

# The job search



A job search can be done spontaneously. However, communication and local cultural codes play an important role. It is therefore useful to find out before embarking: it is not enough to have good assets; we need to develop them and express them in the form expected by an employer. There are, to this end, specialized services that can guide me.

Questions to ask:

	YES	NO	
Can I produce the <b>required documents</b> ?			I complete <b>my file</b> : equivalence of diploma, diploma, training certificate, certificates, registration as a jobseeker ...
Can I clearly articulate my <b>career project</b> and my <b>skills</b> ?			I realize a <b>Balance of Skills</b> , for example in the FOREM, in a body of social and professional integration, in a regional center for the integration ...
Do I have a good <b>resume</b> and good <b>motivation letter</b> ? What kind of assets, knowledge and skills do I have? Do they meet the needs of the employer?			
Do I <b>search alone</b> ? Do I have enough information, e.g. to decide if I send unsolicited applications or if I am responding to job offers? Do I know where to <b>find job offers</b> ?			I take <b>advice</b> from the FOREM, a community center, an organization of social and professional integration... or I participate in a job search workshop.
Have I ever had a <b>job interview</b> ? What will I say? How will I introduce myself?			I take advice from an organization that offers the <b>job coaching</b> or I practice in a job search workshop.



The **FOREM** is the public service of employment and vocational training in Wallonia. It is in the FOREM where I register as a jobseeker. On its website [www.leforem.be](http://www.leforem.be), I can use a series of online services: job offers, training, career information, job fairs ... When I am a jobseeker, counselors will follow my file and can direct me.

As a jobseeker, I must complete a series of obligations, including that of actively searching for a work. If I receive a notice to attend, I have an obligation to go there. I make sure to keep tracks of all my steps and inform my counselor of any change in my situation.

Another channel is considered highly effective in finding a job: the **network of relationships** that I weave around me. It is estimated that many of the employment opportunities will drop by word-of-mouth: acquaintances, friends and family are often valuable allies. Many employers tend to have confidence in a personal recommendation.

Among the strategies of integration, weaving the network of relationships of trust is to be placed among the priorities.

**Interim agencies** are also privileged partners for certain sectors of activity. In Belgium, several dozens of companies are present in Wallonia. A temporary worker is hired by an interim agency on behalf of an employer who requires a temporary labor. This type of work is regulated and the temporary worker enjoys the same rights as other workers regarding pensions, holidays, health insurance...

Some agencies have increased awareness of cultural diversity issues.

The **ads** in newspapers, in all boxes and on the Internet is also a classic means to look for a work.

However, I am careful to read the ads, to sport moonlighting or scams. I avoid, for example, to go to a rendezvous in a hotel ... From this point of view, it is preferable to consult the specialized press and publications of FOREM.



When I define my profile, my career project and my skills, I can target employers and send them an **unsolicited application**. As far as research and communication are well targeted, this strategy is considered one of the most effective.

Finally, a lot of **agencies of socio-professional integration** (OISP), various associations, community centers and neighborhood boards offer support services to develop a good job search strategy. If I do not master the complexities of the exercise, I do not hesitate to call upon their skills.

## The equivalence of diplomas

For most foreign degrees, the **equivalence** should be claimed from the Department of Equivalence of the French Community.

Attention, the procedure for equivalence of a diploma is long and requires making up of a detailed file able to meet specific requirements.

 Useful link : [www.equivalences.cfwb.be](http://www.equivalences.cfwb.be) 02 690 86 86

The employment discrimination is prohibited and punishable by the Law. Nevertheless, this is not enough to eradicate the stereotypes and prejudices that characterize certain mentalities. It is therefore prudent to be prepared to confront such situations.



When the discrimination is proven, it may be denounced. The Centre for Equal Opportunities and Fight against racism is an independent public service which has a statutory role to promote equality and fight against discrimination. It may act on behalf of a discriminated person. In case of problems, I can take advice from its services: the Green Line free on 0800/12800 or [www.diversite.be](http://www.diversite.be)

# The employment contract



In Belgium, the work is regulated differently in different sectors. We talk in general about a private / a public sector, a commercial sector / a nonprofit sector. In particular, each sector (e.g. a construction sector) is regulated by a "joint commission" which defines the working conditions.

