

## **ANNEX III**

### **Belgian Flanders**

# INTRODUCTION

**As part of its mission to compare European public employment services (PES), the mission chose to study the Flemish PES** in Belgium in that it :

- ◆ operates in an area bordering France, with one of the lowest unemployment rates in Europe (3.1% in the second quarter of 2022 according to the International Labor Organization, ILO);
- ◆ is part of a federal administrative environment that is essentially different from that of France;
- ◆ is facing a particularly tight labor market (vacancy rate twice as high as in France).

**The mission focused its analyses on the Flemish PES through the five central themes of the comparison** (coordination of PES actors, diagnosis of the initial situation of jobseekers, accompaniment, control of job search, services to companies), making use of field visits and the study of public documents or documents transmitted by PES actors.

The field visits in November and December 2022 lasted four full days, between Brussels (headquarters of the *Vlaamse Dienst voor Arbeidsbemiddeling*, VDAB, the main operator, and the national employment office, NEO) and the provinces of Flemish Brabant and West Flanders for field visits. The mission was able to meet with teams from :

- ◆ the main PES operator, the VDAB, whether it be the management teams, thematic directors (IT, strategy, evaluation), directors of a *competence center* (appointment and training center) or of a provincial intensive support service, advisors ;
- ◆ managers of municipal or intermunicipal integration structures, actors of the PES;
- ◆ officials from the National Employment Office (NEO), which is responsible for compensating job seekers.

A total of 25 people were met through interviews and presentations, in addition to visits and observation of agency advisors and *competence centers*.

The mission then focused its qualitative and quantitative analyses on:

- ◆ analysis of internal VDAB and ONEM documents sent to the mission;
- ◆ the analysis of public documents of the VDAB, in particular relating to its offer;
- ◆ the study of federal legal texts (laws, decrees, orders, decisions of the Belgian data protection authority);
- ◆ the review of the relevant economic literature in Dutch, English and French on the Flemish and Belgian labor market and on the impact of activation measures.

**This annex is structured in two parts.** The first part aims to present the singularity of the Flemish economic and labor market situation, especially in comparison with Brussels and Wallonia, and to give an overview of the PES actors. The second part aims to detail the lessons learned from the mission's work on the five themes mentioned above, highlighting both the strengths and weaknesses of the Flemish PES.

Belgian Flanders has an unemployment rate of 3.1% in the second quarter of 2022. Unemployment insurance is paid by the ONEM, a national unemployment insurance fund, for an unlimited period of time but in rapidly decreasing amounts, capped at €2,039 at the outset and then gradually decreasing to €1,296.

The Belgian PES is another example of a **decentralized PES, but at the regional level**. The Flemish government has delegated its action to the **VDAB** agency, a **one-stop shop for jobseekers**, which organizes support for its users in two ways:

- ◆ the most autonomous can choose not to be accompanied and to benefit only from the digital tools developed by the VDAB. Three *contact centers*, platforms composed of agents, are available by e-mail or telephone if these job seekers need help;
- ◆ the less autonomous are accompanied in 60 *competence centers*, agencies that bring together teams to accompany job seekers and training centers. These centers are organized around a specialty in one or two economic sectors.

The VDAB employs 4,500 FTEs, of which<sup>1</sup> are employed in *competence centers* or agencies that focus on the most disadvantaged groups and cannot be linked to any economic sector.

**One of the priorities of the Flemish government is to increase the employment rate by another three percentage points, to reach 80% by 2030.** This requires an increase in the active population and a priority given to the return to employment among job seekers, sometimes to the detriment of basic training requests.

The VDAB is responsible for the implementation of this dual objective. This implementation is based on good cooperation with the local authorities, on an efficient matching function, thanks to specialized teams, and finally on the accountability of the jobseeker and the possibility of sanctions for the advisor.

---

<sup>1</sup> The mission was unable to make a precise estimate due to the lack of aggregated data.

# CONTENTS

<b>1. SOCIO-ECONOMIC CONTEXT AND ORGANIZATION OF THE PES: FLANDERS HAS HAD FULL EMPLOYMENT FOR ABOUT THIRTY YEARS AND HAS A LARGELY DECENTRALIZED PES AT PROVINCIAL LEVEL.....</b>	<b>0</b>
1.1. Socio-economic context: the successful tertiarization of the Flemish economy since the 1980s has led to a situation of full employment for over two decades..	0
1.1.1. <i>Flanders has successfully tertiarized its economy .....</i>	<i>0</i>
1.1.2. <i>Flanders has had almost continuous full employment since the 1990s, which implies a particularly tight labor market today .....</i>	<i>1</i>
1.1.3. <i>Unemployment insurance is unlimited in time for those who have paid sufficient contributions, while there are minimum social benefits for the rest of the population over 18 years of age .....</i>	<i>4</i>
1.2. Organization of the public employment service (PES): the VDAB is the main operator of the PES following a process of decentralization .....	1
1.2.1. <i>The process of decentralization of active labor market policies has enabled the VDAB, as well as other regional employment services, to play an increasingly important role.....</i>	<i>1</i>
1.2.2. <i>The entities in charge of passive labor market policies and social minima are the NEO, the payment funds and the PCSWs .....</i>	<i>6</i>
<b>2. ANALYSIS OF THE FIVE PRIORITY THEMES OF THE MISSION .....</b>	<b>7</b>
2.1. Operational coordination of the various PES actors: the VDAB is the one-stop shop for active employment policies in Flanders .....	7
2.1.1. <i>The VDAB collaborates with 86% of Flemish municipalities, with the priority objective of increasing the employed population.....</i>	<i>7</i>
2.1.2. <i>The interoperability of the information systems is non-existent but automatic data exchanges between the VDAB and the other actors of the PES are organized.....</i>	<i>9</i>
2.2. Diagnosis of jobseekers: the VDAB uses an algorithm to classify jobseekers according to their distance to employment .....	11
2.2.1. <i>The VDAB uses an algorithm that calculates a distance to employment for new registrants, in order to give priority to those most in difficulty.....</i>	<i>11</i>
2.2.2. <i>The VDAB has set up a competency-based profiling tool to complement experience-based profiling .....</i>	<i>12</i>
2.3. Support for jobseekers: the VDAB stands out for its 100% digital support by default, a strategy geared towards finding a new job and its skills in training...	12
2.3.1. <i>The VDAB's priority is to get the unemployed back to work, which contributes to the government's objective of increasing the employment rate.....</i>	<i>12</i>
2.3.2. <i>The intensity of the support varies, depending on the distance to the job, with the least autonomous job seekers having regular appointments and training in the same place.....</i>	<i>13</i>
2.4. Controlling job search: job seekers have many obligations and sanctions affect 10% of those receiving benefits each year .....	18
2.4.1. <i>Federal law sets out the obligations of job seekers.....</i>	<i>18</i>
2.4.2. <i>Since 2016, the regional employment service has been responsible for monitoring obligations and formulating sanctions .....</i>	<i>20</i>

2.4.3.	<i>Since the regionalization of control and sanctioning powers, sanctions have been reduced by almost half, but still concern almost 10% of the unemployed receiving benefits.....</i>	<i>21</i>
2.5.	<i>Business services: the coexistence of digital services and mixed business-ED teams in the competence centers.....</i>	<i>0</i>
2.5.1.	<i>Digital services for employers contribute to the matching mission.....</i>	<i>0</i>
2.5.2.	<i>Company mediators work in teams specialized by economic sector in the "competence centers".....</i>	<i>1</i>
2.5.3.	<i>Employment and language coaches" complement the system by improving the integration of new employees into companies.....</i>	<i>1</i>

# 1. Socio-economic context and organization of the PES: Flanders has had full employment for about thirty years and has a largely decentralized PES at provincial level

## 1.1. Socio-economic context: the successful tertiarization of the Flemish economy since the 1980s has led to a situation of full employment for over two decades

### 1.1.1. Flanders has successfully tertiarized its economy

Until the 1950s, Wallonia, rich in industry (steel, textiles, chemicals), was more developed than Flanders, which was still largely agricultural (cf. table 1). While Wallonia had experienced early industrialization<sup>2</sup>, Flanders was later able to rely on its automotive and airport industries, on the development of international trade and on the dynamism of the port of Antwerp. Flemish gross domestic product (GDP) per capita surpassed that of Wallonia in the mid-1960s<sup>3</sup>.

**Table 1 Comparative economic growth of the three Belgian regions between 1955 and 1997**

	Flanders	Wallonia	Brussels
Average real growth rate between 1955 and 1997	3,5 %	2,2 %	2,1 %
GDP per capita (base 100, national average) 1955	88 %	101 %	156 %
GDP per capita (base 100, national average) 1997	105 %	76 %	152 %

*Source: International Monetary Fund (IMF).*

*Note for the reader: Brussels, the location of many corporate headquarters, has historically created more value added per capita.*

**In 2022, the GDP per capita of Flanders is €43,300, 27% higher than in France (€34,100).**

**From the 1980s onwards, Flanders experienced a rapid tertiarization of its economy.** Deindustrialization was more rapid than in Wallonia<sup>4</sup>, due to the decline in the importance of the automobile industry<sup>5</sup>, but without any major macroeconomic shock. With the port of Antwerp, Europe's second largest seaport, and a good transport infrastructure, the region has specialized in exportable goods and services<sup>6</sup>. The Antwerp conurbation, at the heart of this movement, saw its contribution to Flemish GDP rise from 25% to 33% between 1980 and 2000<sup>7</sup>.

**The evolution of the employment structure since the 1980s has been similar to that of many European countries:**

- ◆ the number of manufacturing jobs has declined by 25% since 1980;

---

<sup>2</sup> C. Vandermotten, "Belgium's economic structures and their spatiality, from the golden sixties to today," *Belgian Journal of Geography*, 2017 - <https://journals.openedition.org/belgeo/20564>

<sup>3</sup> IMF figures.

<sup>4</sup> C. Vandermotten, *op.cit.*

<sup>5</sup> *Ibid.*

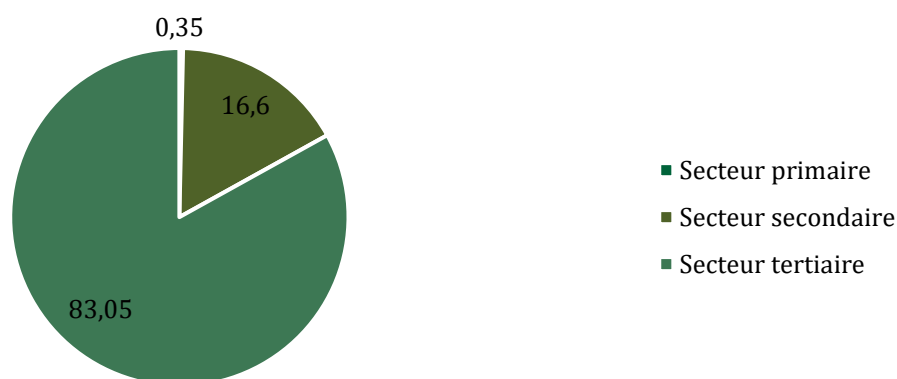
<sup>6</sup> In its 2003 *Country Brief* on Belgium, the IMF estimated that 90% of Flemish value added was in exportable goods or services.

<sup>7</sup> *Ibid.*

- ◆ the sectors that provide the most jobs today are communication and logistics, distribution and business services<sup>8</sup>, and personal services<sup>9</sup>.

**In total, the tertiary sector now accounts for 85% of employment and 83% of regional value added<sup>10</sup> (cf. chart 1).**

**Chart 1 Distribution of Flemish value added by sector of activity (in %)**



*Source: Flemish government.*

### **1.1.2. Flanders has been in a situation of almost continuous full employment since the 1990s, which implies a particularly tight labor market today**

#### **1.1.2.1. The unemployment rate has been close to or below 5% for two decades**

**In 2022, the employment rate of 20-64 year-olds in Flanders was 76.3%<sup>11</sup> compared to 71.4% in Belgium**, with a national ILO unemployment rate of 4.9%. The Flemish employment rate is 3.7 percentage points lower than the 80% target set by the national and Flemish governments (cf. 2.3.1).

