

# REGIONAL EMPLOYMENT POLICY

Flanders: an autonomous region in a Europe of nations

Preparatory Activities for Establishing Employment Priorities in Bosnia and Herzegovina

## LIST OF ABBREVIATIONS

AAVR EU	Permanent Representation of Belgium to the European Union.
CRB	Centrale Raad voor het Bedrijfsleven (Central Business Council)
EMCO	(European) Employment Committee
EPM	Employment Performance Monitor
EU/EC/EES	European Union/European Commission/European Employment Strategy
ICT	Information and Communications Technologies
JAF	Joint Assessment Framework
JER	Joint Employment Report
NEETs	Young people not in education, employment or employment.
NRP	National Reform Programmes
OMC	Open Method of Coordination
RVA	Rijksdienst voor de Arbeid (National Employment Office)
RSZ	Rijksdienst voor sociale zekerheid (National Social Security Office)
SERV	Sociaal-economische Raad Vlaanderen (Socio-economic Council for Flanders)
SOIA	Flemish Strategic Dialogue for International Affairs
STEM	Science, Technology, Engineering and Mathematics
SYNTRA	Flemish Agency for Entrepreneurial Training
VDAB	Vlaamse Dienst oor Arbeidsbemiddeling en Beroepsopleiding
VESOC	Vlaams Economisch en Sociaal overlegcomité (Flemish economic and social consultation committee)
VIONA	Vlaams Interuniversitair onderzoeksnetwerk arbeidsmarkt (Flemish Interuniversity research network labour market reporting)
WSE	Flemish Government's Department of Work and Social Economy

## EXECUTIVE SUMMARY

Flanders is one of three regions of the federal state of Belgium. It has full autonomy on a range of policy areas, including employment, education and training and the economy. The federal state of Belgium relies fully on the willingness of the regions to achieve the employment targets set by the European Union and to adhere to policy reforms recommended in European Semester (annual policy monitoring cycle).

Given the different socio-economic and political contexts in the Belgian regions, each region sets its own employment objectives and develops its own policies. These differ both on targets and strategies, but all respond to the wider EU employment agenda which until the end of 2020 was an integral part of the EU's 2020 Growth Strategy. As of January 2021, this has been superseded by the European Green Deal where employment promotion in the EU will be more integrated within a wider economic green growth and digital agenda. Flanders has responded to the EU's Green Deal through the elaboration of its own strategies: a) Scope 2030 which accords with the EU's commitment to the UN sustainable development goals and c) Vision 2050, Flanders' longer-term development agenda.

While only the federal state of Belgium reports to the European Commission annually on its employment developments through the European Semester, the reporting exercise is a combined effort of all of the three regions and the federal state. More specifically, the federal state 'unites' the regional reports, and submits one report to the European Commission to fulfil its obligations under the European Semester cycle. The report-building process is supported by an inter-governmental committee comprising the state and regions sitting as the "Policy Monitoring Committee".

Responsibility for employment, education and wider economic policy development in Belgium lies squarely with the regions while the state retains policy responsibility in areas such as labour law, taxation, social security contributions and social protection mechanisms.

Social dialogue is an important feature of employment policy development at both regional and state level. In Flanders, policy development, with often mandatory advice from employers' federations and trade unions (with a tradition of continuous (in)formal consultation) and policy implementation, is supported by the Flemish Public Employment and Vocational Training Service.

While overall monitoring of employment policy is supported by the National Bureau of Statistics and the National Employment Office, data is collected and processed by the regional governments. In Flanders specifically, data is collected by the regional employment and training agency, and then processed and published by the Flemish Government. The data is shared on an inter-regional platform comprising data from Flanders and its fellow regions: Brussels and Wallonia. This cooperation between the regions plays an important role in job-matching, vocational training and wider mobility of all Belgian citizens in the labour market.

Regardless of the complex institutional framework for employment developments in Belgium, and perhaps as a consequence of it, Flanders is considered as one of the exemplary regions in the EU with regards to employment policy, policy implementation and overall effectiveness of public employment services. The region, nonetheless, has two main challenges: inclusion of non-European citizens in the labour market (including second and third generation migrants) and ensuring older workers (over 55 years) remain active in the labour market.



## 2. THE EUROPEAN EMPLOYMENT POLICY

### The European Union's 'Green Deal' strategy

Following on the heels of the EU's 2020 growth strategy whose objective was to develop a smart, sustainable and employable Europe-wide economy, the EU's 2030 or 'Green Deal' reinforces those objectives but with a particular focus on a more resource-efficient and digital economy.<sup>1</sup> An additional feature of the EU's Green Deal is that it will be an integral part of the EU's strategy to implement the United Nation's 2030 Agenda and the Sustainable Development Goals.<sup>2</sup>

A core feature of the Green Deal is that in addressing climate and environmental challenges, the EU will additionally work on both the business and employment opportunities associated with moving to a cleaner and circular economy, by way of innovation in industry, development of more environmental technologies, cheaper and healthier forms of transport and a more creative energy sector.

The transition to a greener economy will affect all industries (e.g. manufacturing, agriculture, textiles, forestry, transport, energy) and will have implications for employment, both in terms of job wastage associated with environmentally destructive industry as well as new job creation. The European Commission has identified a number of policy areas to be addressed in the transition to the green economy:

- bridging skills and knowledge gaps by fostering the development of appropriate skills and better forecasting skills needs
- anticipating sectoral changes, securing transitions in employment and promoting mobility
- supporting job creation through shifting taxation away from labour and on to pollution, promoting green public procurement, entrepreneurship and social enterprises
- increasing transparency and data quality to improve monitoring and analysis of labour market impacts of the green economy in the European Semester (addressed later)
- promoting dialogue between employer representatives and trade unions on the transition to the green economy.

In concrete terms, the Green Deal will continue the work of EU employment strategy and where EU member countries, and countries preparing for EU membership, will need to adapt their policies and measures to meet EU employment policy. Particularly for employment support, the Green Deal will support EU regions in addressing employment challenges by way of a range of instruments including, a) **Just Transition Mechanism** (JTM) where financial support will be dedicated to those regions most affected by the transition to a green economy<sup>3</sup> and b) **European Social Fund Plus** where regions will be able to draw down on EU support through the operational programmes agreed between each EU region, the national government and the European Commission and where particular attention will be given to young people not in education, employment or training (NEETs).<sup>4</sup> The wider EU employment monitoring procedures and reporting tools as applied in the EU's previous strategy – EU 2020 (see below) will be carried forward into the Green Deal monitoring. Greater synergy on objectives and

---

<sup>1</sup> [https://eur-lex.europa.eu/resource.html?uri=cellar:b828d165-1c22-11ea-8c1f-01aa75ed71a1.0002.02/DOC\\_1&format=PDF](https://eur-lex.europa.eu/resource.html?uri=cellar:b828d165-1c22-11ea-8c1f-01aa75ed71a1.0002.02/DOC_1&format=PDF)

<sup>2</sup> <https://sustainabledevelopment.un.org/post2015/transformingourworld>

<sup>3</sup> [https://ec.europa.eu/info/strategy/priorities-2019-2024/european-green-deal/actions-being-taken-eu/just-transition-mechanism\\_en](https://ec.europa.eu/info/strategy/priorities-2019-2024/european-green-deal/actions-being-taken-eu/just-transition-mechanism_en)

<sup>4</sup> <https://ec.europa.eu/esf/main.jsp?catId=67&langId=en&newsId=9903>

**Employment Report.**<sup>10</sup> Further, the Commission provides a detailed analysis on each member state through the **country report**<sup>11</sup> and provides **country-specific recommendations** for improvement of employment. See Diagram 1 for a summary of the EU employment policy cycle.