The work therefore implies an employment contract. This is a legal commitment that connects two or more parties and creates rights and obligations. The parts are commonly called "employer" and "worker" (or "employee").

The employment contract entails, for both parties, the obligations (schedule, tasks, wages, holidays ...). The employer and the worker must be respectful and considerate towards each other. They are required to ensure and observe compliance and propriety of morality during the execution of the contract.



There are several types of contracts: full time, part-time, of replacement, of interim (the employer is a temporary employment agency), of a fixed term (CDD = dates of start and end are indicated in the contract), permanent (CDI = contract duration is not specified)...

In most cases, the contract stipulates a trial period: This period allows both parties to verify that they suit for each other and if it is not the case, to break the contract quickly and without compensation.

When the employer or the employee wishes to terminate the contract, a notice period is required by the rules: a minimum delay is observed before leaving work. This delay to respect varies depending on the situation and the type of contract.

Therefore I make sure to always sign an employment contract in due form. For a first experience or when in doubt, I take advice from a union that protects the interests of workers, from the FOREM or a social service.



The employment of foreign workers is moreover regulated by the Act of April 30, 1999 and by the Royal Decree of June 9, 1999 (regarding employees). The rules on access to an employment market for foreign workers, as well as the rules for obtaining a residence permit, are complex.

## There are three categories of work permits

**The A permit: unlimited duration**, valid for all salaried professions and for all employers. An employer who hires a person with an A permit is not subject to any formality. **I address my request to the FOREM myself.**

**The B Permit: 12 month fixed term**, limited to the occupation with a single employer, limited to one region (Walloon, Brussels and Flemish). It is granted only if it is not possible to find a suitable worker among workers already presented in the labor market. **The employer presents the permit application to the Walloon Public Service.**

**The C permit: limited duration**, not exceeding one year, renewable, valid for all salaried professions and for all employers, for all regions of the country. It concerns certain categories of foreigners because of their residence permits. It becomes invalid when the holder loses his right of residence, except during the consideration of an appeal against the Order to Leave the Territory submitted to the CCE. **I address my request to the Office of Foreign Labor of FOREM myself.**

## Useful address

SPW - operational DG Economy, Employment and Research

Employment and Vocational Training Department

**Management Employment and Work Permits**

Place de Wallonie, 1 - bâtiment 2

5100 Jambes

# The work permit



The recognized refugee (unlimited CIRE) is **exempt** from the work permit.

The beneficiary of subsidiary protection (CIRE limited to one year, renewable, which can become permanent after 5 years) can work under the **C permit**. If his stay becomes unlimited, he is **exempt** from the work permit.

The asylum seeker can work under **C permit** if, six months after submitting his application for asylum, he has not yet received a reply from the CGRA.

An alien who applied for regularization on humanitarian grounds (9bis) that was declared admissible can get a CIRE limited to one-year, renewable under conditions, or a permanent stay. If he receives a limited stay, he can work under the **C permit if the renewal of his stay is subject to the condition of employment**. If the stay is unlimited, he is **exempt** from the work permit. Attention, as long as his application has not been answered, he is still in an illegal stay and therefore not entitled to work.

An alien who applied for regularization on medical grounds (9ter) cannot work as long as he is in period of admissibility (proof of registration = orange card). If he gets a limited stay, it can work under the **C permit**. If he gets an unlimited stay, he is **exempt** from the work permit.

A family member national of a third country with indefinite residence (Article 10) may receive a registration certificate (orange card) during the examination of his case, then a limited stay, renewable, which can become unlimited after 3 years. With a registration certificate or a limited stay, it can work under the C permit. In an unlimited stay he is exempt from the work permit. The family member national of a third country with a limited stay (art. 10bis) receives a limited stay of one year or not exceeding the validity of residence permit of joined alien. It can work under the **C permit**.