**Flanders has had almost full employment for more than two decades: the unemployment rate of the Flemish labor force has been fairly stable since 1999 and has not exceeded 5.7 percent in the ILO sense since the late 1990s** (see figure 2). chart 2). *In contrast*, the unemployment rate in Brussels is on average three to four times higher over the period: it has ranged over the last two decades between 12% (2020) and 19% (2013, cf. chart 2).

**In the second quarter of 2022, the ILO unemployment rate reached a low point of 3.1%, compared to 12.0% in Brussels-Capital and 8.6% in Wallonia** (see Table 2). table 2).

<sup>8</sup> *Ibid.*

<sup>9</sup> PES Network, "Key developments, role and organization of Public Employment Services in Great-Britain, Belgium-Flanders and Germany," 2019.

<sup>10</sup> Data from the attractiveness agency of the Flemish region - <https://www.flandersinvestmentandtrade.com/invest/en/investing-in-flanders/strategic-location/demographics-and-macroeconomic-trends-in-flanders>

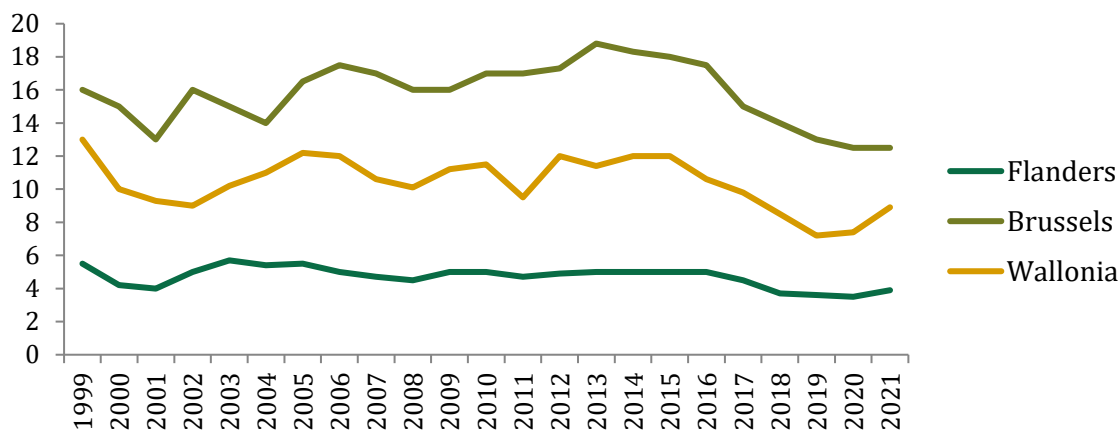
<sup>11</sup> Statbel.

**Table 2 Official employment and unemployment rates in Flanders in the second quarter of 2022 (ILO definition)**

	Men	Women	Total Flanders	Belgium
Employment rate	80,0 %	72,5 %	76,3 %	70,0 %
Unemployment rate	3,0 %	3,1%	3,1 %	5,7 %

Source: Statbel.

**Chart 2 The evolution of the ILO unemployment rate**



Source: International Labour Office.

**Box 1 Definition of the unemployment rate as defined by the International Labour Office (ILO)**

According to the International Labour Office (ILO), an unemployed person is a person of working age (over 15 years old), without work, available on the labour market and who has taken specific steps to find work.

The unemployment rate is the ratio of the number of unemployed to the labor force.

Statbel, the Belgian federal statistical agency, takes this definition into account.

The VDAB uses a similar definition in its official communications, but subtracts those who are enrolled in training because they are not immediately available on the labor market.

Source: VDAB website; ILO website.

**1.1.2.2. Unemployment is higher among youth, immigrants, and people with disabilities**

Despite a low unemployment rate (3.1% in Flanders compared to 5.7% in Belgium) and a rather high productivity, Flanders has today :

- ◆ a five-fold increase in the unemployment rate for the **under-25s (13.5% in 2021)**, despite a significant decline in recent years<sup>12</sup> ;
- ◆ a threefold increase in the unemployment rate of **people born outside the European Union (9.8%) in 2021**<sup>13</sup> ;
- ◆ a higher unemployment rate for **people with disabilities (5.2%)**<sup>14</sup> ;

<sup>12</sup> Central Bank of Belgium, dedicated page - <https://www.nbb.be/en/publications-and-research/employment-statistics-trends/labour-market/unemployment-rate-age-gender>

<sup>13</sup> Statistical page of the Flemish regional government - <https://www.vlaanderen.be/en/statistics-flanders/labour/ilo-unemployment-rate#higher-unemployment-rate-among-persons-aged-15-to-34-than-in-other-age-groups>

<sup>14</sup> PES Network, *op.cit.*



- ◆ **55% of job seekers had been unemployed for more than one year in 2021**, or 108,821 people out of 197,457<sup>15</sup> (see table 3). This is more than in the French departments most affected by this phenomenon, such as Pas-de-Calais (52%) or the Ardennes (54%)<sup>16</sup>.

**Table 3 Breakdown by age and duration of unemployment of VDAB registrants at the end of 2021**

	<b>Under 25 years old</b>	<b>25 - 39 years old</b>	<b>40 - 54 years old</b>	<b>Over 50 years old</b>	<b>Total</b>
Less than one year	27 252	39 795	23 459	9 746	100 253
Between one and two years	6 612	39 795	8 850	5 540	33 444
More than two years	4 445	13 903	17 905	26 040	62 292
<b>Total</b>	<b>38 309</b>	<b>66 040</b>	<b>50 314</b>	<b>41 326</b>	<b>195 989</b>

*Source: VDAB annual report.*

### **1.1.2.3. The labor market is particularly tight today**

**With an unemployment rate of 3.1%, tensions on the Flemish labor market are high: the vacancy rate<sup>17</sup> was 5.6% in the third quarter of 2022<sup>18</sup>, compared with 4.3% in Brussels, 3.9% in Wallonia and 2.5% in France<sup>19</sup>.** However, tensions are different in different employment areas, as shown in chart 3.

**In the face of these tensions, one of the distinctive priorities of the public employment service is to "activate" the inactive and active populations furthest from employment.** The Director General of the VDAB<sup>20</sup> told the mission that it was estimated that 1.5 million people, or one third of the active population, are inactive or not very active and could be helped to find work, especially women aged 20 to 64 (20% of whom are inactive). On average, women have a higher level of education<sup>21</sup>.

<sup>15</sup> VDAB Annual Report 2021, p. 8.

<sup>16</sup> Observatory of territories, 2019 figures - <https://www.observatoire-des-territoires.gouv.fr/part-des-demandeurs-demploi-de-longue-duree-parmi-les-demandeurs-demploi-de-categorie-abc>

<sup>17</sup> Defined as the ratio of unfilled jobs to the sum of filled and unfilled jobs.

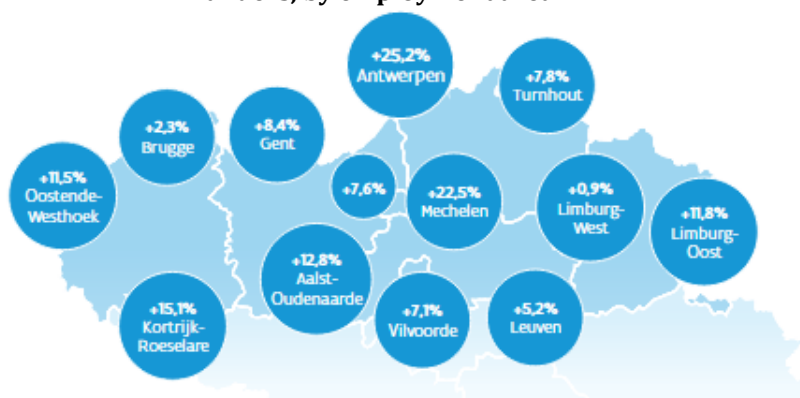
<sup>18</sup> Statbel data - <https://statbel.fgov.be/fr/themes/emploi-formation/marche-du-travail/emplois-vacants>

<sup>19</sup> Survey by the Directorate for Research, Studies and Statistics (DARES), November 2022 - <https://dares.travail-emploi.gouv.fr/donnees/les-emplois-vacants>

<sup>20</sup> Interview with the executive director, November 2022.

<sup>21</sup> The *Country Note of the Organisation for Economic Co-operation and Development (OECD)*, part of an international survey on adult skills, defines the educational level of Flemings as "above the OECD average".

**Chart 3 evolution of the number of job vacancies between the end of 2020 and the end of 2021 in Flanders, by employment area**



Source: VDAB annual report.

### 1.1.3. Unemployment insurance is unlimited in time for people who have paid enough contributions, while there are *minimum* social benefits for the rest of the population over 18 years of age

#### 1.1.3.1. Contributory unemployment benefits are paid without time limit for those who have contributed enough

In order to receive benefits, a jobseeker in Belgium (social security law is federal) must be a resident of Belgium, under 65 years of age (legal retirement age), able to work and actively seeking work, and registered as a jobseeker with the relevant regional employment service, the VDAB in Flanders. The number of days worked required to receive compensation depends on age (312 under 36, 468 between 36 and 50, 624 over 50), while the reference period ranges from 21 to 42 months depending on the age category.

Once the contribution period has been completed, the compensation period is unlimited. This duration is divided into three periods, with a minimum guaranteed income of €1,296<sup>22</sup>:

- ◆ an initial one-year period: for the first three months, the allowance is equal to 65% of the gross reference salary, then this amount decreases to 60%. In addition, the compensation ceiling is lower from the seventh month;
- ◆ a second period of two months to a maximum of three years, depending on the number of years of contributions (two months per year worked). During the first two months, the replacement income remains equal to 60% of the reference salary, with a lower ceiling than at the end of the first period. Thereafter, for ten months and then every six months, the amount is reduced by 20 percent of the difference between the last allowance in effect and the flat rate (see below);
- ◆ a third period, during which the recipient receives the "lump sum" (672 € for a cohabitant with no workload, 1,296 € for a single person, 1,600 € for a person with family responsibilities), without time limit. This lump sum is close in amount to the social integration income (RIS), which can be paid without contribution conditions to any regular resident over 18 years old in Belgium (1 569 € for a cohabitant with family responsibilities, 1161 € for a single person, 774 € for a cohabitant without family responsibilities).

<sup>22</sup> Since October 1<sup>er</sup>, the minimum wage in Belgium is €1,917, by comparison.

**Table 4 Unemployment benefits in Belgium (amount for a single person)**

1 <sup>ère</sup> period			2 <sup>ème</sup> period (2 months per year worked, 36 months maximum)						3 <sup>ème</sup> period
3 months	3 months	6 months	2 months (fixed)	10 months	6 months	6 months	6 months	6 months	Unlimited
65% of reference income Max: 2 039 €. Min: 1 296 €.	60 % Max: 1 882 €. Min: 1 296 €.	60 % Max: 1 753 €. Min: 1 296 €.	55 % (A) Max: 1 469 €. Min: 1 296 €.	$B = A - 0.8*(A-G)$ Max: 1 469 €. Min: 1 296 €.	$C = B - 0.8*(B-G)$ Max: 1 412 €. Min: 1 296 €.	$D = C - 0.8*(C-G)$ Max: 1 355 €. Min: 1 296 €.	$E = D - 0.8*(D-G)$ Max: 1 299 €. Min: 1 296 €.	$F = E - 0.8*(E-G)$ 1 296 €	Package (G) 1 296 €

Source: presentation to the mission by the VDAB in October 2022; official NEO scale; mission.