Belgium has translated the EU employment objectives into national employment objectives. In turn, each of Belgium’s three regions translates the national objectives into regional objectives. See Table 1 for a summary of the EU 2020 employment indicators and how these have been adapted by Belgium and the region of Flanders.

EU 2020 Targets	Belgium Target	Other Belgium Targets	Flemish Targets
Employment Rate 75% (20-34 years)	Employment Rate 73.2% (20-64 years)	Employment Rate for Women 69%	Minimum employment rate (15-65 years) 70%
Early school leavers < 10%	Early school leavers < 9.5%	Employment rate of older workers 50%	Reduce early school leavers from 14% to 7%
Higher education completion by at least 40% (30-34 years)	Higher education completion by at least 47% (30-34 years)	Reduce NEETs to 8.2%	

*Table 1. EU, Belgium and Flemish Employment Indicators*

How the Belgian and Flemish employment authorities engage with the European Semester cycle is addressed at Chapter 3.

### Open method of coordination

In the addition the Employment Semester, the European employment strategy allows for more innovative and flexible forms of governance of employment by way of direct cooperation and coordination amongst EU Member States on areas of common interests. Such coordination allows for exchange of knowledge and know-how, network building and opportunities to learn from good practice. The ‘open method of coordination’ (OMC) encourages EU countries to share information, discuss and coordinate their employment policies and practice.

When applying OMC, EU member states develop national action plans to meet the multi-country agreed objectives. The European Commission monitors the progress in implementing the commonly agreed objectives. The coordination allows for benchmarking between the participating countries and exchange of good practice.<sup>12</sup>

<sup>10</sup> <https://ec.europa.eu/social/main.jsp?catId=738&langId=en&pubId=8270>

<sup>11</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52020SC0500&from=EN>

<sup>12</sup> <https://ec.europa.eu/social/main.jsp?catId=101&intPageId=1471&langId=en> and [https://ec.europa.eu/info/business-economy-euro/economic-and-fiscal-policy-coordination/eu-economic-governance-monitoring-prevention-correction/european-semester/framework/eus-economic-governance-explained\\_en](https://ec.europa.eu/info/business-economy-euro/economic-and-fiscal-policy-coordination/eu-economic-governance-monitoring-prevention-correction/european-semester/framework/eus-economic-governance-explained_en)



## The six state reforms

Over the last 50 years, the six state reforms transformed Belgium from a unitary state to a federal state with 3 regions and 3 communities. Each of the 6 state reforms led to increased autonomy of the federated bodies and to a transfer of competencies from the federal level to the federated level. The key outcomes of each reform are summarized in Box 1.

### *Box 1. The Six State Reforms*

- **First state reform (1970):** Cultural communities established (Flemish demand). Constitutional foundations for territorial regions (Walloon demand).
- **Second state reform (1980):** Cultural communities become communities with more competences related to people matters. Territorial Flemish and Walloon regions established (Brussels Region later). Communities and Regions get their own Parliaments and Governments.
- **Third state reform (1988–1989):** Education and training is transferred to communities. The Brussels region is established.
- **Fourth state reform (1993):** Belgium becomes a fully-fledged federal state. Communities and Regions get more freedom and their Parliaments are now directly elected. The first clause of the first article in the Belgian Constitution was amended to: 'Belgium is a Federal State which consists of Communities and Regions'.
- **Fifth state reform (2001):** The Lambermont Accord transferred certain powers to the regions and communities, such as agriculture, fisheries and foreign trade. In addition, the Accord provides for a number of measures relating to the financing of the communities, the extension of the fiscal powers of the regions and an extra budget allocation from the Federal Government to the Flemish and French-speaking Community Commission.
- **Sixth state reform (2011):** More competences to the Regions and Communities. It is during the sixth state reform, that the regions have become fully autonomous on economic and employment matters.

## The Belgian Communities

The term 'community' in Belgium refers to persons who together form a community based on the bond that unites them, namely their language and culture. Belgium lies on the fault line between the Germanic and Latin cultures. This explains why the country has three official languages: Dutch, French and German. The three languages and peoples effectively resulted in three communities: the Flemish Community, the French Community and the German-speaking Community. These communities are based on the concept of "language" and "related to the individual". The communities are responsible for culture (including theater, libraries, audiovisual media), education, language use and personal matters such as public health (curative and preventive medicine) and welfare (including child protection, social & family assistance, migrant shelter). They are also responsible for scientific research and international relations related to science.

## The Belgian Regions

Economic interests, and in particular the drive for greater economic autonomy, formed the basis of the second pillar in the state reform. This resulted in the creation of the three regions: the Flemish Region, the Brussels-Capital Region and the Walloon Region.

## Imperfect decentralization

In many cases, even for policy areas decentralized to the communities and regions, the federal level still retains has a 'remnant competency', such as the minimum requirements for the award of qualifications or compulsory aspects of education, as this falls under the general interest of all Belgians.

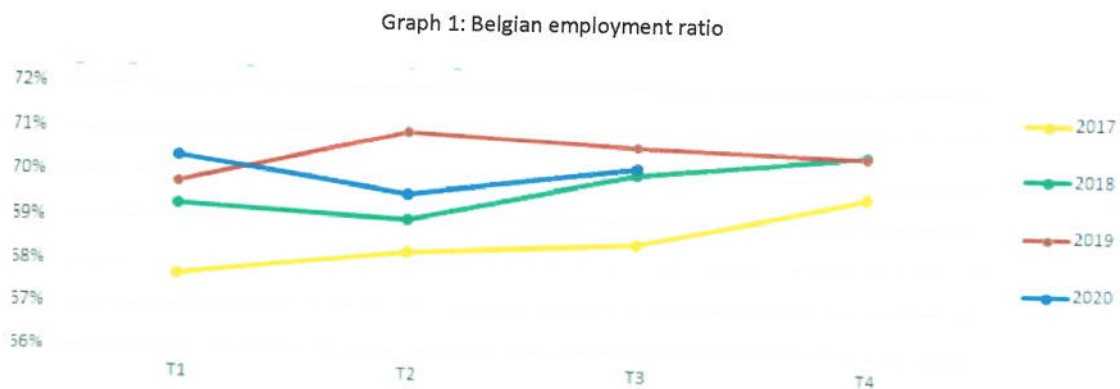
Whereas Flanders and Wallonia were already in charge of the majority of the fields related to employment before the sixth state reform, this last reform transferred the following competences to the regions:

- Activation of unemployment benefits
- Service vouchers
- Local employment agencies
- Outplacement
- Occupational licencing
- Economic migration
- Labour market integration of people benefiting social allowances
- Social economy
- Public Employment Service

Nonetheless, the sixth state reform retained a National Employment Service and some additional competences which are addressed below.

