund?			
If you are self-employed, do you know that you have to pay social security contributions yourself?			
If you are self-employed, are you free to plan your work for yourself?			

Test result:

If you answer “no” to more than one of these questions;
If you are offered work without these basic conditions being met;
If you are threatened or subjected to violence by an employer;

**Talk to your social worker or one of the services listed below.
These people are there to help you and enforce your rights.**

Proof of your occupation at work:

**To claim your rights, you must prove that you have worked for an employer.
So keep all the material evidence that shows that you worked for your employer.
Note, for example, the name and address of the employer and his company, the
times and days you worked and the addresses of the building sites or workplaces.
Make sure you keep as much evidence as possible of communication with your
employer (text messages, e-mails, etc.).**



For matters relating to labour rights and social security issues

Social inspections



ONSS inspection service

For questions concerning social security, social status, economic exploitation.

Contact::

National Social Security Office (ONSS)

– Front Office

Place Victor Horta 11

1060 Brussels

Tel. +32 (0)2 509 59 59

E-mail: frontofficecontactcenter@service-now.com

www.onss.be

www.socialsecurity.be

ONSS social media:

<https://www.facebook.com/rsz.onss>

https://twitter.com/rsz_onss

https://www.instagram.com/rsz_onss/

or [@rsz_onss](https://www.instagram.com/rsz_onss/)

<https://www.linkedin.com/company/rsz-onss/>



National Institute for Social Security for the Self-employed (INASTI)

For all questions concerning social security for the self-employed

E-mail: mailbox-ecl-ca-ac@rsvz-inasti.fgov.be



National Employment Office (ONEM)

For questions concerning temporary and full unemployment.

Contact:

<https://www.onem.be/fr/contact>

Tel. +32 (0)2 515 44 44

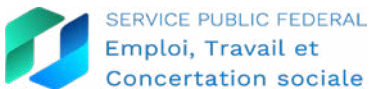
Every working day

From 8:30 a.m. to 12:30 p.m. and 1:30 p.m. to 4 p.m.

Option 1: Career breaks and time credit

Option 2: Unemployment

Option 3: Temporary unemployment (employers only)



Labour Inspectorate – Monitoring of employment laws

For questions concerning pay and working conditions, annual holidays, working conditions.

Contact:

FPS Employment, Labour and Social Dialogue

rue Ernest Blérot 1

1070 Brussels

Opening hours: Monday to Friday from 09:00 to 12:00 and 14:00 to 16:30 on:

Tel. +32 (0)2 235 55 55

E-mail: cls.bruxelles@emploi.belgique.be

<https://employment.belgium.be>



SIRS – Contact point for combating social fraud

For all complaints related to labour law and social security law and economic exploitation:
<https://www.meldpuntsocialefraude.belgie.be/en/>



INAMI-RIZIV

National Institute for Health and Disability Insurance (RIZIV) – Inspection Service

For any problems relating to health insurance or incapacity for work

Contact:

En - Monitoring of insurers

Avenue Galilée 5/01

1210 Brussels

Tel. +32(0)2 739 74 48

E-mail: contr.oa@riziv-inami.fgov.be

For any problem concerning access to health care rights:

Contact:

Avenue Galilée 5/01

1210 Brussels

Tel. +32(0)2 739 74 13

E-mail: dac-acces@riziv-inami.fgov.be

<http://www.inami.be>

The main trade unions



FGTB-ABVV

rue Haute 26-28
1000 Brussels
Tel.: +32 (0)2 549 05 49
E-Mail: info@fgtb.be
www.fgtb.be



CSC - ACV

Chaussée d'Haecht, 579
1030 Brussels
Tel. : +32 (0)2 246 32 16
E-mail: nouvelles-migrations@acv-csc.be
www.migrantscsc.be



CGSLB-ACLVB

Boulevard Baudouin 9
1000 Brussels
Tel. : +32 (0)2 882 13 00
E-mail: cgsלב@cgsלב.be
www.cgsלב.be

For matters relating to the rights of foreigners



Vluchtelingenwerk Vlaanderen

Rue du Jardin Botanique 75

1210 Brussels

Tel. +32 (0)2 225 44 00

E-mail: info@vluchtelingenwerk.be

www.vluchtelingenwerk.be

Opening hours: Monday to Friday from 09:30 to 12:30



Centre fédéral Migration

MYRIA

Federal Migration Centre

Place Victor Horta 40

1060 Brussels

Tel. +32 (0)800 14 912

www.myria.be

Legal hotline hours: Monday & Thursday 09:30 to 12:30



CIRE (Coordination and Initiative for Refugees and Foreigners)

rue du Vivier 80-82
1050 Brussels
Tel. +32 (0)2 629 77 23
E-mail: cire@cire.be
www.cire.be

Opening hours: Monday to Friday: 09:00 to 12:00 and 13:30 to 16:15



Immigration Office

Infodesk

Tel. : +32 (0)2 488 80 00
infodesk@ibz.fgov.be

Opening hours:

Monday: 09:30 to 12:00 - 14:00 to 15:00
Tuesday: 09:30 to 12:00 - 14:00 to 15:00
Wednesday: 09:30 to 12:00 - 14:00 to 15:00
Thursday: 14:00 to 16:00
Friday: 09:30 to 12:00 - 14:00 to 15:00

If you are working and staying illegally



FAIRWORK BELGIUM

164 rue Gaucheret

1030 Brussels

E-mail : info@fairworkbelgium.be

<https://www.fairworkbelgium.be>

Helpdesk:

For workers (free): +32 (0)800 12019

For other people: +32 (0)2 274 14 31

Monday and Wednesday from 09:00 to 13:00

Thursday from 13:00 to 16:00

Specialist centres for human trafficking

If you are working and are being abused or threatened, please contact the specialist centres for victims of human trafficking:

Contact point for victims of human trafficking: <https://www.stophumantrafficking.be>



PAG-ASA

rue des Alexiens 16B
1000 Brussels
Tel. : +32 (0)511 64 64
E-mail : info@pag-asa.be
www.pag-asa.be



Payoke

Leguit 4
2000 Antwerp
Tel : + 32 (0)3 201 16 90
E-mail : admin@payoke.be
www.payoke.be



Sürya

rue Rouveroy 2
4000 Liège
Tel. : +32 (0)4 232 40 30
E-mail : info@asblsurya.be
www.asblsurya.org







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