### 1.1.3.2. *The social integration income (RIS), a minimum social income under certain conditions, can be paid to any person over 18 years of age*

A jobseeker who does not qualify for unemployment benefit can, under certain conditions, receive the social integration income (RIS). The RIS is paid by the Public Centre for Social Welfare (CPAS, or OCMW in Flanders) and guarantees a minimum income for people with little or no resources. This assistance scheme is financed by the federal government as well as by the PCSW's own resources<sup>23</sup>. According to article 3 of the law of 26 May 2002 concerning the right to social integration, five conditions must be met in order to be eligible for the RIS:

- ◆ being of Belgian nationality (or citizen of the European Union, foreigner registered in the population register or recognized as a refugee or stateless person);
- ◆ being at least 18 years old and legally resident in Belgium;
- ◆ not having sufficient resources (below the SIR) and not being able to provide them oneself;
- ◆ willing to work (unless health or other reasons do not permit);
- ◆ not being eligible for other social benefits (unemployment benefits, family allowances, health insurance benefits or alimony).

**As of November 1 2022, the SIR for a single person is €1,184 (see table 5), or 91% of the minimum unemployment benefit.**

**Table 5 Social Integration Income (SII)**

Monthly package	Category
Cohabitant with family load	1 600 €
Isolated	1 184 €
Cohabitant without dependents	790 €

*Source: Brussels Capital Region website.*

### 1.1.3.3. *The insertion allowance is intended for young graduates aged 18 to 25 who are on a path to employment*

The union funds or the autonomous fund also pay a non-contributory "insertion allowance" to young people aged 18 to 25. The "insertion allowance" allows a young person aged 18 to 25<sup>24</sup>, even if he or she lives with his or her parents (this allowance will then be reduced to an amount between 342 and 546 € against 1,116 € otherwise), to obtain an accessible means of subsistence after his or her secondary or higher education<sup>25</sup>. The allowance is intended to facilitate their sustainable integration into the labor market. The person must register with the regional employment service (VDAB in Flanders), which will help him or her obtain a work placement of six to twelve months. This internship can be replaced by additional vocational training provided by an organization recognized by the VDAB and financed by the latter.

<sup>23</sup> For refugees and stateless persons, the federal government is the sole funder, according to the law of May 26, 2002.

<sup>24</sup> Older people can benefit, under specific conditions.

<sup>25</sup> In Belgium, it is necessary to have worked for about a year and a half to be eligible for contributory unemployment benefits, while the social integration income (RIS) is available from the age of 18 for emancipated young people.

## **1.2. Organization of the public employment service (PES): the VDAB is the main operator of the PES following a decentralization process**

### **1.2.1. The process of decentralization of active labor market policies has allowed the VDAB, as well as other regional employment services, to play an increasingly important role**

#### **1.2.1.1. Historical context: the PES has been progressively decentralized to the provincial level**

**The Belgian National Employment Office (NEO) was established in 1935. The supervision was exercised by the federal Ministry for Employment and Labour, with a central administration in Brussels and 30 regional offices throughout Belgium. This structure has survived the changes in perimeters<sup>26</sup>.**

**In 1978, a reform separated the benefit payment activities from the services responsible for active employment policies<sup>27</sup>.** From 1978 to 1989, the NEO was the head of two networks: the sub-regional employment services, responsible for active policies, and the regional unemployment offices, responsible for compensation.

**The *Vlaamse Dienst vor Arbeidsbemiddeling* (VDAB) was created in 1989 as part of the "third reform of the Belgian state," which gave the regions authority over job placement and labor market information.** In 1994, a first performance contract was concluded between the VDAB and the Flemish government, with indicators focusing on the inclusion of vulnerable groups. Government commissioners joined the board of directors of the service, but it did not have its own legal personality.

**In 2004, the VDAB became autonomous from the Flemish government by the decree of 7 May 2004, which gave the VDAB legal personality (status of an autonomous agency external to the government).** While the director general is still appointed by the regional government, there are no longer periodic performance contracts or administrative supervision<sup>28</sup>.

**An organizational reform of the VDAB was finally implemented in 2016, following the political crisis of the early 2010s against the background of community tensions.** The political agreement reached in 2011 then led to the vote and promulgation on 31 January 2014 of a "special law on the sixth state reform". This text implies the transfer to regional entities of additional competences related to the labour market, including vocational training<sup>29</sup>.

---

<sup>26</sup> NEO website, page dedicated to office location - <https://www.onem.be/fr/onem/organigrammes/les-bureaux-de-lonem>

<sup>27</sup> NEO, "75 Years of the NEO: A Look at the Past, Present and Future", 2010, p. 42 - <https://www.onem.be/sites/default/files/assets/publications/Brochures/75/75FR.pdf>

<sup>28</sup> Decree of May 7, 2004 available on the website of the *Moniteur belge*.

<sup>29</sup> <https://www.cairn.info/revue-dynamiques-regionales-2016-1-page-37.htm>

**1.2.1.2. The VDAB is now responsible for all active employment policies, with the exception of graduate orientation**

**Belgian law gives the VDAB, as well as the other regional employment services (FOREM in Wallonia, ACTIRIS in Brussels-Capital), three types of competences:**

- ◆ **the matching of labor supply and demand**, through a placement service for job seekers and employers<sup>30</sup>. The regional employment service is also considered as a "*placement service*" by the Royal Decree of November 25, 1991, in its article 74. The Flemish Government Decree of 5 June 2009 on the organization of employment and vocational training details in its second chapter the "*placement*" mission of the VDAB: Article 34 states that the VDAB can take "*all initiatives*" towards jobseekers in order to promote their return to employment, while Article 45 states that the service "*helps employers to pre-select candidates*", which provides a legal basis for services to employers;
- ◆ **vocational training for jobseekers** Article 24 of the decree of November 25, 1991 designates the VDAB as one of the "*regional services for employment and vocational training*". The Flemish Government Decree of June 5, 2009 on the organization of employment and vocational training details in its Title III the "*skills development*" function of the VDAB: this corresponds to learning a new trade, consolidating skills ("*upskilling*"), "*retraining*";
- ◆ **vocational guidance of job seekers, with the aim of a quicker return to employment.** The aforementioned Flemish government decree of 5 June 2009 makes the "*vocational guidance course*" the main channel for this competence.

**The VDAB is the contact point for all jobseekers within the meaning of the ILO.** All persons who can be considered as job seekers in the sense of the ILO are registered with the VDAB.

Nevertheless, in June 2021, the VDAB had 168,800 registered<sup>31</sup>, while there were 122,754 job seekers as defined by the International Labor Office (ILO)<sup>32</sup>. The number of VDAB registrants is higher than the number of job seekers because:

- ◆ there are jobseekers looking for work in Flanders but living in the Brussels-Capital Region, as well as in the other regions of Belgium<sup>33</sup>;
- ◆ some employed people are registered with the VDAB, especially those who want to increase their workload<sup>34</sup>.

---

<sup>30</sup> <https://werkgevers.vdab.be/english>

<sup>31</sup> Article from *La Libre Belgique* in June 2021 - <https://www.lalibre.be/economie/entreprises-startup/2021/06/09/bpost-veut-former-500-nouveaux-postiers-cette-annee-ETX246WUCND2NK6D3Q44GSZR3E/>

<sup>32</sup> Data from Statbel, the federal statistical institute - [https://www.onem.be/sites/default/files/assets/presse/Chiffres\\_chomage/2021\\_02\\_Chiffres-chomage.pdf](https://www.onem.be/sites/default/files/assets/presse/Chiffres_chomage/2021_02_Chiffres-chomage.pdf)

<sup>33</sup> Site of the private placement company Selor, article about the partnership between Actiris and the VDAB concerning job vacancies in the administration, for example in Flanders - <https://client.selor.be/fr/a-propos-de-selor/que-fait-selor-/partenariats/parteneriat-entre-selor,-le-forem-et-le-vdab/>

<sup>34</sup> Visit to the VDAB headquarters in November 2022.

**Registration with the VDAB is compulsory for a person wishing to receive contributory unemployment benefits.** Article 24 of the Royal Decree of November 25, 1991, regulating unemployment, places the responsibility for enforcing the rights and duties of the insured persons on the unemployment centers<sup>35</sup>, the first of which is registration with a regional employment service. Thus, all insured persons in Flanders are registered with the VDAB, and insured persons receiving unemployment benefits account for 90% of those registered, compared to only 40% in France at the Pôle Emploi<sup>36</sup>. This can be explained first of all by the long average duration of the benefit (cf. 1.2.2.2).

**However, unlike in Germany and the prerogatives of the *Bundesagentur für Arbeit*, the VDAB does not have competence in the area of career guidance for high school and university students.** The latter can turn to a *Centra voor Leerlingsbegeleiding* (CLBs, guidance centers for students in French), which are attached to the public secondary schools under the regional government<sup>37</sup>.

#### **1.2.1.3. The VDAB is at the service of the Flemish government but operates independently**

**The VDAB's Board of Directors is composed equally of representatives of the employers' and employees' unions, who are the sole members<sup>38</sup>.** There are no representatives of the Flemish government.

**From an operational point of view, the managing director is appointed by the Flemish government. The latter also appoints all the members of the board of directors, including the representatives of employees and employers, on the proposal of the representative organizations<sup>39</sup>.** He is assisted, as in the German *Bundesagentur*, by a Directorate General for Labour Market Management and a Directorate General for Resources<sup>40</sup>.

#### **1.2.1.4. The VDAB is present in all provinces and has a professional competence center in one municipality out of five**

**The VDAB has in 2022<sup>41</sup>:**

- ◆ with headquarters in Brussels;
- ◆ five provincial branches;
- ◆ of 60 *competence centers*<sup>42</sup>, a combination of reception and training facilities, i.e., one center for every five municipalities on average (cf. box 2);
- ◆ of about twenty agencies.

---

<sup>35</sup> Responsible for the payment of benefits and dependent on the National Employment Office (ONEM),

<sup>36</sup> INSEE figures, 2020. Note: in France, this low figure is explained by the presence of young people in the population considered, as well as RSA recipients - <https://www.insee.fr/fr/statistiques/4501599?sommaire=4504425>

<sup>37</sup> Presentation of vocational guidance for young people and adults in Flanders on the Euro-guidance website, of the European network of guidance organisations of the same name - <https://www.euroguidance.eu/guidance-system-in-belgium-flanders>

<sup>38</sup> VDAB Annual Report 2021, p. 10.

<sup>39</sup> Decree of June 7, 2004 - [https://etaamb.openjustice.be/fr/decret-du-07-mai-2004\\_n2004035865.html](https://etaamb.openjustice.be/fr/decret-du-07-mai-2004_n2004035865.html)

<sup>40</sup> Official website of the VDAB, page "governance" - <https://www.vdab.be/vdab/beheer.shtml>

<sup>41</sup> Presentation to the mission, November 2022.

<sup>42</sup> The term is used in the VDAB documentation, as well as the Flemish term *Competentiecentrum*.



### Annex III

**The organizational model is more matrix-based since the organizational reform of 2016<sup>43</sup>** : while there are provincial directors and *competence center* directors, the internal organization is characterized by its horizontality and the low number of hierarchical levels unlike the BA in Germany.

The territorial strategy is distinguished by two features which are :

- ◆ **a strong sectorization of counselors:** all counselors and *team leaders* are specialists in one of the six dedicated sectors<sup>44</sup> , with the exception of those in charge of vulnerable groups, the *Intensive Service Cluster*<sup>45</sup> . This requires knowledge of the sectoral labor market, training, and guidance skills (see Box 2). box 2) ;
- ◆ **uniformity of service throughout Flanders:** the general organization of the *competence centers* and the visual reception are identical in each location<sup>46</sup> .

#### Box 2 The internal organization of the VDAB by economic sector

The VDAB has defined six sectors that structure its vision of the job market and the organization of its teams. These are industry, construction, transport and logistics, care and education, information/communication and retail, and business services.