## Key employment data across the Belgian regions

The Belgian employment rate (total number of people in a job as per the total population 20-64 years) has been slowly increasing to 71% in 2020 but has decreased, due to the impact of the global pandemic.<sup>13</sup>



The unemployment rate in Belgium of people between 15 and 64 years, has decreased over recent years. However, due to the COVID-19 pandemic, the unemployment rate increased by almost 2 percentage points in 2020.

<sup>13</sup> Source : [www.statbel.fgov.be](http://www.statbel.fgov.be) and <https://www.statistiekvlaanderen.be/en/employment-rate-0>



- primarily the responsibility of the social partners to find the right balance.
- a number of measures to combat so-called unemployment traps (the work bonus reductions in personal social security contributions).

#### ■ *social security reductions aimed at specific sectors or employers*

The federal government remains competent for target group reductions that are based on characteristics of a sector or an employer (the regions are competent for reductions based on the characteristics of the employee and jobseeker):

- reduction of social security contributions for small enterprises recruiting a first employee and for recruiting up to six subsequent employees;
- specific measures for the hospitality sector;
- specific measures on social security contributions and reinvestment in additional employment in the non- and social profit sector.

#### ■ *Labour law*

- The rules on individual employment law (recruitment, dismissal,) and those on the organization of work (working hours, holidays,) impact on the evolution of employment. The flexibility in the labour market is a key policy issue.
- Defining conditions, level and duration of unemployment fees.
- Defining private sector engagements to training of employees.

### Federal exclusive executive powers

Since the sixth state reform, the regions are competent for reductions in social security contributions for certain groups e.g. low-skilled young people, older employees or long-term jobseekers. This may involve a reduction in the social security burden for the National Social Security Office. The regions are also competent for employment activation measures and systems unemployment benefits of jobseekers is converted into a wage cost-reducing measure. The National Employment Office (RVA) however still pays for these measures, which are named ‘federal exclusive executive powers’.

### Belgium, its regions and the European Semester

Belgium follows the European Semester cycle described in Section 1 and summarized at Diagram 1 with annual reporting (National Reform Programme)<sup>15</sup> to the European Commission relaying progress and constraints in meeting the EU employment objectives. The National Reform Programme also provides an assessment of how Belgium is performing against the EU employment targets. Both the Belgian state and regions have the option to establish their own targets over the timeline of the target period set against the specific challenges in any particular year. For example, while the EU’s 2020 employment rate target was 75%, in 2014 Flanders raised its own target to 76%.

The interfaces and inter-dependencies between the state, Flanders and the European Commission on employment policy are further addressed in the next section.

<sup>15</sup> [https://ec.europa.eu/info/sites/info/files/2020-european-semester-national-reform-programme-belgium\\_en\\_0.pdf](https://ec.europa.eu/info/sites/info/files/2020-european-semester-national-reform-programme-belgium_en_0.pdf)



- prepare companies and their employees for the digital change, by setting up transition processes that simultaneously respond to vacancies, competences, workplace learning, diversity, work organization;
- within sectors and across sectors determine skills shortages that arise from challenges and work together to promote transitions between sectors.

These strategic policies are being translated by the Flemish administration's Department of Work and Social Economy (WSE) into concrete action plans.

The Flemish active labour market strategy comprises the following 'tailor-made' services for every jobseeker:

- employment mediation,
- job search
- initial and continuous vocational training,
- special employment measures (including first work experience)
- incentives for employers,
- support for start-ups.

### Scope 2030 and Vision 2050

While Pact 2020 has concluded, it has been followed by Scope 2030. Its objective is to ensure that Flanders makes its contribution to achieving the UN Sustainable Development Goals (SDGs) which are now an integral feature of the EU's Green Deal. The SCOPE 2030 goals are based on the 17 SDGs to be met by Flanders by 2030. The goals are also an intermediate step to achieve the objectives of Vision 2050 – Flanders' longer-term development plan up to 2050.

Through Vision 2050, Flanders' aim is to *"become a social, open, resilient and international society that creates prosperity and well-being in an innovative and sustainable way, in which everyone counts"*. In order to make the objectives of Vision 2050 a success, the Flemish Government is working on seven transition priorities that should help realize the necessary changes more quickly: i) circular economy transition, ii) smart living, iii) industry 4.0 (a term for new technologies and concepts in the industry, mainly thanks to extensive digitization), iv) lifelong learning transition, v) living together in 2050, vi) mobility and vii) energy transition.

During the first measurement of Scope 2030, 11 'dashboard indicators' are monitored.. These indicators provide a global picture of Vision 2050: objectives for an inclusive society, through a new economy, within the ecological limits of the planet, with an open and agile government in partnership (with stakeholders, civil society and social partners).

### Co-habitation of national and regional policies in a European framework

In this section more detail is provided on the roles and responsibilities of Flanders in the European Semester Process and how they interface with the Belgian state and the European authorities. Diagram 4 provides a summary of the links between employment policies at the level of Flanders, Belgium and European Union. The diagram also captures the policy tools applied at each of the governance levels:

the Presidents of the Communities, the Deputy Prime Ministers, the Federal Minister for Foreign Affairs and the Federal Secretary of State for European Affairs.

The drafting of the National Reform Programme is undertaken by a **Drafting Committee** headed by the Chancellery of the Belgian Prime Minister. The Committee includes: a) the Federal Ministry of Finance, b) the Federal Planning Bureau (in collaboration with the Federal Ministry of Economy), c) the Federal Ministry of Social security and the Federal Ministry of Employment

The Federal and Regional Parliaments also contribute to the National Reform Programme. The Federal Parliament is required to share comments with the Policy Monitoring Committee. To this end, Parliament organizes hearings with relevant Ministers.

Finally, the social partners are consulted during the preparations of the National Reform Programme. This dialogue takes place through the Central Economic Council and the National Employment Council. Civil Society is also consulted through the Federal Council for Sustainable Development.

### EU dialogue support structures

Belgium has a Permanent Representation to the European Union institutions (AAVR EU). This ensures a direct dialogue framework between the EU and the Belgian Federal government on employment and social policy and wider policy areas.

Independently of the coordination and consultation structures between the different Belgian governments, Flanders has its own General Representation to the EU. The General Representation comprises attachés from different Flemish government departments, including employment and social policy, and is led by a General Representative of the Government of Flanders.

Within the Flemish region, the labour minister is responsible for monitoring employment set against the wider EU employment policies, guidelines and recommendations. The ministry liaises with the General Representation on all matters related to EU employment and social affairs matters. Dossiers or themes that touch on the competence of more than two policy areas, however, are discussed in the framework of the Strategic Dialogue International Affairs (SOIA) chaired by the Flemish Department of Foreign Affairs.

