

You have applied for asylum and you want to work?



Interdepartmental Coordination Platform
against Smuggling
and Trafficking

.be

INTRODUCTION

Bear in mind that you have obligations but also rights. If you have submitted your asylum application and have not received a decision of the CGVS¹ (Office of the Commissioner General for Refugees and Stateless Persons) within four months, you have the right to work. In this case, you need a work permit and you have to inform your reception centre.

If your asylum application is refused definitively, you do not have the right to work any longer.

If you work during the first four months of your asylum procedure or after your asylum application has been refused, you are working illegally.

Consult your social worker or the organizations mentioned at the end of this document for more information.

Your employee rights must be respected by your employer.

***Be careful**, if your rights are not being respected, you might find yourself in a situation of exploitation.*

You have the right to be paid for the work you are doing, the right to sick leave and the right to be covered by your employer's insurance in the event of a workplace accident. If your rights, as an employee, are not respected, do not hesitate to contact the organizations mentioned below.

Moreover, as an employee you cannot hire or pay other people. If your employer asks you to do so, turn down the request.

If your employer suggests that you work as a self-employed worker or as an associate, ask the organizations mentioned below for information. If you accept, you will have to respect a number of legal obligations, including the fact that you have to pay social contributions by yourself.

Even in case of undeclared work and/or the withdrawal of the residence permit or the work permit, your workers' rights have to be respected.

¹ The right to work remains until a grounded decision is made by the CGVS or, in case of appeal, until a decision is notified by the "Foreigners Litigation Council".

Do the following test, it will help you to know whether your rights are being/ have been respected.

Question	Yes	No/ do not know	
Have you signed an employment contract in a language that you understand? Was the content explained to you in a language you understand?			
Do you know who you will work for and where?			
Do you know what work you will do?			
Do you know for how long you will be employed?			
Do you know the exact amount of your wage?			In Belgium, there is a minimum wage of 1,501,82 euros for an adult of 18 years or older. (indexed amount to 01/01/2016)

Do you know your (daily, weekly) working time?			In Belgium, working time may generally not exceed eight hours a day or 40 hours a week.
Did you receive any information about the vacation days that you are entitled to (per week, per year)?			In general, you are entitled to a minimum of 20 days a year under a five-day working system.
Can you move around freely outside your legal working hours?			
Are you treated with dignity by the employer?			The employer may not make you work in degrading conditions, threaten you, use violence or force you to do something.
Do you have your identity and residence documents?			The employer may not confiscate or keep these documents.
Do you receive an official payment slip?			
Do you receive your full wage monthly?			
Do you have clothes or specific appropriate equipment for your work at your disposal?			

Result of the test:

If you have given a negative answer to several of these questions;

If you are offered work that does not comply with these basic conditions,

If you have been subject to threats or violence by an employer,

do not hesitate to talk about your situation with your social worker or to consult one of the organizations mentioned below. These persons can help you enforce your rights.



Evidence that you have worked

In order to claim your rights, you must prove that you have worked for an employer. Therefore, keep all material evidence which shows that you have worked for your employer. Take note of, for example, the name and address of the employer and of the company, the days and hours during which you have worked as well as the addresses of the worksites or workplaces.

For all questions regarding the right to work

Social inspection services



Social inspection

Specifically:
social security,
leaves and workplace
accidents

Contact:
Federal Public Service
Social Security, Finance
Tower, Kruidtuinlaan 50,
box 110, B – 1000 Brussels

tel.: 0032 2 528 65 46 or
0032 2 528 65 47

website:

[http://www.socialsecurity.
belgium.be](http://www.socialsecurity.belgium.be)



Service public fédéral
Emploi, Travail
et Concertation sociale

Control of social legislation

Specifically: wages and
working conditions

Contact:
Control of social legislation
Federal Public Service
(FPS) Employment,
Labour and Social
Dialogue, Rue Ernest
Blérot, 1, B – 1070 Brussels

website:

<http://www.employment.belgium.be>

Standby duty:

0032 2 235 54 01
Monday and Friday from 9
am to 12 am and Wednesday
from 9 am to 4:30 pm
without interruption or via
e-mail to:

tsw.brussel@werk.belgie.be

Main trade unions:



FGTB-ABVV :

Rue Haute, 42, 1000 Brussels
tel.: 0032 2 506 82 11

e-mail: (Fr) info@fgtb.be / (D) info@abvv.be

website: (Fr) <http://www.fgtb.be/> (D) <http://www.abvv.be>



CGSLB-ACLVB:

Boudewijnlaan, 8 , 1000 Brussels
tel.: 0032 2 509 16 00

e-mail : (Fr) cgsb@cgsb.be / (D) aclvb@aclvb.be

website : (Fr) <http://www.cgsb.be/> (D) <http://www.aclvb.be/>



CSC-ACV : Chaussée de Haecht, 579
1030 Brussels

Tél : (Fr) 0032 2 246 32 16 – (D) 0032 2 246.32.28

e-mail : (Fr) nouvelles-migrations@acv-csc.be
(D) diversiteit@acv-csc.be

website : (Fr) <http://www.migrantscsc.be>
(D) <http://www.acv-diversiteit.be>

For all questions regarding the rights of foreigners:



CIRÉ

Coordination et Initiatives pour Réfugiés et Étrangers
Rue du Vivier - Visvijverstraat 80-82, 1050 Brussels

e-mail :

cire@cire.be

website :

<http://www.cire.be>

Standby duty:

tel.: 0032 2 629 77 10

Standby duty on site from 9 am to 12 am from Monday to Friday



Vluchtelingenwerk Vlaanderen

Kruidtuinstraat 75, 1210 Brussels

e-mail :

info@vluchtelingenwerk.be

website :

<http://www.vluchtelingenwerk.be>

Helpdesk (legal questions regarding the asylum procedure):

tel.: 0032 2 205 00 55

Monday and Friday from 9 am to 12:30 pm; Wednesday afternoon from 1:30 pm to 5 pm

If you work and if you are an undocumented worker



OR.C.A.

(Organisation for Undocumented Workers)

Gaucheretstraat 164, B – 1030 Brussels

e-mail:

info@orcasite.be

website :

<http://www.orcasite.be>

Helpdesk :

tel.: 0032 2 274 14 31

Monday and Wednesday from 9 am to 1 pm

Thursday from 1 pm to 4 pm



Myria

(Federal Migration Centre, independent public institution)

Rue Royale 138, B – 1000 Brussels

website :

<http://www.myria.be>

Legal advice by phone:

tel. (free number): 0032 800 14 912

Monday from 9:30 am to 12:30 pm

Tuesday, Wednesday and Friday from 1:30 pm to 5 pm

Centres specialized in the field of trafficking in human beings

In case of violence or threats by your employer, you can also contact the specialized centres for victims of trafficking in human beings



PAG-ASA (Brussels) :

Cellebroersstraat 16B

B – 1000 Brussels

tel.: 0032 2 511 64 64

e-mail: info@pag-asa.be



Payoke (Antwerp) :

Leguit 4

B – 2000 Antwerp

tel.: 0032 3 201 16 90

e-mail: admin@payoke.be



Surya (Liège) :

Rue Rouveroy 2

4000 Liège

tel.: 0032 4 232 40 30

e-mail: info@asblsurya.be



<https://dofi.ibz.be/sites/dvzoe/EN/Application-guides/Pages/Applying-for-protection.aspx>

Contact :
teh-mh@dsb-spc.be