In particular, the *competence centers* (see above) are competent in one province of the region for one or two economic sectors. They house registration services (for a person who is *a priori* destined to work in the sector), job placement and advice to companies, orientation and training, all of which are related to the sector concerned.

*Source: presentation to the mission by the VDAB in October 2022; dedicated UNEDIC study; mission.*

#### 1.2.1.5. The VDAB has 4,500 FTEs of which more than one fifth are instructors

**As of December 31, 2021, the VDAB had 4,502 full-time equivalents, of which 2,461 were regional civil servants** (54%), 1,630 were public law contractors (36%), and 962 were instructors (20%), as shown in the table 6. Given the size of the population of Flanders (6.3 million inhabitants) compared to that of France, this would give 48,000 FTEs in France, or about the number of Pôle emploi staff dedicated to activation, but the unemployment rate in Flanders is more than twice that of France.

**Table 6 Distribution of VDAB full-time equivalents in 2021, by status and function**

Number of full time equivalents	Year 2021
Total	4 502
of which men	1 397
of which women	3 656
of which statutory non-instructors	2 461
of which non-instructor contractors	1 630
of which instructors	962

*Source: VDAB annual report.*

<sup>43</sup> PES Network, "Key developments, role and organization of Public Employment Services in Great-Britain, Belgium-Flanders and Germany," 2019.

<sup>44</sup> Industry, construction, transport and logistics, care and education, information/communication and retail, services.

<sup>45</sup> PES Network, "Benchlearning Initiative External Assessment," 2018 - <https://www.vdab.be/sites/default/files/media/files/Report%20PES%20Belgium-Flanders.pdf>

<sup>46</sup> Interview with the director of the *competence center* in Vilvoorde, November 2022.



### Annex III

The *competence centers* and agencies are thus comparable in size to the German *Bundesagentur* agencies and their branches (see Annex II), with an average of 50 FTEs<sup>47</sup>, a size comparable to Germany<sup>48</sup> for their national operator. The total number of instructors in the *competence centers* is almost 1,000 FTE.

The "priority to digital" strategy means that only about one in five of the applicants is accompanied in person<sup>49</sup>, so the average portfolios of active applicants effectively accompanied by counselors are limited, about 100 per mediator<sup>50</sup> and about 70-80 for those furthest from employment followed up in the agencies by the "intensive clusters"<sup>51</sup>. This compares to 115 per mediator in Germany<sup>52</sup>, and 352 in France in the context of the support provided<sup>53</sup>

#### 1.2.1.6. VDAB spending is concentrated on those furthest from employment

The broader matching and placement function (service to employers, preparation for applicant interviews) accounted for only 19% of total VDAB expenditures in 2018<sup>54</sup>.

On the other hand, nearly three quarters of spending is concentrated on guidance and training (nearly €370 million out of €505 million in spending), while 13 percent of those registered during the year have completed a training course<sup>55</sup> and about the same fraction receive support with physical appointments<sup>56</sup>. This means that expenditure is allocated as a priority to those who are furthest from employment. The VDAB's activation expenditures amount to €505 million (cf. Table 7), or 0.2% of Flanders' GDP.

**Table 7 Budget by type of mission and type of expenditure in 2018 (in thousands of euros)**

	Staff	IT and real estate	External services	Aid paid	Total	Share
Matching	18 147	3 012	NA.	N.A.	21 159	4%
Placement	59 802	1 529	N.A.	210	61 541	12%
Orientation	88 023	5 080	76 041	80	169 224	34%
Service to employers	15 621	401	N.A.	N.A.	16 022	3%
Training	114 349	28 386	31 853	19 710	194 298	39%
Apprenticeship training	351	102	250	20 062	20 765	4%
Coordination of actors	9 882	7 874	3 686	N.A.	21 442	4%
<b>Total</b>	<b>306 175</b>	<b>46 384</b>	<b>111 830</b>	<b>40 062</b>	<b>504 451</b>	100%

<sup>47</sup> In the absence of exhaustive data, the mission considers by way of simplification that 75% of the workforce is located in *competence centers* and 25% in *contact centers*, telephone and e-mail response centers, as well as at headquarters.

<sup>48</sup> BA Social Balance Sheet, 2021. More than 56,000 FTEs are spread across 156 agencies to support unemployed people receiving a contributory benefit.

<sup>49</sup> Interview with the executive director, November 2022.

<sup>50</sup> Interview with the Provincial Director of West Flanders, December 2022.

<sup>51</sup> Visit to Kortrijk on December 22, 2020.

<sup>52</sup> See Annex II on Germany.

<sup>53</sup> IGF, "Evaluation de la convention tripartite Etat-Pôle Emploi-UNEDIC", annex II, 2022, p. 60.

<sup>54</sup> ILO, "Key developments, role and organization of Public Employment Services," 2019, p. 105 - [https://www.ilo.org/wcmsp5/groups/public/---ed\\_emp/---emp\\_policy/---cepol/documents/publication/wcms\\_724913.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_emp/---emp_policy/---cepol/documents/publication/wcms_724913.pdf)

<sup>55</sup> VDAB Annual Report 2021, p. 62.

<sup>56</sup> Interview with the general manager of the VDAB, November 2022.

*Source: ILO; mission.*

## **1.2.2. The entities in charge of passive labor market policies and social *minima* are the NEO, the payment funds and the PCSWs**

### **1.2.2.1. The ONEM is the institution responsible for the management and regulation of unemployment insurance**

**After the sixth reform of the Belgian state, labour law and social insurance remained a federal competence.**

**The National Employment Office (NEO), a federal public institution under the supervision of the Ministry of Employment and Labor, is responsible for the management and application of unemployment insurance regulations.** The NEO consists of a central administration and 30 unemployment offices spread throughout the country. Each unemployment office is responsible for determining entitlement to unemployment benefits, forwarding payment authorizations to the relevant payment office, verifying payment of benefits and applying sanctions in the event of infringement. In terms of management, the ONEM is administered by a tripartite management committee consisting of a chairman (an independent expert), two government delegates (one appointed by the Minister of Finance, the other by the Minister of Employment and Labor), seven representatives of employers' organizations and seven representatives of employees' organizations<sup>57</sup>.

### **1.2.2.2. The payment of unemployment benefits is made by union funds or by the federal auxiliary fund**

**The payment of benefits is handled by the private payment agencies, which are themselves managed by the three main Belgian trade unions** (Centrale générale des syndicats libéraux de Belgique, Confédération des syndicats chrétiens, Fédération générale des travailleurs en Belgique). Each job seeker is free to choose his or her payment agency. According to a UNEDIC study, "*In general, unionized people go to the payment organization managed by the union they belong to. Non-unionized individuals may apply to a public payment agency (Caisse auxiliaire de paiement des allocations de chômage)*"<sup>58</sup>.

### **1.2.2.3. The CPAS or OCMW are municipal structures in charge of the payment of social minima and social assistance to its beneficiaries**

**The public action centers (CPAS, or *Openbaar Centrum voor Maatschappelijke Welzijn* in Flemish or OCMW) are responsible in Belgium for the payment of minimum incomes in Flanders, as well as for social assistance services, as detailed in the law of April 2, 1965, concerning the assumption of social assistance granted by the public social assistance centers.**

---

<sup>57</sup> Unedic study of 2020 - <https://www.unedic.org/sites/default/files/2020-06/Etude%20-%20Indemnisation%20du%20chomage%20en%20Belgique.pdf>

<sup>58</sup> UNEDIC, *op.cit.*

## 2. Analysis of the five priority themes of the mission

### 2.1. Operational coordination of the different PES actors: the VDAB is the one-stop shop for active employment policies in Flanders

#### 2.1.1. The VDAB works with 86% of Flemish municipalities, with the priority objective of increasing the employed population

**The VDAB is committed to partnership agreements with 86% of Flemish municipalities, the priority objective of which is to increase the employed population.** Indeed, in view of the tensions on the labour market, it is necessary to identify inactive populations who are not registered with the VDAB but who are in contact with the municipalities:

- ◆ living wage recipients, monitored by the public social welfare centers (OCMW in Flemish), which pay the social integration income (RIS), as well as housing, energy, and medical benefits;
- ◆ housewives or men, inactive and able to work, residing in their municipality.

**In practice, the partnership agreements cover the following topics**

- ◆ youth unemployment: municipalities can set up programs to combat peripheral barriers to employment, such as addictions, for young people who will then be encouraged to register with the VDAB and begin an integration program<sup>59</sup> ;
- ◆ business needs: the municipality's knowledge of its business fabric can make it possible to collect job offers and transmit them to the VDAB in an approved format;
- ◆ activation: PCSWs can initiate subsidized employment programs that can be seen as a first step towards a return to employment<sup>60</sup> ;
- ◆ the best collaboration of both parties to obtain European credits<sup>61</sup> .

#### **Box 3 Experience of local collaborations in Kortrijk**

The mission visited Kortrijk, a city of 77,000 inhabitants in West Flanders, on December 20, 2022, with the aim of studying local collaborations of PES actors.

Although a framework agreement between the municipality and its public social welfare center (OCMW) on the one hand, and the VDAB on the other, was only concluded in 2022, the mission was able to observe a high level of collaboration between the municipal entities, the VDAB, as well as W13, the association of OCMWs (OCMW in Flemish) in West Flanders. The actors point to 2018 as the year in which the municipality and the local VDAB will intensify their partnerships.

As far as the collaboration between the VDAB and the OCMW of the city of Kortrijk is concerned, two types of collaboration are to be mentioned:

- the existence of the social restaurant VORK. The latter is managed by a manager of the OCMW of Kortrijk and is located in a building owned by the city of Kortrijk, on which the OCMW depends. A catering service, at different prices according to the situation of the clients, is offered by people in employment, who are supervised by instructors. For each student, the VDAB pays €3,000 to VORK: €1,000 at the beginning and €2,000 after 11 weeks of training. The integration rate six months after the end of the internship is 65%;

<sup>59</sup> *Ibid.*

<sup>60</sup> *Ibid.*

<sup>61</sup> VDAB dedicated page - <https://extranet.vdab.be/samenwerken-met-vdab/voor-lokale-besturen/samen-sterk-voor-lokaal-werk#de-voordelen>

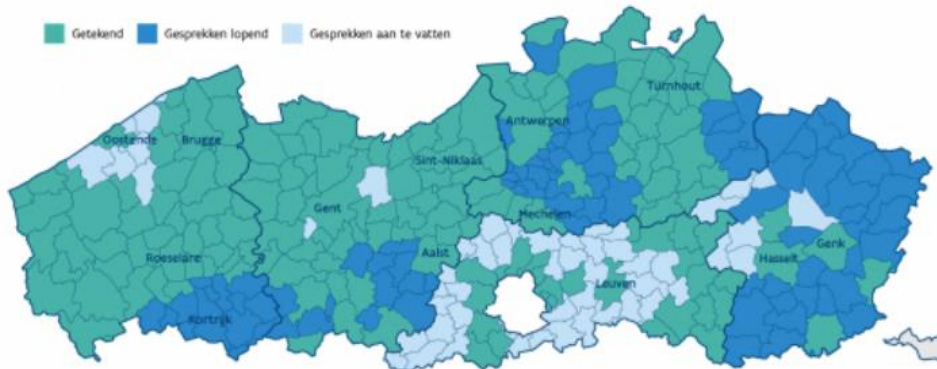
- the regular collaboration between the *cluster of* people requiring intensive support of the VDAB, and the PCSW. Indeed, these two teams can deal with people with similar problems. A monthly update on the cases is therefore made between the management teams.