The Flemish General Representation participates in working groups established by the EU Employment and Social Affairs Council. The General Representation also liaises with other EU bodies and representations of other countries and regions with the aim of optimizing Flemish interests. The Belgian Permanent Representation is in daily contact with Flemish General Representation, Flemish ministers, their cabinets and the Flemish administration. It also collaborates with the Liaison Agency Flanders-Europe (Vlewa), which focuses mainly on the involvement of the Flemish civil society and local authorities in European affairs.

To note that the policy architecture associated with the EU employment strategy in Belgium forms an integral part of the wider institutional support structure for socio-economic development in Belgium and Flanders which is addressed below.



## Intra-Belgian coordination mechanisms

There are different forms of coordination and cooperation between the federal government and the communities and regional governments.

Consultations between the Federal Government and the Community and Regional Governments and the involvement of the Community and Regional Governments in the decisions of the Federal Government are prescribed by laws or by other legal or regulatory provisions.

### a) Consultation Committee

A Consultation Committee<sup>20</sup> coordinates and consults between the different governments - comprises:

- the federal Government represented by the Prime Minister and five of its members appointed by Royal Decree deliberated in the Council of Ministers;
- the Flemish government represented by its President and one of its Members;
- the French Community Executive represented by its President;
- the Walloon Regional Executive represented by its Chairman;
- the Brussels-Capital Executive represented by its President and one of its members, who belongs to the other language group.

The Consultation Committee is the main intergovernmental body. It meets monthly. The Consultation Committee is the central point for consultation, cooperation and coordination between the State, the communities and the regions, in order to achieve individual or collective objectives while respecting everyone's competences. It is also the place where conflicts of interest or competencies between the different governments are being settled amicably. The main tasks are mutual policy coordination, finalization of important cooperation agreements, and discussion of draft regulations for which the law prescribes cooperation.

As noted above, a policy monitoring committee is responsible for the drafting the National Reform Programme. It is chaired by the secretariat of the Consultation Committee.

### b) Inter-ministerial conferences

With a view to promoting consultation and cooperation between the State, the Communities and the Regions on sectoral or thematic areas, the Consultation Committee may set up specialized committees called Inter-ministerial conferences<sup>21</sup>. These comprise members of the federal Government and of the Executives of the Communities and the Regions. One such committee is the Inter-Ministerial Conference on Employment, Training and Social Economy. The Conference does not have decision-making power. It is a forum for cooperation and agreement between all governments on employment-related matters.

### c) Cooperation Agreements

Any government in Belgium can conclude cooperation agreements with any other government, be it with Communities or Regions and / or with the federal state. See Annex 1 for the circular on cooperation agreements. The cooperation agreements include the development of initiatives of

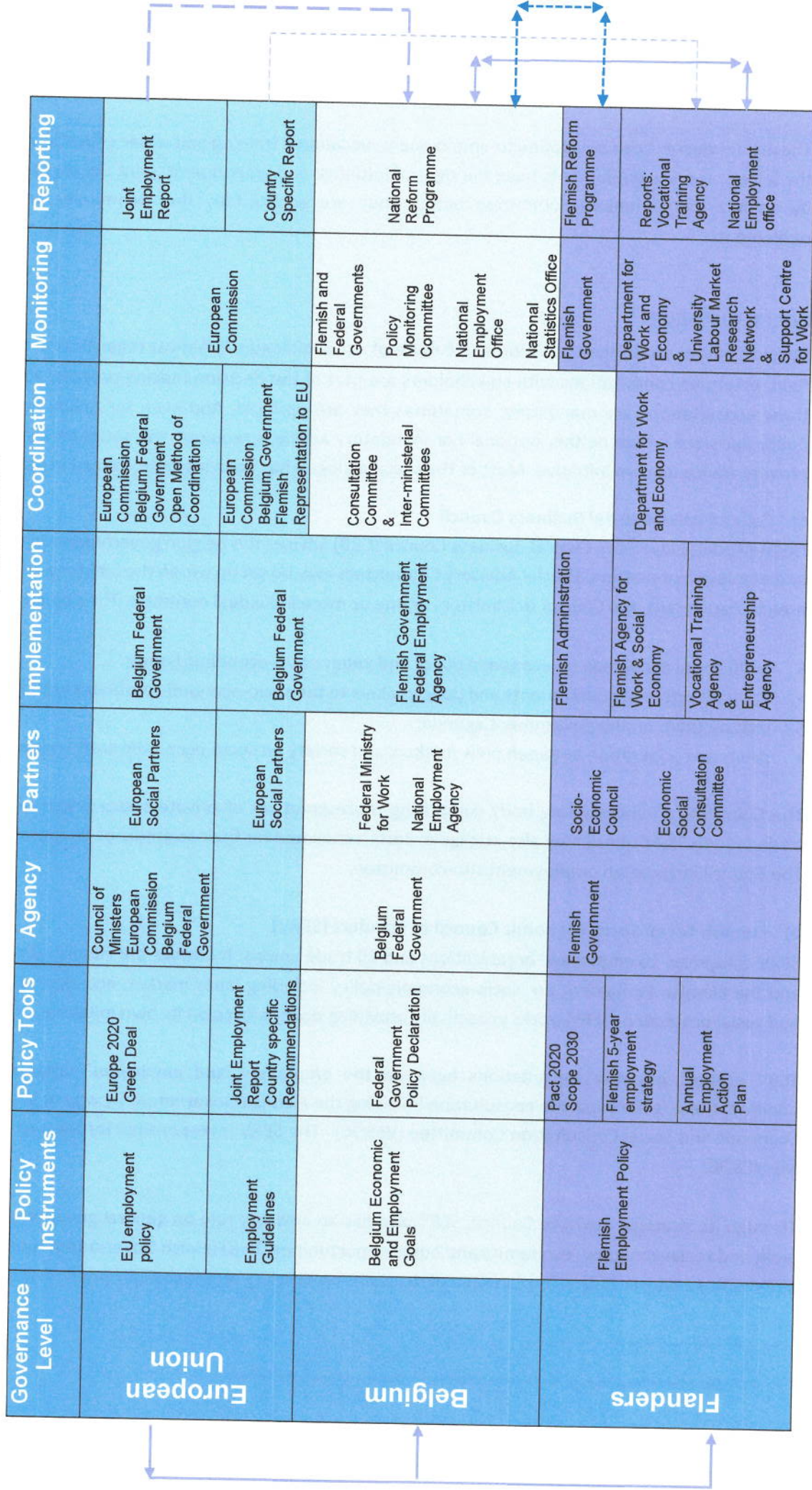
---

<sup>20</sup> See Annex 1 for legal basis on the cooperation protocols, and Annex 4 for the internal regulations of the consultation committee, as well as the creation of 18th Inter-Ministerial Conference.

<sup>21</sup> See Annex 3 for the circular on inter-ministerial conferences and Annex 4 for the internal regulations of the inter-ministerial conferences.



Diagram 4. Interfaces between EU, Belgium and Flanders Employment Policies





## Key employment institutions in Flanders

The key public institution supporting employment policy is the Department of Work and Social Economy. It is backed up by two executive agencies, a) the Flemish Employment and Vocational Training Service (VDAB) and b) the Flemish Agency for Entrepreneurial Training (SYNTRA).

