

EMPLOYEE

Presentation



A non-EU national who wish to work as an employee, must apply for a **work (A, B, or C) or single permit**, except for the special residency situations listed here: <http://werk-economie-emploi.brussels/en/work-permits-dispensed>. As the choice of the best applicable permit and procedure depends on each situation, please first consult the wizard of the Regional Ministry of Employment: <http://werk-economie-emploi.brussels/en/single-permit-work-permit>, or contact the Commissioner's Office for advice: info@commissioner.brussels.

Alternatively, if the candidate is a director, executive or highly qualified worker, he can apply for a or an **European Blue Card**: <http://werk-economie-emploi.brussels/en/permit-director-executive-highly-qualified>.

If you are not living in Belgium, you would need to lodge your application from your home country. However, most foreign workers do it from Belgium within three months of their arrival.

What is the single permit?



It is an electronic card for non-EU nationals giving authorisation to both work and reside in Belgium. The administrative process has thus been simplified into one single request, for stays longer than 3 months (90 days).

In the past, the procedure was split into two parts. Non-EU citizens wishing to work in Belgium had to first obtain a valid residence permit from the Immigration Office. Then they had to request a work permit from the relevant regional authority.

The aim of the new single permit is to simplify this administrative procedure for applicants and unify procedures throughout Europe. This reform is the transposition of Directive 2011/98/CE of 13/12/2011 but it has not however led to a change in residence conditions in Brussels.

Who is concerned?



- Employers in Belgium who wish to hire a non-European national for their company.
- Employers based abroad who ask one of their employees to undertake work in Belgium.
- Foreign nationals who wish to take up salaried work in Belgium.

Who is exempted?



Certain persons are entitled to work in Belgium without a work permit, due to their residence status:

- Nationals of European Union member states, Iceland, Norway, Lichtenstein and Switzerland.
- Family members of EU citizens.
- Foreign nationals who hold one of the permits mentioned in the royal decree of 30/10/1991 relating to residence permits in Belgium of certain foreigners for carrying out functions that give the right to obtain these permits (holders of special identity cards).
- Recognised refugees in Belgium.

The complete list in the royal decree of 02/09/2018 can be found at:

<http://www.ejustice.just.fgov.be/eli/arrete/2018/09/02/2018203970/moniteur>

Please note: certain persons are totally exempted from administrative procedures but others, while exempted from the single permit, are nevertheless required to follow a procedure to obtain a "request for authorisation under an exemption". This is in fact a type of official confirmation that no work authorisation is required.

Which work authorisation should you request? >

Given the great diversity of the job market, we suggest you to use the <http://werk-economie-emploi.brussels/en/single-permit-your-situation> to determine which authorisations are required for your employment or whether you fall into a category which is exempted from a work permit.

For more information:

- <http://werk-economie-emploi.brussels/en/home>
 - <https://dofi.ibz.be/sites/dvzoe/FR/Guidedesprocedures/Pages/Permis-unique.aspx>
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Where to make your request? >

If the place of work is situated in the Brussels-Capital Region, the application for a work and residence permit should be made to Brussels Economy and Employment. You can visit its office in the CCN centre adjoining the Brussels-North railway station (Rue du Progrès 80, 1030 Brussels) from Monday to Friday, between 08h45 and 11h45.

Who should make the application? >

The employer or their representative should request authorisation to employ a foreign national in Belgium. They should complete, date and sign the application form. Sometimes, this form must also be signed by the employee.

Only a private individual residing lawfully in Belgium may make the application. In general, it is this person who will be contacted by Brussels Economy and Employment, if the need arises.

In addition to the application form, a number of supporting documents are required such as medical certificate, employment contract, relevant education certificate, criminal record clearance, proof of payment of national entry fee (up to €350) to the Immigration Office, and copy of passport.

In reality, the employer must sign the application form but the employee himself may assemble the supporting material and submit it to the Brussels Economy and Employment office.

What is the approval procedure? >

- Once the application has been submitted, Brussels Economy and Employment checks that all the conditions relating to employment have been met.
 - If the application is acceptable, it is then passed to the Immigration Office where the conditions relating to the applicant's residence are examined.
 - If everything is approved, the Immigration Office informs the employee and the employer, and issues a single permit.
 - If the applicant is already in Belgium, he or she may collect the single permit in the commune where he or she live. If the applicant is in his native country, they should request a D visa from the Belgian Embassy where the work permit will be sent.
 - The procedure takes **up to 4 months**.
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European Blue Card >

The European Blue Card (EBC) is a residence permit allowing its holder (under certain conditions) to work and live in Belgium for a period of more than three months. This unique document includes both the right of residence and the right to work and applies only to high-skilled workers who are not nationals of one of the European Economic Area's Member states. The card is submitted to strict criteria, among others a gross annual salary of at least 51.466€, and is at this point in time only exceptionally granted.

More information on Application for a European blue card

Important to know >

- All applications made before 24/12/2018 will be processed under the previous regulations for work permits A, B or C. Moreover, if you currently have a work permit, this will remain valid until its expiry date. On the other hand, the renewal of your old work permit will follow the new regulations.
 - The single permit is issued for a maximum period of one year, but is renewable.
 - For non-EU self-employed workers, the procedure remains unchanged and requires that you apply for a professional card. For more info: http://werk-economie-emploi.brussels/fr_FR/carte-professionnelle-pour-ressortissants-etranagers
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