With regard to the tripartite collaboration between the PCSW, the VDAB and the W13, the mission was able to learn about the WWIN project. This is a project financed by W13 - which then applies for a contribution from the European Social Fund (ESF) - aimed at providing very intensive support (12 young people per mediator) to young people aged 18 to 30 who are furthest from employment. The accompaniment can even lead the mediator to go to the place of a potential job interview in recognition. Another example is the "FOOD13" project, a province-wide food collection project. The OCMW and the VDAB can make jobseekers available to the FOOD13 structure - on a subsidized contract in the first case, on an internship in the other.

*Source: Mission visit on December 20, 2022.*

**The partnership agreements now concern all provinces, but are more marked in West Flanders.** This difference could be explained by an even greater tension on the labour market in the west of the region than in the east. Indeed, in 2021, the west of the region and Antwerp had a particularly high vacancy rate per capita<sup>62</sup>, in the order of 1 to 1.5%, higher than in the east of the province.

**Chart 4 Distribution of partnership agreements with municipalities in Flanders in March 2022**



*Source: VDAB website.*

*Note for the reader: in green, signed agreements; in blue, agreements under discussion in March 2022; in gray, no partnership.*

**The Flemish Parliament in Brussels has decided, by means of a decree that will come into force on 1<sup>er</sup> January 2023, to make it compulsory for the VDAB to cooperate with the municipalities<sup>63</sup>. This is a point of agreement of the Flemish coalition for the 2019-2024 legislature (cf. box 4).**

**Box 4 Excerpts from the coalition agreement of the Flemish government (2019-2024)**

Since October 2, 2019, the coalition of the Jambon government brings together the parties of the *Nieuw-Vlaams Atlantie* (N-VA, "neo-Flemish alliance," nationalist-conservative party), the *Christen-Democratisch en Vlaams* ("Christian Democrats and Flemings," center-right), and *Open Vlaamse Liberalen en Democraten* ("Flemish Liberals and Democrats," liberal center-right).

<sup>62</sup> According to the statements of the Ministry of Employment of the Brussels-Capital Region Bernard Cleyrat, quoted by the newspaper *The Bulletin* - <https://www.thebulletin.be/brussels-residents-be-offered-more-job-opportunities-flanders>. The rates are calculated for West Flanders, East Flanders (west of the region) and the province of Antwerp, by relating the number of job vacancies in 2021 mentioned by the minister to the total population given by Statbel.

<sup>63</sup> Information page on the website of the political party Open-VLD - [https://www.openvld.be/vlaams\\_parlement\\_wil\\_vdab\\_beter\\_doen\\_samenwerken\\_met\\_steden\\_en\\_gemeenten](https://www.openvld.be/vlaams_parlement_wil_vdab_beter_doen_samenwerken_met_steden_en_gemeenten)

In its government program, **the coalition wanted to make the cooperation between the municipalities and the VDAB an axis of its "work and social economy" policy**, which is mentioned in two places in the general policy note:

- *"We are also investing in **strong, sustainable and positive partnerships on the ground**. As director, the VDAB will actively and clearly engage local governments more strongly to increase the employment rate here. Together with them, we are building **activation networks that contribute to removing barriers to employment (in the fields of care, social assistance, education, integration, ....) and to creating career opportunities also for those people who are furthest away from the labor market**" (page 18);*
- *"We are strengthening the **cooperation between the VDAB and the local governments with a view to a broader activation of jobseekers**, living wage recipients and other non-professionals. Existing cooperation agreements between the VDAB and (grouped) local governments will be continued, and if possible extended and concretized in a (supra-)local action plan. It will include concrete objectives and commitments; after all, it cannot be cooperation without commitment".*

*Source: VDAB website; article from the website of the French-speaking Belgian radio and television.*

**In order to organize the support services offered in a given territory and to make collaboration more fluid, a project has been launched to provide each province with a coordinator, or "capacity builder".**

#### **Box 5 The capacity building project**

**In 2022, the VDAB launched the "capacity building" project, which aims to provide each province with coordinators for relations between the municipalities and the VDAB.**

In the long term, there will be five *capacity builders* responsible for bringing the partnership agreements to life, with a particular focus on people who are far from employment. In fact, the provincial directors of the VDAB are involved in the partnership issue and are already coordinating the progress of the partnership agreements.

**The European Social Fund, through the REACT-EU program, is co-financing this project<sup>64</sup>.**

*Source: VDAB website; visit to Kortrijk in December 2022.*

### **2.1.2. The interoperability of the information systems is non-existent but automatic data exchanges between the VDAB and the other actors of the PES are organized**

#### **2.1.2.1. The exchange of data on insured persons between the VDAB and the ONEM is automatic but interoperability is non-existent**

**The institutional division between compensation and support has forced the implementation of a data exchange between the ONEM and the VDAB applications:** sanctions and support mode are sent to the payer on the one hand, and the amounts of allowances to the VDAB on the other. This interconnection is not relevant for the French system and has not been further developed.

---

<sup>64</sup> Website of the Flemish Government - <https://www.esf-vlaanderen.be/nl/projectenkaart/capacity-building-lokale-partnerschappen>

**The distribution of competences between the NEO, its payment centers and the VDAB as a result of the sixth reform of the Belgian state has accelerated the automated exchange of data between entities.** Firstly, the NEO communicates information to the VDAB concerning the insured person<sup>65</sup> in an approved format. In another sense, the VDAB is obliged to give reasons for any sanction decision to the ONEM concerning insured persons who have contravened their obligations. Thus, for example, "decision flows" from the VDAB to the NEO every month<sup>66</sup>.

**These transmissions may include since 2018, subject to compliance with the General Data Protection Regulation (GDPR), privacy protection measures, personal data, especially health data.** The argument put forward by the ONEM before the Committee for the Security of Information and its Social Security and Health Chamber (comparable to the National Commission for Information Technology and Civil Liberties in France), which must be consulted on these issues by virtue of the Royal Decree of February 4, 1997, was that the transmission of this information for "problematic" cases, *i.e.*, of people who are far from employment, contributes to an objective of general interest<sup>67</sup>.

**However, there is no interoperability of information systems (IS) between the ONEM and the VDAB, nor between the ONEM and the other regional employment services<sup>68</sup>.** As a result, the VDAB (in particular its advisors) cannot have access in real time to all the information concerning active policies (financial and family data) concerning an applicant<sup>69</sup>.

#### ***2.1.2.2. Municipalities and private placement actors have access to the VDAB tool, pending real interoperability***

**There is no interoperability between the VDAB's IS and those of the municipalities that buy software from the market.** The coalition program<sup>70</sup> and even the process forcing reconciliation<sup>71</sup> do not provide for this stage of reconciliation.

**On the other hand, the VDAB has developed a functionality allowing authorized outsiders to have access to the mediators' portal and thus to the jobseekers' files.** It is therefore possible for municipalities dealing with jobseekers' cases and their peripheral obstacles to have instant access to the jobseeker's file, at more or less detailed levels depending on the constraints of the RGPD regulation. This functionality also exists for private job placement providers as well as for the Flemish agency for the integration of immigrants<sup>72</sup>.

---

<sup>65</sup> List of information that can be communicated on the site of the Committee for the Security of Information - <https://www.ksz-bcss.fgov.be/fr/dwh/variabledetail/vdab-forem-actiris-adg/Variables/categorie-de-d-e.html>

<sup>66</sup> Interview with the Director of Regulation, at NEO headquarters, November 2022.

<sup>67</sup> Deliberation #19-024 of March 5, 2019 - [https://www.ksz-bcss.fgov.be/sites/default/files/assets/protection\\_des\\_donnees/deliberations/19\\_024\\_f040.pdf](https://www.ksz-bcss.fgov.be/sites/default/files/assets/protection_des_donnees/deliberations/19_024_f040.pdf)

<sup>68</sup> Interview with the IT director of the VDAB, November 2022.

<sup>69</sup> Interview with a mediator of the *competence* center of Vilvoorde.

<sup>70</sup> Coalition Agreement, full text - <https://publicaties.vlaanderen.be/view-file/31741>

<sup>71</sup> Visit to Kortrijk, December 2022.

<sup>72</sup> Presentation to the mission, November 2022.



## 2.2. Diagnosis of job seekers: the VDAB uses an algorithm to classify job seekers according to their distance to employment

### 2.2.1. The VDAB uses an algorithm that calculates a distance to employment for new registrants, in order to give priority to those most in need

The VDAB uses an algorithm that calculates the distance to employment of new registrants, and recalls as a priority those who are classified as furthest from employment. Distance to employment is a function of the probability of finding a job in six months. This model is updated continuously, depending on the activity of the applicant on his personal portal *MijnLoopbaan*. The model is based on two types of data: jobseeker data and labor market data (see Box 6). box 6).

#### Box 6 The VDAB predictive model

The predictive model uses two types of data which are:

- individual data on job seekers relating to :
  - the career path, cross-referenced with the Dimona (immediate declaration, an individual document sent by the employer to the social security system for each contributor, making it possible to trace any entry and exit from the labor market);
  - to the activity on *MijnLoopbaan*, i.e. the CV data and the job wishes;
  - information on competences (cf. 2.2.2).
- macro-economic and labor market data, injected by the VDAB services.

According to the result of the predictive model, job seekers are divided into three color groups (red, orange, green). The DEs classified as the furthest from employment are called back as a priority to complete their file and refer them, if necessary, to a *competence center*. The other DEs are called back no later than six weeks after their registration, to complete their file and direct them to the most suitable offer (see *below*).

*Source: presentation to the mission in November 2022; mission.*

**In practice, it is also possible for a residual number of jobseekers who are illiterate to register by telephone with the VDAB switchboard or at a branch office<sup>73</sup>, by appointment with a counselor. As of December 20, 2022, the mission does not have consolidated figures for this type of registration. In these cases, the diagnosis is made on a human basis, and registrants are also redirected to a sectoral group.**

---

<sup>73</sup> Interview with the Vulnerable Persons *Cluster* in Kortrijk, December 2022.

## 2.2.2. The VDAB has set up a competency-based profiling tool to complement the experience-based profiling

Between 2013 and 2016, the VDAB established a comprehensive new taxonomy of skills relevant to the Flemish labor market<sup>74</sup>. The VDAB started from the Operational Directory of Occupations and Jobs (ROME, version 3) and enriched it with more details, forming the *Competent*<sup>75</sup>, the internal directory of the VDAB. Each profession in the *Competent* is associated with essential skills, optional skills and *soft skills*. The construction of this taxonomy was done after consultation with employers and observations of the evolution of the skills developed by job seekers.

Thus, during the diagnosis, the questions asked to job seekers must be able to cover all the skills and *soft skills* of the person. The idea is then to compare them to those required by the job corresponding to the job seeker's desire, in order to act on the "competence gap".

This reconciliation is used by three guidance decision support applications offered by the VDAB to users (see Box 8 below).

The taxonomy of skills is updated every three months, through a comprehensive review of internet job offers and skills in demand. An external service provider<sup>76</sup> sends periodic information flows on this subject to the VDAB.

## 2.3. Support for jobseekers: the VDAB stands out for its 100% digital support by default, its strategy geared towards finding a new job and its training skills

### 2.3.1. The VDAB's priority is to get the unemployed back to work, which contributes to the government's objective of increasing the employment rate

The first objective of the VDAB in its support function is to get the unemployed back to work, thus contributing to the increase of the active population. This objective of return to employment is defined :

- ◆ in the federal coalition agreement, aiming to raise the activity rate in Belgium to 80% by 2030, which is ambitious at the national level, given that the activity rate is 76% in Flanders but only 62% in Wallonia in 2022 according to Statbel<sup>77</sup> ;
- ◆ in the Flemish coalition agreement which defines the same objective for Flanders<sup>78</sup>.