### a) Department of Work and Social Economy

The Department of Work and Social Economy is responsible for policy coordination and development and for the follow-up, monitoring and enforcement (inspection) of Flemish employment policy. In addition, it supports and strengthens employment in the regular sector, the non-profit sector and the social economy in Flanders. It contributes to the promotion of employment through various employment programs and accredits training and employment support providers. The Department is also responsible for the management of the projects which are co-financed by the **European Social Fund** in Flanders. These projects are defined in the Operational Programme agreed between the European Commission, the Belgian and Flemish labour ministries. Between 2014 and 2020, public investment to support the Flemish labour totaled €1 billion of which €378 million was ESF finance. ESF supported activities were:

- investment in job creation, education and training and lifelong learning, and school-work transition, unemployment to employment and transitioning between jobs;
- employment support for vulnerable groups;
- support to businesses to retain staff

### b) Labour market monitoring and research

In order to be able to fulfill its mandate, and to support the Flemish government, the Department of Work and Social Economy has outsourced monitoring to the Strategic Labour Market Research. This comprises two pillars a) the VIONA research programme and b) the Support Centre for Work.

- *VIONA research programme*

The Flemish Interuniversity Research Network Labor Market Reporting (VIONA) is a research network that was developed in 1994, at the initiative of the Flemish government and the Flemish social partners, to promote strategic labor market research in Flanders. The VIONA Steering Committee - consisting of representatives of the Flemish ministers competent for Work and Social Economy (WSE), the Flemish social partners - is responsible for the management of the research program and annually launches one to two project calls for study and research. The project calls are managed by the WSE department and are complementary to the tasks of the Support Centre for Work.

- *Support Centre for Work*

The Support Centre for Work (located at Leuven University) provides an employment research service for Flemish Government and is overseen by a Steering Group comprising representatives of the Flemish Government and the Flemish social partners.

- labour market projections for the Flemish and Belgian labor market (including population, employment rate, employed, replacement demand)
- tracking of employment targets
- sector projections to support future recruitment needs
- trend indicators: business developments, employment/unemployment, (sectoral) employment and job vacancies.

### c) Cooperation with other Belgian regions

As the collection of data is done by each of the autonomous regions, the SYNERJOB initiative described earlier ensures that Public Employment Services from all of Belgium's three regions join forces to regularly publish reference information intended for stakeholders in the Belgian labor market.

Monthly data sets include:

- unemployed job seekers registered with all three Public Employment Services, as well as the regional administrative unemployment rates;
- job offers received and disseminated by the regional Public Employment Services;
- vocational training.

Data collected by the regions is consolidated and processed by the National Employment Office.

### d) National level

Although data is mostly collected and processed by the regions, and although interregional cooperation provides oversight for some main indicators, the final responsibility for the (validated) national figures lies with the National Bureau for Statistics.

The National Employment Office publishes quarterly labour market and employment indicators. This allows for international comparisons on employment, unemployment and inactivity ratios. All 'social' data in Belgium of all citizens is gathered in databases. Those databases are interlinked in what is called the cross-point database on social security. This is a matrix-like structure, that interlinks and interconnects data of 13 different agencies, administrations and institutions.

The National Bureau for Statistics validates all data provided by the regional bodies and statistics bureaus and after it has been consolidated by the National Employment Office. This data is complemented by the national labour force survey, as prescribed by the European Commission and coordinated by the European Statistics Office. This data is a primary reference for the European Commission's assessment of employment progress and challenges in the European Semester.



## REFERENCES

The following websites were consulted for this assignment

<https://eur-lex.europa.eu/>

[www.ec.europa.eu](http://www.ec.europa.eu)

<https://werk.belgie.be>

[www.be.2020.eu](http://www.be.2020.eu)

[www.vlaanderen.be](http://www.vlaanderen.be)

[www.statbel.fgov.be](http://www.statbel.fgov.be)

<https://www.statistiekvlaanderen.be/en/employment-rate-0>

<https://journals.openedition.org/belgeo/docannexe/image/13869/img-1.png>

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

[www.serv.be](http://www.serv.be)

[www.vdab.be](http://www.vdab.be)

[www.HRB.be](http://www.HRB.be)

## PROTOCOL ON VARIOUS TYPES OF COOPERATION BETWEEN

### THE FEDERAL GOVERNMENT AND COMMUNAL AND REGIONAL GOVERNMENTS

#### CHAPTER I: GENERAL REMARKS

**Article 1.** This Protocol is applied to all types of cooperation between the Federal Government and Regional/Communal Governments which are mentioned in the laws on institutional reform, as well as in other legal and regulatory provisions.

**Article 2.** When some type of cooperation mentioned in Article 1 is applied, the members involved will receive in a timely manner all documents which are necessary for providing responses.

**Article 3.** After the completion of a cooperation procedure mentioned in Article 1, the requesting party will notify the other involved party of its decision, and five business days after it has issued the decision at the latest.

**Article 4.** Whenever competent bodies deem necessary, an institutional connection between the competent federal administration and the competent services of the communal/regional government will be established. For this purpose, each time they will assign staff members who will participate in the discussion that precedes the decision; the governments will also establish the mandate which will be exercised by the assigned staff.

#### CHAPTER II: WRITTEN PROCEDURE

**Article 5.** Types of cooperation such as advising, unanimously adopted advice, agreements, approvals and decisions upon requests, will be conducted in accordance with this procedure.

The Party/ies submitting the request/s for response to the other party/ies, will do so in writing.

Each inquired party will respond in writing within 15 business days of the date of service of the inquiry.

In case of emergency, the party submitting the request may decrease the deadline to 6 business days. The "emergency" needs to be argued.

The deadlines mentioned in Paragraphs 3 and 4 are solely for indicative purposes.

#### CHAPTER III: PROCEDURE IN THE CONSULTATIVE COMMITTEE AND THE INTER-MINISTERIAL CONFERENCE

**Article 6.** Consulting between the Federal Government and Communal/Regional Governments and inclusion of the Communal/Regional Governments in the decision-making of the Federal Government, stipulated in laws on institutional reform or other legal or regulatory provisions, on a case-by-case basis, within the Consultative Committee or any other competent Inter-Ministerial conference\*.

Prior to sessions of the Consultative Committee or Inter-Ministerial Conference, the assigned member of the Federal Government will send the pre-draft or draft texts along with all necessary documents to



AGREEMENTS

A. LEGAL SOURCES FROM ORGANIC LAWS

1. The ability to conclude Cooperation Agreements is stipulated in Article 92bis of the Special Law on Institutional Reform from 8 August 2008.

This Article states the following in its first paragraph:

« The State, Communes and Regions may conclude Cooperation Agreements which among other things are related to mutual establishment and management of joint services and institutions, to joint performance of their own competences or to joint development of initiatives.