# The work permit



An alien who has a legal residence and requests a change of status (for example, a student who is getting married) receives a certificate of registration for 6 months to be extended twice for 3 months. If the right of residence is acknowledged, he gets a CIRE limited to one year, renewable. After three years, the stay becomes final. Under registration certificate or limited stay, the alien may work under the **C permit**. Under unlimited stay, he is **exempt** from the work permit.

A national of a third country, a family member of a citizen of the European Union or European Economic Area (Article 40bis) is **exempt** from the work permit. The descendant of more than 21 year-old or ascendant, however, must be supported by the EU citizen to obtain this exemption.

A foreign national of a third country with a short stay visa or visa-exempt has none right to work.



To be self-employed (to be one's own boss), any person who does not have Belgian nationality must obtain a **business card** in the Federal Public Service - Economy - Middle Class- PME (SME) - Energy.

Certain categories of foreigners are exempted, however:

- the nationals of 25 countries of the European Union and some of their family members who move in with them;
- the recognized refugees and holders of permanent residence;
- the nationals of countries with which Belgium has signed agreements;
- the spouse of a Belgian and some members of his family who settle with him;
- the spouses who help their spouses in its self-employment;
- the people on business trips, speakers, journalists, sportsmen and artists if the duration of stay does not exceed three consecutive months;
- the foreign students who do a training course as part of their studies;
- ...

Other conditions must be met: some occupations are regulated.

For an activity requiring registration of trade or craft, you have to prove the **management knowledge**. If necessary, you can take an exam at the Ministry of Middle Classes.

Some professions require the proof of **professional competence** and / or diplomas. For most foreign **degrees**, the **equivalence** must be recognized and therefore requested from the Department of Equivalence of the French Community.



Administrative requirements must be met, mainly:

- To join a **social insurance fund** (contributions payable quarterly).
- To request a **business number** in a window of approved companies.
- To request a registration in the **Trade Register**. (except for certain professions: free-market professions, farmers, ...).
- To report the activity to **TVA (VAT)** (to complete a declaration and pay the due amounts each quarter (except for certain activities: actors, singers, models, DJs, free-market professions ...)).
- To open a **specific account number** for the self-employed activity.
- To maintain an accounting **properly**. It is advisable to surround oneself with the services of an accountant.
- To join a **mutual insurance company**.
- To pay **taxes**, based on an annual declaration.



Useful site :

[http://economie.fgov.be/fr/entreprises/vie\\_entreprise/Creer/Conditions](http://economie.fgov.be/fr/entreprises/vie_entreprise/Creer/Conditions)

# The moonlighting



An undeclared work is called moonlighting. It is a paid, but not declared to public authorities work. It thus escapes all rules of solidarity of Belgian Law (taxes, social contributions ...) and is therefore punishable by Law.

**Example:** My neighbor offers me to come and paint her home and pays me €5 / hour.

When someone moonlights, there is no legal contract of employment. The so-called employer fails to fulfill his social and tax obligations. Many risks are related to this type of work and can cause serious consequences for the employer as well as the employee.

Without a contract of employment, I risk not to be paid in whole or in part (forgot overtime work, for example). Scams and setbacks are common!

I cannot claim any rights as regards the Social Security (disability to work, maternity, invalidity, death, pension and unemployment). In case of accident, I am not at all covered. Therefore there is no insurance or resort.

The employer may require from me what he wants: working below the legal wage, working more than the legal limit, to fire me whenever he wants...

If I receive an unemployment benefit or aid of the CPAS, I can be sanctioned, excluded, even be required to repay improperly received benefits.

The denunciations and controls are frequent, with consequences for fines and other penalties.

The Social Laws Inspection is competent in matters relating to labor laws. It addresses e.g. the issues of compensation, notice, duration and working time. It can carry out checks on the workplace, either on the initiative or the occasion of a complaint, to verify that the labor regulations are respected.

In case of problems, I can go for free to the Social Laws Inspection or the Labour Court. I can also get advice from a union.

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