---

<sup>74</sup> Note from the European Commission on this project, 2016 - [https://www.leforem.be/content/dam/leforem/fr/documents/Eureschannel\\_Rapport\\_Fonctions\\_Critiques\\_Transfrontalier\\_3\\_Region\\_FR.pdf](https://www.leforem.be/content/dam/leforem/fr/documents/Eureschannel_Rapport_Fonctions_Critiques_Transfrontalier_3_Region_FR.pdf)

<sup>75</sup> FOREM, "Critical functions on the French-Belgian border territory", December 2014 - [https://www.leforem.be/content/dam/leforem/fr/documents/Eureschannel\\_Rapport\\_Fonctions\\_Critiques\\_Transfrontalier\\_3\\_Region\\_FR.pdf](https://www.leforem.be/content/dam/leforem/fr/documents/Eureschannel_Rapport_Fonctions_Critiques_Transfrontalier_3_Region_FR.pdf)

<sup>76</sup> The company advertsdata is responsible for sending the data streams to the VDAB.

<sup>77</sup> RTBF article from 2021 - <https://www.rtb.be/article/le-gouvernement-vivaldi-veut-80-de-taux-demploi-dici-2030-mais-quelle-est-la-situation-actuelle-10838904>

<sup>78</sup> Full text of the coalition agreement, *op. cit.*



During its visits, the mission was able to observe that the management team as well as the provincial and *competence center* directorates met<sup>79</sup> insist on this objective, echoing the communication of the VDAB<sup>80</sup>.

The mediators give priority to the rapid return to employment of jobseekers, rather than to reorientation projects or long training courses. This was observed by the mission during its visit to the *competence center* in Vilvoorde on 25 October 2002. The mediators explained to the mission that jobseekers were directed to the sectoral team that best suited them (cf. 2.3.2.2) and that the objective of these sectoral teams was to work intensively with the jobseeker for three months so that he or she could return to a suitable job, **if necessary by following a short training course designed to prepare him or her for the positions identified**. If, after three months, the job seeker had not found a job, the opportunity to transfer him or her to another sector team with potentially more suitable jobs was considered.

**This fast matching feature is a strength of the VDAB.** A 2018 evaluation of the VDAB by the *Public Employment Service Network*<sup>81</sup> gives the VDAB's matching effectiveness a top rating (6 out of 6). It emphasizes the role of job training as a tool for rapid return to employment, not as a means of retraining. The objective, by bringing together mediation interviews and training in one place, is to create a unique environment reminiscent of the professional world<sup>82</sup>.

### 2.3.2. The intensity of the support varies, depending on the distance to the job, with the least autonomous job seekers having regular appointments and training in the same place

The Flemish model has sought to develop a 100% digital default pathway for job seekers. The VDAB has a **three-tiered** offer (cf. chart 5) :

- ◆ **100% digital and totally autonomous** (web tools, the VDAB manages the most important job portal in Belgium);
- ◆ **100% digital with human support**, managed by *contact centers*, which bring together advisors (by phone and email);
- ◆ **physical support**, managed in *competence centers*, which bring together support and professional training teams.

---

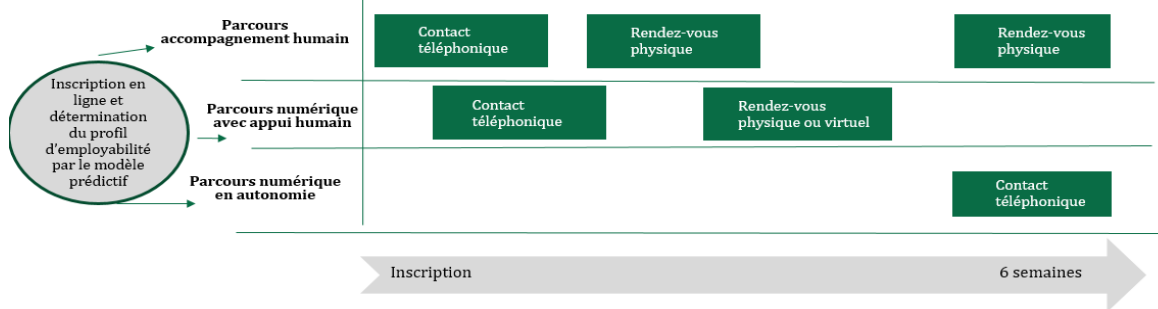
<sup>79</sup> Visit to Brussels, Vilvoorde and Kortrijk in November and December 2022.

<sup>80</sup> See 2019, 2020, and 2021 annual reports, or November 22, 2022 press release informing distance to goal - <https://www.vdab.be/nieuws-voor-de-pers/nieuws-voor-de-pers-oost-vlaanderen/vdab-werkt-aan-de-vlaamse>

<sup>81</sup> The network of public employment services whose benchmarking studies are financed by the European Union.

<sup>82</sup> Interview of the mission with the director of the *competence center* in Vilvoorde, in November 2022.

Chart 5: Support pathway differentiated by profiling



*Source:* presentation to the mission in November 2022; mission.

**Job seekers can be switched from one category to another.** However, the director of the VDAB told the mission that the switch from a digital offer to physical support is more frequent than the reverse.

**The aim is for counselors to focus on the jobseekers who need them most.** On average, counselors in *competence centers* follow about 100 job seekers<sup>83</sup>. On the *other hand*, jobseekers who are considered to be autonomous, who are in the majority<sup>84</sup>, can follow a 100% digital pathway.

### 2.3.2.1. *The most autonomous job seekers have 100% digital support, with telephone contact if necessary*

**More autonomous jobseekers have a personal portal allowing them to update their information, apply for job offers and refine their personal searches.** In particular, the VDAB has developed in-house - with the help of existing databases such as the ROME database of the Pôle Emploi - several tools centered on the identification of skills (understood as know-how and interpersonal skills) of an applicant, and the adequacy that they might have with the prerequisites of the job offers<sup>85</sup> (cf. box 7).

**In case of need, jobseekers can contact contact centers,** call centers and e-mail processing centers (see Box 8). box 8).

#### Box 7 The VDAB contact centers

*Contact centers* are telephone support centers for job seekers.

They carry out two types of missions:

- the recall, up to six weeks later for the most autonomous, of job seekers who have not found a job and/or are not active on the job seeker portal;
- availability for any question, by phone, email or internet *chat*<sup>86</sup>.

*Source:* mission.

<sup>83</sup> Oral evidence. There are about 1,600 counselors/mediators, according to oral information given by the VDAB's strategy director, and 94,000 unemployed in Flanders in the second quarter of 2022 according to Statbel. Since the VDAB also deals with registrants who are not categorized as unemployed, such as refugees, this figure of 100 seems likely and could be an upper bound.

<sup>84</sup> Only 14% of enrollees, according to the executive director, are illiterate.

<sup>85</sup> Presentation of the VDAB IT department, November 2022.

<sup>86</sup> See the VDAB website - <https://www.vdab.be/contact>

**Box 8 The VDAB's IT tools focused on the identification of competences**

- **Orientatie is a** career guidance application. It works by matching the user's skills, identified through a detailed questionnaire, with those required for the exercise of professions.
- **Jobbereik is a tool** about the skills of the jobseeker and connected to the skills required for occupations in the labor market. Unlike the Orientatie application, the assessment of the job seeker's skills is based on certain data stored in his or her file, and no longer on the answers to a questionnaire. Especially for the most independent jobseekers, it is possible for the jobseeker to measure the gap between him/her and existing occupations in the directory (cf. 2.2.2). Depending on the observable *competence gap* for a given situation, the tool proposes services included in the VDAB offer, such as training.
- **API matching is the tool for matching job offers with jobseekers' profiles**, of which an "employer" version also exists. Based on the skills established during the initial diagnosis - and which can be expanded by *competence center* advisors as training courses are taken - job seekers are offered existing job offers in their geographical area. Similarly, employers with an account can view profiles that match job openings.

**The *Jobbereik* and *API* tools are dynamic, since the degrees of correspondence between profile and job in one case, profile and vacancy in the other case, are enriched by correspondences with profiles of "similar" users who have obtained a job or training.**

*Source: VDAB official website; presentation to the mission.*

**2.3.2.2. For people who are far from employment, there are 60 sectorized "skills centers", physical agencies that bring together counseling and training spaces**

**Jobseekers, if they are judged to be suitable for a sector and not very employable, are called back within a few days<sup>87</sup> for an interview in a *competence center*<sup>88</sup>.** This first physical meeting is intended to clarify the applicant's objectives, and regular meetings are then set up according to the applicant's distance from employment<sup>89</sup>, without there being any indicative periodicity depending on the situation.

**People who are unable to fill a vacancy without additional training can also receive vocational training at the same location - the *competence center*<sup>90</sup>.**

**The VDAB has about sixty *competence centers*<sup>91</sup>, each specialized in one or two of the following sectors:**

- ◆ industry;
- ◆ construction;
- ◆ transport and logistics ;
- ◆ care and education ;
- ◆ information/communication;
- ◆ retail and services.

<sup>87</sup> This is an objective, as the mission does not have actual statistics on this subject.

<sup>88</sup> Presentation to the mission in November 2022.

<sup>89</sup> Interview of the mission with the teams of the *competence center of Vilvoorde*, in November 2022.

<sup>90</sup> International Labour Organization, *op.cit.*

<sup>91</sup> PES Network, "Benchlearning Initiative External Assessment," 2018.

Each of the five provinces of Flanders must therefore have at least one *competence center* for each economic sector, in order to ensure a uniform quality of service<sup>92</sup>. The transport sector, which is under particular pressure in Flanders<sup>93</sup>, has six competence centers (cf. chart 6).

Chart 6 Map of *competence centers* specialized in the transportation sector



Source: Belgian Social Fund.

**Competence centers** are "super-agencies" managed by the *Vlaamse Dienst voor Arbeidsbemiddeling en Beroepsopleiding (VDAB)* specialized by economic sector<sup>94</sup>. They contain :

- ◆ a reception area to direct job seekers to register with the regional employment service, an essential step in receiving unemployment benefits. The *Digital First* principle means that on-site registrations are in the minority;
- ◆ meeting places, mainly used for job seekers identified by the automatic diagnostic tool (an artificial intelligence) as moderately or poorly employable;
- ◆ workshops and training places - financed by the VDAB, which has its own full-time instructors - related to the sector in question. The workshops can, however, be attended by external speakers.

The VDAB teams are all specialized in the economic sector in question, whether they are company "mediators" or job seekers. The "job seeker" mediators must be competent in matters of orientation, placement and training.

<sup>92</sup> One of the main objectives of the last strategic plan.

<sup>93</sup> See page 41 of a joint study by the Brussels regional employment service, ACTIRIS, and the VDAB on the employment situation in February 2022 - [https://www.actiris.brussels/media/3xjnx1c/2022-02-view-brussels-analyse-annuelle-conjointe-du-march%C3%A9-de-l-emploi-actiris-vdab\\_compressed-h-239DBA12.pdf](https://www.actiris.brussels/media/3xjnx1c/2022-02-view-brussels-analyse-annuelle-conjointe-du-march%C3%A9-de-l-emploi-actiris-vdab_compressed-h-239DBA12.pdf)

<sup>94</sup> Presentation to the mission by the VDAB in October 2022.

There are about 60 *competence centers* in Flanders.

### 2.3.2.3. For very vulnerable populations, a "single agency" approach is preferred

The "simple agencies" house the intensive support *clusters* for people who are deemed particularly vulnerable (whether or not they are receiving the social integration income (RIS)) and cannot be attached to any sector. If an initial diagnosis by telephone, in person or *via* the online tool has not enabled the registrant to be attached to a particular sector and has concluded that their employability is particularly low, they are called back within two weeks to be taken in charge by an agency.

Within the agencies, the consultants have specialties depending on whether the applicant is :

- ◆ suffering from a pathology that renders him partially unfit for work;
- ◆ in extreme poverty and/or highly indebted;
- ◆ a former inmate;
- ◆ under 25 years of age;
- ◆ allophones.