The competent authorities negotiate and conclude Cooperation Agreements. Cooperation Agreements related to issues regulated by Regulations, as well as Agreements against which the Communes and Regions may file appeals, or which may create obligations for Belgian citizens on a personal level, will enter into force only after they have been approved with a Regulation. Agreements related to issues regulated by law, as well as Agreements which may be at the expense of the State or may create obligations for Belgian citizens on a personal level, will enter into force only after they have been approved by law. »

In accordance with this Article 92bis Paragraph 1 Subparagraph 2 there are two categories of Cooperation Agreements:

- Cooperation Agreements which do not need to be approved by law, regulation and/or rulebook, so-called "simple-form Cooperation Agreements" or "Category I Cooperation Agreements";
- Cooperation Agreements for which such approval is required, or "Category II Cooperation Agreements".

Apart from so-called "optional Cooperation Agreements", which are described in Article 92bis Paragraph 1 of the above mentioned Law, there are also determined cases where the federal authorities, communes and regions are obliged to conclude Cooperation Agreements. Those are "obligatory Cooperation Agreements". These cases are set out in Article 92bis Paragraphs 2 through 4 of the same law.

This Circular Letter is applied both on optional and obligatory Cooperation Agreements, as well as on Category I and II Cooperation Agreements.

B. PRINCIPLE

2. The competent Ministers of the respective Governments discuss the Cooperation Agreements. It is obligatory for the Cooperation Agreements to be approved by all involved Governments. If apart from that, the Cooperation Agreements are subject to an approval procedure in the Parliament, they must contain a provision thereof. Each competent Minister shall ensure that the document for approval (law/regulation/rulebook) is submitted to the competent Parliament (1).

---

1 The term "Parlement" also includes the Assembly of the Joint Commission of Communes and the Commission of the French Commune.

### 3.2.1. Legal Basis

Rule: When referring to the Legal Basis, senior legal regulations precede the junior ones. Regulations of the same rank are listed chronologically, starting from the oldest.

#### Possible formulations:

- a) Having in mind Chapter IV of the Constitution;
- b) or: Having in mind Article 35 of the Constitution;
- c) or: Having in mind Article 39 of the Constitution;  
or: Having in mind Articles 127/128/129/130 of the Constitution;  
or: Having in mind Articles 134/135/136 of the Constitution;
- d) Having in mind the Special Law on Institutional Reform from 8 August 1980, and especially Article 92bis Paragraph 1, entered into the Special Law on Institutional Reform from 8 August 1988, and the Amended Special Law from 16 July 1993;  
or: Having in mind the Special Law on Institutional Reform from 8 August 1980, and especially Article 92bis Paragraphs 1, 5 and 6, entered into the Special Law on Institutional Reform from 8 August 1988, and the Amended Special Law from 16 July 1993; (2)  
or: Having in mind the Special Law on Institutional Reform from 8 August 1980, and especially Article 92bis Paragraph 1, entered into the Special Law on Institutional Reform from 8 August 1988, and amended with the Special Law from 16 July 1993;
- e) Having in mind the Special Law from 12 January 1989 on the Brussels Institutions, and especially Article 42; (3)  
or: Having in mind the Special Law from 12 January 1989 on the Brussels Institutions, and especially Article 63, amended with the Special Law from 5 May 1993; (4)
- f) Having in mind the Special Law on Financing the Communes and Regions from 16 January 1989, and especially Article...; (5)
- g) Having in mind the Law on Institutional Reform of the German Language Commune from 31 December 1983, and especially Article...; (6)
- f) Having in mind the Law ... on ... (potentially other law/s)).

### 3.2.2. Potential decision of the Consultative Committee or recommendation of the Interministerial Conference

#### Possible formulation:

2 In case the Contracting Parties agree that in disputes related to interpretation and implementation decides the Court for Mutual Cooperation, the referral to Article 66 of the Special Law on Financing Communes and Regions from 16 January 1989 should be avoided.

3 If the Brussels Region is a Contracting Party of the Cooperation Agreement.

4 In case the Joint Commission of Communes is a Contracting Party of the Cooperation Agreement.

5 Only if the Cooperation Agreement contains a clause which refers to this law.

6 In case the German Language Commune is a Contracting Party of the Cooperation Agreement.



## 2. Clauses on dispute resolution

Clauses on dispute resolution are optional for Cooperation Agreements which are concluded in accordance with Article 92bis, § 1 of the Special Law on Institutional Reform from 8 August 1980. Legal certainty still recommends the existence of a provision on the regulation of potential disputes.

Two possibilities:

- either it is referred to Article 92bis, §§ 5 and 6, of the Special Law on Institutional Reform from 8 August 1980, and the Cooperation Agreement is established by the court, not disregarding the fact that the Chairperson should be a judge;
- or the Cooperation Agreement does not deal with this item.

The court mentioned in Article 92bis, §§ 5 and 6 of the Special Law on Institutional Reform from 8 August 1980 decides in the disputes which arise regarding the interpretation or implementation of the Cooperation Agreement. (Refer also to the Law on Courts from 23 January 1989 which is mentioned in Article 92bis § 5 and § 6, and Article 94 § 3 of the Special Law on Institutional Reform from 8 August 1980.

### Possible formulation:

*Disputes between the Contracting Parties related to the interpretation or implementation of the existing Agreement are resolved by the court as stipulated in Article 92bis §§ 5 and 6 of the Special Law on Institutional Reform*

## 3.4. Date

Of course, the Cooperation Agreement can not have an earlier date than the date when the last signature was put on the Cooperation Agreement. (Refer also to 3.5 Signing of Cooperation Agreements).

## 3.5. Signing of a Cooperation Agreement

### Rules:

1. Before signing, the place and date are stated where the final signature on the Cooperation Agreement is put.
2. The order of signatures is as set out in Article 31 § 1 of the Special Law on Institutional Reform from 8 August 1980\*2.

Therefore, assuming that the signatories of the Cooperation Agreement are the Federal Government and all federal units (which happens rarely), the following order is prescribed:

*Concluded in (place); (date), in X original copies (in Dutch/French/German)*

*for the Federal State,*

*Minister (Ministers)  
[portfolio]...*

*For the Flemish Commune,*

This original or certified copy is kept at the archives of the Office of the Federal Prime Minister.

#### 4.2. Category II Cooperation Agreements:

These Cooperation Agreements may enter into force only when the last involved Parliament has given its approval, which means 10 days after publication in the Belgian Official Gazette, unless when the Cooperation Agreement prescribes a certain date or deadline. (Réfer also to 3.4. Date)

In case one of the involved Parliaments does not give its approval, the respective Cooperation Agreement can not enter into force. Of course, this does not prevent the other Parties to conclude a mutual agreement afterwards.

In order to prevent that Cooperation Agreements do not enter into force on the same levels of Government on the same date, it is necessary for the documents for giving approval to be published together in the Belgian Official Gazette. For that purpose, the Central Secretariat of the Consultative Committee contacts the different services of each involved Government which is responsible for publication.

A certified copy of the document for giving approval and the attached Cooperation Agreement are submitted to the Central Secretariat. The same goes for Cooperation Agreements where the Federal State is not involved.

A certified copy is kept at the archives of the Office of the Federal Prime Minister.