The agencies are working more closely with social services (in particular the public social action centers at the municipal level) to gain a better understanding of the individual profiles being processed<sup>95</sup>. The objective is that after three months a complete project is established for the applicant. This may involve more coaching, the start of training or a subsidized contract<sup>96</sup>.

After the three-month project definition period, the applicant can be partially transferred to a *competence center*<sup>97</sup>. In this case, the applicant will undergo training in a center and continue to meet with his or her counselor as needed (once a month on average).

There are about 20 "simple agencies" in Flanders.

### 2.3.2.4. For young people with a qualification, a specific "integration" pathway also exists

Young people placed on an "integration pathway" (cf.2.1.1) also receive intensive physical support, with appointments every two to four weeks<sup>98</sup>. Receipt of an allowance is not automatic and does not start at the beginning of the program.

After signing a commitment contract that launches his or her integration process, the young person must obtain two positive behavioral evaluations in his or her search for employment, which must continue even during the internship or training period. Once these two conditions are met, the young person can receive an integration allowance equal to €1,115 (for a single person) per month, for a maximum period of three years. Young people who are not eligible for unemployment or integration benefits (for example, because they do not have a secondary school diploma) can register with the VDAB and be offered training financed by the VDAB.

---

<sup>95</sup> Visit to Kortrijk in December 2022.

<sup>96</sup> Presentation in Kortrijk in December 2022.

<sup>97</sup> *Ibid.*

<sup>98</sup> Interview with a mediator of the *competence center* in Vilvoorde, November 2022.



### 2.3.2.5. Increasing outsourcing of training to improve placement efficiency and focus on the long-term unemployed

**Currently, approximately 35% of those enrolled in training are with a private provider<sup>99</sup>**. A team of 100 people at headquarters and in the provincial branches is responsible for identifying suitable vocational training. The issuance of vouchers by the advisor allows the job seeker to choose either in-house training (provided in a *competence center*) or training with an external provider.

**The VDAB's objective is to increase to 50% the share of learners who are taken care of by an external provider.** The aim is to focus the instructors' activities on vulnerable groups, as the general management believes that the VDAB's competitive advantage in the vocational training market lies in training courses with a high level of supervision<sup>100</sup>.

## 2.4. Control of job search: the obligations of job seekers are numerous and the sanctions concern 10% of those receiving benefits per year

### 2.4.1. Federal law sets out the obligations of job seekers

**In accordance with the federal laws governing the social security of workers<sup>101</sup>, a Royal Decree summarizes the various obligations of compensated jobseekers, who must be in a situation of active and passive availability.**

Active search corresponds, cumulatively, to:

- ◆ the applicant's participation in the support, training, work experience or integration actions proposed by the regional employment service, in particular within the framework of an action plan agreed upon with the regional service;
- ◆ regular and diversified personal approaches.

Article 57 of the aforementioned Royal Decree states that "*the Minister shall determine, after consultation with the management committee [of the NEO], the cases in which the temporary unemployed person must be available for the job market and accept any suitable job.* Federal law thus precisely defines all the obligations of jobseekers. For example, the second obligation does not apply to applicants who are determined by a doctor to be permanently unfit for work<sup>102</sup>.

**Passive availability corresponds to the obligation to respond to job offers, training and interviews made by the VDAB.** Passive availability is defined in articles 59 *quater* and following of the Royal Decree of November 25, 1991, as well as in additional regulations issued by the federal minister in charge of labor after the opinion of<sup>103</sup> of the ONEM (cf. box 9).

---

<sup>99</sup> Interview with the general manager of the VDAB in November 2022.

<sup>100</sup> Interview with the general manager of the VDAB in November 2022.

<sup>101</sup> In particular, the decree-law of December 28, 1944 concerning the social security of workers and its article 7, amended by the laws of July 14, 1951, February 14, 1961, April 16, 1963, January 11, 1967, October 10, 1967, Royal Decrees no. 13 of October 11, 1978 and no. 28 of March 24, 1982, and the laws of January 22, 1985 and December 30, 1988 We can also mention the decree-law of January 10, 1945 concerning the social security of miners and similar workers, in particular article 1<sup>er</sup> as amended by the laws of March 27, 1951, July 14, 1951 and April 28, 1958 and by Royal Decree no. 50 of October 24, 1967.

<sup>102</sup> Summary of the obligations of job seekers in Belgium, published by the [NEO](https://www.onem.be/sites/default/files/assets/publications/Rapport_Annuel/2016/provisoire/Sanctions_FR.pdf) - [https://www.onem.be/sites/default/files/assets/publications/Rapport\\_Annuel/2016/provisoire/Sanctions\\_FR.pdf](https://www.onem.be/sites/default/files/assets/publications/Rapport_Annuel/2016/provisoire/Sanctions_FR.pdf)

<sup>103</sup> According to the director in charge of compensation at the NEO, who met with the mission in November 2022, the NEO plays a key role in drafting the regulations.

## Annex III

**The notion of suitable employment to be accepted is explicitly referred to in the amended 1991 Order in Section II (cf. box 10). If a person refuses an offer of suitable employment or refuses to attend an interview for such a job, a sanction may be imposed: it corresponds first to a warning and then to a suspension of benefits of between 4 and 52 weeks<sup>104</sup>.** In particular, it is stated that a job is "*unsuitable if it does not correspond to the occupation for which the studies or apprenticeship are preparing, nor to the usual occupation, nor to a related occupation*", but only for a period of 3 to 5 months depending on age. Thus, beyond this period, all jobs are deemed suitable. In addition, the order adds that "*the appropriate regional employment service finds that there are very limited opportunities for employment in the occupation under consideration or that the job, as determined by the appropriate regional employment service, is commensurate with the skills and talents of the job seeker.*" However, only 662 sanctions were issued for this reason in 2019 (see table 9).

### **Box 9 Articles 56 and following of the Royal Decree of November 25, 1991, regulating unemployment (excerpts)**

#### **Article 56**

§1<sup>er</sup>. In order to receive benefits, the unemployed person must be available for the labor market. The labor market is defined as all jobs that are suitable for the unemployed person, taking into account the criteria for suitable employment established under Article 51.

An unemployed person who is unwilling to accept any suitable employment because he or she makes his or her return to work subject to reservations which, in view of the criteria for suitable employment, are unfounded, shall be considered unavailable for the labor market.

(...)

#### **Article 57**

The Minister determines, after consultation with the management committee, the cases in which the temporary unemployed person must be available for the labor market and accept any suitable job.

#### **Article 59c**

§1<sup>er</sup>. At the earliest 4 months after the warning letter referred to in article 59ter has been sent and when the conditions referred to in article 59bis have been met, the director invites the unemployed person to a first interview in writing at the unemployment office in order to assess the efforts he or she has made to enter the labor market within the framework of the individual action plan referred to in article 27, paragraph 1<sup>er</sup>, 14<sup>o</sup> as well as the steps he or she has taken to look for a job independently

If the unemployed person does not show up for the evaluation interview, a new invitation is sent by registered mail.

If the unemployed person does not respond to the second invitation without good reason, he or she is excluded from receiving benefits in accordance with the provisions of Article 70. In this case, the evaluation interview can take place when the unemployed person reports to the unemployment office.

(...)

*Source: Wallex Wallon ; Moniteur belge.*

### **Box 10 Criteria for suitable employment (section II of the amended order of 25 November 1991, extracts)**

#### **Article 22**

The suitability of a job is assessed in particular according to the criteria set out below. (However, the fact that the work schedule does not normally include an average of thirty-five hours per week shall not affect the suitability of a job).

#### **Article 23**

A job is considered unsuitable if it is not the occupation for which the education or apprenticeship is being prepared, nor the usual occupation, nor a related occupation:

1° during the first three months of unemployment, if the worker has not reached the age of 30 or has a work history of less than 5 years;

(2) during the first five months of unemployment, if the worker does not meet 1.

<sup>104</sup> Page dedicated to this case on the FOREM website, the Walloon regional employment service - <https://www.leforem.be/particuliers/controle-situation-litigieuse-refus-emploi-convenable.html>

## Annex III

[1 For the young worker referred to in Article 36 of the Royal Decree, the three-month period begins when he or she registers as a job seeker after completing his or her studies].

[2 Paragraph 1 shall not apply if the competent regional employment office determines that there are very few opportunities for employment in the occupation in question or that the job, as determined by the competent regional employment office, corresponds to the skills and talents of the job seeker. After the expiry of the period set forth in paragraph 1, the worker is obliged to accept any suitable job, regardless of the occupation. The suitability of such employment shall be assessed by taking into account the skills and training of the job seeker, as well as such skills and talents.

### Article 24

A job is deemed unsuitable if:

1° the remuneration does not comply with the scales fixed by the legal or regulatory provisions or the collective labour agreements or, failing that, with usage;

2° the employer persists in not respecting the legal and regulatory provisions concerning the payment of remuneration, the duration or the conditions of work; 3° being carried out in Belgium, it does not give rise, at least in part, to liability to social security for salaried workers.

### Article 25

§ (1) A job shall be deemed unsuitable if it ordinarily results in a daily absence from the usual residence of more than 12 hours or if the daily duration of travel ordinarily exceeds 4 hours.

(...)

### Article 26

A job is deemed to be unsuitable if the net income it provides, less the amount of travel expenses borne by the worker and plus, where applicable, family allowances and the amount of allowances from which the worker may benefit during the period of employment, is not at least equal to the amount of the allowances less the amount of the withholding tax on earned income and plus, where applicable, the amount of the family allowances from which the worker may benefit as a fully unemployed person

*Source: Belgian Monitor.*

## 2.4.2. Since 2016, the regional employment service has been responsible for monitoring obligations and formulating sanctions

**The special law of January 6, 2014 on the sixth state reform transfers to the regional employment services the competence to check the availability of jobseekers and to decide on sanctions in the majority of cases<sup>105</sup>.** The Royal Decree of 1991 was then amended accordingly in a Royal Decree of December 14, 2015 that came into force on January 1<sup>er</sup> 2016. This prerogative of the VDAB is exercised *via* a power of recommendation of sanctions for advisors, validated or not by the Control Directorate.

**Sanctions can thus be imposed by the VDAB in five main types of cases<sup>106</sup> (cf. table 8) :**

- ◆ **failure to attend** a physical or telephone meeting. In this case, a warning and then an exclusion of rights to benefits from four (first sanction) to 52 weeks (third sanction) can be pronounced;
- ◆ **refusal of a suitable job or a job application suggested by the VDAB.** In this case, a warning and then an exclusion from benefit entitlement of four (first sanction) to 52 weeks (third sanction) may be pronounced. If the advisor, by delegation of the director of a local agency<sup>107</sup> can prove that this refusal was made with the aim of continuing to receive unemployment benefit, the suspension can be indefinite;

---

<sup>105</sup> The NEO, which used to be the decision-maker, remains competent to decide on the absence of compensation for jobseekers who have given up their job. The NEO remains the authority executing the sanction by unilateral act, as indicated in the *vade-mecum* "conditions for granting the VDAB" available on the internet - [https://extranet.vdab.be/system/files/media/bestanden/2022-11/2022\\_50171-Bijlage%205\\_Algemene%20VDAB-voorwaarden%20bij%20Subsidies.pdf](https://extranet.vdab.be/system/files/media/bestanden/2022-11/2022_50171-Bijlage%205_Algemene%20VDAB-voorwaarden%20bij%20Subsidies.pdf)

<sup>106</sup> They are then executed and notified by the VDAB to the job seeker.

<sup>107</sup> Provision resulting from the order of November 25, 1991.



## Annex III

- ◆ **failure to continue a training course that has been started.** In this case, a warning and then a disqualification from receiving benefits of four to 26 weeks may be issued;
- ◆ **refusal to take an individual training course.** In this case, a warning and then a disqualification from receiving benefits of four to 52 weeks may be issued;
- ◆ **refusal to participate in a job cell or outplacement program set up by the employer after a mass layoff.** In this case, a warning and then an exclusion from benefit entitlements of four to 52 weeks may be pronounced.

**Table 8 Typology of the main cases of sanctions and associated gradations**

Type of offence	Possible warning	First sanction	Maximum penalty
Failure to report to EPS	Yes	Four-week suspension of benefits	52-week suspension of benefits
Refusal of suitable employment	Yes	Four-week suspension of benefits	52-week suspension of benefits
Not pursuing a course of study	Yes	Four-week suspension of benefits	Suspension of benefits 26 weeks
Refusal to take training	Yes	Four-week suspension of benefits	52-week suspension of benefits
Refusal to participate in outplacement	Yes	Four-week suspension of benefits	52-week suspension of benefits

*Source: ASBL; Belgian monitor; mission.*

**The signing of a pathway agreement (*trajectovereenkomst*) with a job seeker is not systematic in Flanders.** According to the interviews conducted by the mission, the VDAB signs a contract with a jobseeker when the counsellors notice that the jobseeker is not fulfilling his or her obligations. This makes it possible to formalize the job seeker's obligations before, if necessary, applying sanctions<sup>108</sup>.

**The signing of this contract makes it possible to formalize in writing the rights and duties of the job seeker and to adapt them to individual cases, and is intended to avoid sanctions.** Violation of the contract obligations then implies financial sanctions, *through* the suspension of unemployment benefits<sup>109</sup>.

### 2.4.3. Since the regionalization of control and sanctioning power, sanctions have decreased but will increase again in 2021

**The number of sanctions related to availability decreased by 43% between 2014 and 2019<sup>110</sup>.** In 2015, the jurisdiction of sanctions, before the NEO, was regionalized. In detail, refusals to participate in an integration pathway fall by 60% over the period, from 1,405 to 556, and the sanction for not attending follow-up interviews or training decreases by 11% (from 8,121 annual sanctions to 7,222). With regard to sanctions related to active availability, a break in the continuity of the data does not allow the mission to draw any definitive conclusions.

<sup>108</sup> Interview with a mediator of the *competence center of Vilvoorde*, in November 2022.

<sup>109</sup> *Vade-mecum* of the VDAB's grant conditions, *op.cit*, p. 25.

<sup>110</sup> The mission chose to study the evolution of sanctions between 2014, the last full fiscal year in which all sanctions were decided by the NEO before regionalization, and 2019, the last fiscal year before the occurrence of Covid-19.

**However, the number of active availability warnings, based on the proactivity of the applicant, increased fourfold between 2016 and 2019, a sign of a focus on prevention concomitant with the regionalization of sanctions** (see table 9). With this in mind, the VDAB has developed a service for the contradictory investigation of cases<sup>111</sup>, which deals with feedback from mediators and organizes a contradictory interview with the jobseeker, which makes it possible to educate and leads to 30% of the cases reported<sup>112</sup> being closed without further action (figures for 2021).

**In 2019, the sanctions still total nearly 10% of the 110,000 compensated unemployed<sup>113</sup> annually.**

Since the end of the covid-19 period, sanctions have been on the rise again. 17,251 sanctions have been decided by the VDAB during the year 2021.

This figure refers to the total number of jobseekers in Flanders in that year, not to the number of registered jobseekers, as social integration income (SII) recipients registered with the VDAB can only be sanctioned by the Public Centre for Social Welfare (PCSW) from which they are registered<sup>114</sup>. The total number of jobseekers in 2021 averaged 123,904 (monthly basis)<sup>115</sup>.

**This results in a retained sanction rate of 13.9% in 2021.**

---

<sup>111</sup> VDAB Annual Report 2021, p. 76

<sup>112</sup> *Ibid.*

<sup>113</sup> [NEO online statistical publication - https://www.onem.be/fr/documentation/statistiques/publications-statistiques/chiffres-federaux-des-chomeurs-indemnisés/chiffres-federaux-2022/les-chiffres-federaux-des-chomeurs-indemnisés-septembre-2022](https://www.onem.be/fr/documentation/statistiques/publications-statistiques/chiffres-federaux-des-chomeurs-indemnisés/chiffres-federaux-2022/les-chiffres-federaux-des-chomeurs-indemnisés-septembre-2022)

<sup>114</sup> Information page on the sanctions imposed by the PCSWs, on the website of the Federal Public Service for Social Integration - [In which cases can the PCSW impose a sanction on a person entitled to the living wage? | SPP Intégration Sociale \(mi-is.be\)](#)

<sup>115</sup> Average based on the NEO's federal figures published each month on its official website - <https://www.onem.be/fr/documentation/statistiques/publications-statistiques/chiffres-federaux-des-chomeurs-indemnisés/chiffres-federaux-2021>

### Annex III

**Table 9 Evolution of sanctions for job seekers 2014-2019 in Flanders**

	2014	2015	2016	2017	2018	2019	Growth rate 2014-2019
Total availability sanctions	16 071	10 619	7 767	10 401	9 867	9 182	- 43%
Total sanctions related to passive availability	10 475	6 857	7 097	9 447	8 971	8 920	-15 %
<i>of which no-show at the employment or training service</i>	8 121	4 889	6 181	8 208	7 098	7 222	- 11 %
<i>of which refusal to participate in, cessation of, or failure to complete an integration program</i>	1 405	1 284	376	515	597	556	- 60 %
<i>of which, refusal of employment or failure to present to an employer</i>	408	253	127	243	698	662	+ 62%
Total active standby penalties	5 596	3 762	670	954	896	262	- 95 %
Warnings related to active availability	N.D.	N.D.	435	1 488	1 616	1 700	+ 291 %

*Source: NEO data provided to the mission.*

## 2.5. Business services: the coexistence of digital services and mixed enterprise-DE teams in *competence centers*

### 2.5.1. Digital services for employers contribute to the matching mission

#### 2.5.1.1. *Digital employer portal helps match supply and demand*

**The VDAB helps coordinate supply and demand on the Flemish labor market and provides services to employers through the employer portal on its website.** The latter contains the following functionalities:

- ◆ online registration of job offers and assistance by company advisors (see below);
- ◆ ability to update and refine vacancies;
- ◆ possibility to search for suitable candidates in the jobseeker database, with full information on the candidates' *skills gaps* (see 2.3.2.1).

**Specialized employer account managers of the VDAB** regularly assess the chances of filling the vacancy. If the chances are high, they inform the employer by e-mail. If the chances of filling the vacancy are low, the VDAB proposes targeted actions to increase them.

**The VDAB also provides support for the drafting of the job offer**, both online and during the registration process with the help of a mediator, if the employer cannot formulate a job offer and upload it himself. Unlike most PESs, if the employer wants the employees he has already recruited to follow a particular training program, they can participate in several VDAB training programs, especially those that have been set up by employers.

**Employer services spending now accounts for only 3%** of total VDAB spending (2018 figures, cf. table 7),

#### 2.5.1.2. *The VDAB site is the most visited specialized site in Belgium and aggregates job offers from other pages and social networks*

**The VDAB site is the most visited employment site in Belgium**, with more than three million visits per month and an average visit time of 12 minutes<sup>116</sup>. Considering that Flanders has an annual average of about 197,000 registered workers<sup>117</sup>, this corresponds to 34 visits per month per unemployed person, compared to about 5 in France with Pôle Emploi as a comparison<sup>118</sup>. However, the law does not oblige companies to post their job offers on the VDAB website<sup>119</sup>.

---

<sup>116</sup> Semrush dedicated website page - <https://www.semrush.com/website/vdab.be/overview/>

<sup>117</sup> VDAB Annual Report 2021, p. 37.

<sup>118</sup> Page of the Semrush website dedicated - <https://www.semrush.com/website/vdab.be/overview>. Number of monthly visits compared to the number of job seekers in categories A, B and C, available on the "statistics" page of the Pôle Emploi website.

<sup>119</sup> D. Finn & M. Peromingo, "Key developments, role and organization of public employment services in Great Britain, Belgium-Flanders and Germany," International Labor Organization, 2019, p. 113.

## Annex III

The VDAB website has a long-standing capacity<sup>120</sup> to aggregate job postings from the major job search engines and social networks. In 2020, the VDAB awarded a public contract to facilitate the adaptation to the VDAB site of ads posted in other formats, particularly on social networks<sup>121</sup>.

### 2.5.2. The company mediators work in teams specialized by economic sector in the "competence centers".

The "company mediators" are specialized by sector and operate in *competence centers* within mixed teams with the job mediators (see box 11). sidebar 11). The company mediators are present in the 60 *competence centers*.

The company mediators fulfill two main functions which are<sup>122</sup>:

- ◆ the collection of recruitment needs of companies, *via* informal telephone contacts or after the registration of employers on the VDAB's company portal;
- ◆ Matching, in conjunction with the "job seeker" mediators, *through* assistance in modifying job offers and adapting employers' expectations.

#### Sidebar 11 The organization of the work of the mediators in a *competence center* (visit of the mission to Vilvoorde)

The mission was able to visit the *competence center* in Vilvoorde, in Flemish Brabant, in November 2022. This 2,300 square meter *competence center* specializes in industrial and administrative jobs. The first floor includes an interview area for job seekers, as well as mechanical workshops that can be used as training facilities. The first floor is composed of the work spaces of the two streams, which are brought together in a single *open space*. The "company" mediators of each stream are seated next to the "job seeker" mediators, which facilitates collaboration between them. The classrooms (professional training) are adjacent to the *open space* of the teams.

*Source: Belgian land registry site; mission.*

### 2.5.3. Employment and language coaches" complement the system by improving the integration of new employees into companies

The VDAB also offers companies "job and language coaches"<sup>123</sup> for employees, who can visit a company at regular intervals to facilitate the integration of new employees into the company (for a maximum of one year), for a maximum period of six months. A "language and communication" component lasting up to one year can be added, whether it is language coaching for non-native speakers or courses on the technical vocabulary of a business. In 2021, 1.5% of job seekers benefited from this support<sup>124</sup>.

Coaches can also advise employers on HR issues such as parental leave, mentoring programs, or competency-based work and job performance interviews. Career coaching can begin within the first year of hire and can last up to six months.

---

<sup>120</sup> PES Network, *op.cit.*

<sup>121</sup> Presentation on the site of the specialized company Vertolia - <https://www.verbolia.com/vdab-starts-using-our-solution-following-an-invitation-to-tender/>

<sup>122</sup> Interview with the general manager of the VDAB, November 2022.

<sup>123</sup> Dedicated page on the VDAB website - <https://werkgevers.vdab.be/coaching>

<sup>124</sup> VDAB Annual Report, 2021.

### Annex III

Coaching is free for the employer when (a necessary condition) the employee<sup>125</sup> :

- ◆ is a national of a country outside the European Union;
- ◆ 50 years or older;
- ◆ he has been recognized as less than 50% unfit for work;
- ◆ does not have an upper secondary education.

**The coaches in question are provided by the non-profit organization "*Sterpunt Inclusief Ondernem*", with which the VDAB has a contract at regional level<sup>126</sup> and local level<sup>127</sup> . Funding is provided by the VDAB, the Flemish Region and the European Social Fund<sup>128</sup> .**

---

<sup>125</sup> Online brochure on this "*Taalcoaching*" device - <http://www.jobentaalcoaching.be/sites/default/files/inline-files/Folder%20Job-%20en%20taalcoaching.pdf>

<sup>126</sup> Official website of the *Taalcoaching* system - <http://www.jobentaalcoaching.be/folder-aanvragen>

<sup>127</sup> Partnership agreement with the city of Gent, dated 2014 - <https://ebesluitvorming.gent.be/document/5e29afa5937e550fc217cc23>

<sup>128</sup> Official website of the *Taalcoaching* system - <http://www.jobentaalcoaching.be/folder-aanvragen>