Federal Prime Minister,

Herman VAN ROMPUY

\*1 [Special Laws - laws adopted with a special majority which determine the division of powers and key operating rules of public institutions - translator's note]

\*2 [In the original text „de gewone wet”, i.e. law for which a special majority is not required - translator's note]



## **ANNEX 2**

### **INTERNAL REGULATIONS OF THE CONSULTATION COMMITTEE**

28/01/2015



FEDERAL PUBLIC  
SERVICE  
OFFICE OF THE  
FEDERAL PRIME  
MINISTER  
CONSULTATIVE  
COMMITTEE

**28 January 2015**

**CONSULTATIVE  
COMMITTEE**

**PUBLICATION  
ITEM 1**

OFFICE OF THE FEDERAL PRIME MINISTER



DIRECTORATE OF THE SECRETARIAT AND CONSULTATIVE SECRETARIAT  
OF THE CONSULTATIVE COMMITTEE

INTERNAL REGULATIONS OF THE CONSULTATIVE COMMITTEE

28 January 2015

**Article 1** –These Internal Regulations are adopted in order to implement Article 31 of the Law on Institutional Reform from 9 August 1980\* hereinafter "the Law".

\*[In the original text „de gewone wet“, i.e. law for which special majority is not required]

**Article 2** –When applying these Internal Regulations, under "Board" we mean Consultative Committee in the sense from Article 31 of this Law.

**Article 3 – § 1.** Members of the Board are various Governments which are represented as stipulated in Article 31 of the Law.

§ 2. Members of the Board may, for a certain session, and for the purpose of the discussed issue, adjust and/or expand their representation with one or more members of their Government.

§ 3. At the initiative of one member and with agreement of the Chairperson, any other person may be heard to provide advice or explanation about one or more specific issues.

**Article 4 - § 1.** The Board has sessions at Wetstraat 16 on the last Wednesday of each month ("regular" Board), and meanwhile during extraordinary circumstances and if all approve an initiative of the Federal Prime Minister or a request of the Prime Minister of one of the members ("extraordinary" Board)



§ 3. In cases when the Board on the basis of a legal or regulatory provision needs to render a decision within a certain deadline, this deadline begins to run from the date of filing the request at the Central Secretariat, until its entry into the agenda.

**Article 9 - § 1.** When the file is submitted to the Board in accordance with Article 32 or Article 33 of the Law, the request for entering into the agenda must state the existence of a serious shortcoming or disobedience of the prescribed procedural rules from the above mentioned provisions.

§ 2 In any case, it is always requested to enter into the agenda pre-draft laws, regulations or rulebooks and amendments or draft amendments, if, in accordance with the opinion of the legal department of the State Council the competence is violated, depending on specific cases, by the State, Commune or Region (application of Article 3 Paragraph 3 of the Harmonized Laws on the State Council) and when the competent Government applies the specific provision/s. In that case, the opinion of the State Council will be amended to the file.

§ 3. In case that, as a result of activities of the Inter-Ministerial Conference, a file is submitted for consideration at a regular Board, all documents which are related to that file and which are distributed within the mentioned Inter-Ministerial Conference will arrive at the Central Secretariat by Wednesday of week t-2 at the latest.

§ 4 In very urgent cases, the Board may, with agreement from all members, discuss issues which are not on the agenda, under the condition that no legal or regulatory provision imposes a time limitation for issuing a decision.

**Article 10 - §1.** The first document in the file which is submitted to the Board is always a note with a date and title of the respective member/s of the government and must include the following sections:

- introduction or lead-up;
- argumentation;
- draft decisions;
- name/s of member/s of the Government that submitted the file.

**Article 12** – In accordance with Article 8 Paragraph 1, the Central Secretariat for regular Boards during week t will deliver the agenda and appertaining documents on Thursday of week t-2.

Each member thus has the opportunity to discuss the agenda and files in its Council of Ministers during week t-1 so that he/she, if necessary, may formulate an opinion for preparation of the Central Working Group mentioned in Article 13.

**Article 13 - § 1.** In order to prepare the Board, the Central Working Group will have a session two days before the session at the latest, under chairmanship of the Secretary of the Board, comprising of a representative of each member of the Board and of representatives of all other members of governments which are directly or indirectly affected by the issue.

**§ 2.** The report from the session of the Central Working Group, which is distributed by the Secretariat via e-premier one day before the session of the Board in Dutch and French, contains the list of persons present and states the result of the discussion for each agenda item:

- either consensus about the original proposed decision;
- or consensus about an expressly stated new proposed decision;
- or determining the lack of consensus.

**Article 14** – In cases where the Board must by law issue a decision by consensus, the Board determines whether consensus was reached or not.

**Article 15** – Announcements contain the decision of the Board for each issue and the official announcements sent to the Board, and they are distributed via e-premier.

For regular Boards during week t, the announcements for this session may be disputed until the Wednesday in week t-2 of the next session (in fact, this is the Wednesday when the agenda for the next Board is closed).

The dispute of the announcements will enter the agenda for the next Board as part of the approval of the minutes, and it will be discussed beforehand at the Central Working Group.

## **ANNEX 3**

### **CIRCULAR ON INTER-MINISTERIAL CONFERENCES**



## CIRCULAR LETTER ON THE INTER-MINISTERIAL CONFERENCE

### **1. ESTABLISHMENT**

In accordance with Article 31bis of the Law on Institutional Reform from 9 August <sup>\*</sup>, the Consultative Committee from 15 September 2004 has adopted the decision for establishing the following Inter-Ministerial Conferences:

1. Institutional Reform
2. Economy and Energy
3. Traffic, Infrastructure and Telecommunications
4. Science Policy and Culture
5. Foreign Policy
6. Foreign Trade
7. Finances and Budget
8. Internal Affairs
9. Employment, Training and Social Economy
10. Public Administration and Modernization of Public Services
11. Agrarian Policy
12. Public Healthcare
13. Environment
14. Social Integration
15. Urban Planning and Housing
16. Wellbeing, Sports and Family

The Consultative Committee from 17 December 2008 approved the establishment of a new Inter-Ministerial Conference:

17. Security Policy and Implementation of Laws

The Consultative Committee from 16 January 2009 approved the establishment of the eighteenth Inter-Ministerial Conference:

18. Drugs

The Consultative Committee from 6 June 2012 approved the establishment of a new Inter-Ministerial Conference:

19. Sustainable Development

### **2. COMPOSITION**

The above mentioned Inter-Ministerial Conferences have the following composition:

<sup>\*</sup>[In the original text „de gewone wet“, i.e. law for which a special majority is not required]

Only in case when the Consultative Committee is involved, in accordance with Article 33 of the Law on Institutional Reform from 9 August 1980\*1, the disputed decision or its execution may be suspended.

When in the next session of the Conference for this draft decision a consensus is not reached for observing the given procedure, a procedure about the file is initiated before the Consultative Committee in accordance with the above mentioned Article 33.

- 4.3. Without prejudice as to what happens next, the attached internal regulation is valid for each Inter-Ministerial Conference. Each Inter-Ministerial Conference has the liberty to freely amend the attachments if its functioning requires special provisions, on condition that these provisions are not in collision with the provisions of the internal regulations. The amended Internal Regulations and all potential attachments need to be submitted to the Central Secretariat of the Consultative Committee.
- 4.4. The deadlines for convening and sending documents must be strictly observed, unless there is an explicit decision of the Inter-Ministerial Conference which is necessary for its functioning.

In line with the Announcement of the Consultative Committee from 15 September 2004, the Inter-Ministerial Conferences on Institutional Reform, Foreign Policy, Finances and Budget and Internal Affairs are chaired by a member of the Federal Government.

Inter-Ministerial Conferences on Security Policy and Implementation of Laws are also chaired by a member of the Federal Government (decision of the Consultative Committee from 17 December 2008), as well as the Inter-Ministerial Conference on Drugs (decision of the Consultative Committee from 16 January 2009).

In line with the already mentioned Announcement from 15 September 2004, all other Inter-Ministerial Conferences are chaired alternately by each entity which is a member of the Inter-Ministerial Conference in accordance with the competences of that Inter-Ministerial Conference. This rotation shall be written each year in the agenda of the Consultative Committee in September. The acting chairpersons of each Inter-Ministerial Conference next year that has alternating chairs will be listed there.

When the matter deals with exclusive competences of the federal units and agreements between them, then they alternately take the initiative and perform the chairmanship.

Each year the chairpersons submit an annual work calendar to the Consultative Committee in October.

- 4.5. The overview of activities and the scheduled sessions of the Inter-Ministerial Conferences will be written in the agenda of each Consultative Committee.

Entry into the agenda of the Consultative Committee of a certain item from the Inter-Ministerial Conference will be refused unless all documents related to that item are not submitted to the Central Secretariat, in accordance with the provisions set out in Article 5.

Just like the Consultative Committee, the Inter-Ministerial Conferences may establish their own working groups on a permanent or ad hoc basis.

If they are established on a permanent basis, it must be stated in a single item of the attachment with the internal regulation.

These working groups:

- comprise of representatives which are determined by each level of government;
- are chaired by a representative of the Chairperson of the respective Inter-Ministerial Conference;
- use the services of the Central Secretariat for distribution of documents.

The Secretary of each Inter-Ministerial Conference gives to the technical coordinator of the level of government which chairs the Inter-Ministerial Conference and whose secretariat he/she provides, copies of the documents which need to be shared with the members.

The Secretary also delivers them electronically via the Central Secretariat of the Consultative Committee, which will be responsible for a centralized distribution of documents via a computer application for a closed user group, without questioning the deadlines stipulated in Article 7 Paragraph 2, Article 9 Paragraph 2 and Article 11 of the Internal Regulations of the Inter-Ministerial Conference.

Only members of the Consultative Committee and members included in the Inter-Ministerial Conferences have access to the computer application for a closed user group, via the persons designated for that in different political cells and cabinets.

The names and coordinators of these persons are sent to the Central Secretariat of the Consultative Committee by the Secretary of each Conference.

20 June 2012

Federal Prime

Minister,

Elio DI RUPO

\*1 [In the original text „de gewone wet“, i.e. law for which a special majority is not required]

\*2\*[In the original text „de bijzondere wet“, i.e. special laws adopted by a special majority which is determined by the division of powers and key operating rules of public institutions]



## **ANNEX 4**

### **INTERNAL REGULATIONS OF THE INTER-MINISTERIAL CONFERENCES**

## INTERNAL REGULATION

### INTER-MINISTERIAL CONFERENCE ON ...

(16 January 2009)

**Article 1.** - When applying these Internal Regulations, the term "Conference" means Inter-Ministerial Conference on..., established in accordance with Article 31bis of the Law on Institutional Reform from 9 August 1980\*.

**Article 2.** - The Conference consists of members listed in the table "Composition of the Inter-Ministerial Conference".

**Article 3.** - Chairing of the Conference is performed in accordance with Item 4.5 of the Circular Letter on Inter-Ministerial Conferences.

Each year in October the Chairperson submits his/her work calendar for the following year to the Consultative Committee

**Article 4.** - The Chairperson appoints the secretariat which has the explicit obligation to perform secretarial work for the Conference, i.e. compiling the agenda and minutes, as well as coordination of submitted notes and other documents used for the sessions.

**Article 5** - The Technical Coordinator is appointed by the Office of the Federal Prime Minister and the Offices of the Prime Ministers of the federal members

The Secretariat of the Conference submits all documents that need to be shared with the members electronically to the Central Secretariat of the Consultative Committee which guarantees the centralized sharing of documents to the involved members via a computer application for closed user groups.

The documents need to be submitted to the Central Secretariat two business days before the deadlines prescribed in Article 7 Paragraph 2, Article 9 Paragraph 2 and Article 11 of these Regulations.

The Secretariat of the Conference also delivers a copy of the documentation to the Technical Coordinator.

**Article 6** - Only members of the Consultative Committee and the Inter-Ministerial Conferences have access to the computer applications for closed user groups, via appointed persons in different competent political cells or cabinets.

The Secretariat of the Conference sends the names and locations of these persons to the Central Secretariat of the Consultative Committee.

[In the original text „de gewone wet“, i.e. law for which a special majority is not required]

**Article 7.** - §1. The Conference holds sessions either on its own initiative or on the initiative of the Chairperson or one of the members of the Conference.

§2. The Chairperson announces at least two months in advance the date of the next session to the members of the Conference, in accordance with the manner prescribed in Article 5 of these Regulations.

Meanwhile, in cases of great urgency, this deadline may be shortened at the initiative of the Chairperson or any of the members

**Article 8.** - §1. The Chairperson determines the agenda which will be discussed at the Conference.

The members of the Conference may put on the agenda all items which they want to be discussed.

For that purpose, they are submitted to the Secretariat of the Conference in 5 copies in Dutch and 5 copies in French, or 5 copies in German, with translations to Dutch and French and a duly signed synthesized note. To that they attach all documents which they consider useful for the purpose of supplementation or clarification.

The request for putting an item on the agenda and the note must be handed in at least one month before the session, or in cases of great urgency, seven business days before that date at the latest.

§2. In cases of great urgency, the Conference may, with approval of all its members, discuss items which are not on the agenda.

**Article 9.** - The Chairperson of the Conference puts in accordance with Article 8 §1 each received file in the agenda for the next session of the Conference.

The Chairperson shares the agenda and the sent documents with the members of the Conference three weeks before the date of the session according to this agenda at the latest, in accordance with the manner prescribed in Article 5 of these Regulations.

**Article 10.** - Members of the Conference may not be represented by employees, except if they have communicated their unavailability to the Chairperson.

The Conference should convene in all cases at the level of members within the procedure for participation and consulting.

Each member of the Conference may be accompanied by one employee.

The Conference may invite any person to be heard for the purpose of providing their opinion.

**Article 11.** -



The draft minutes from the session of the Conference, which contain the list of members present, as well as the official announcements of the Conference, are compiled by the Secretariat and sent to the members of the Conference within eight business days, in accordance with the manner prescribed in Article 5 herein.

If within eight business days after sending the draft minutes no objections are submitted to the Secretariat, the minutes are considered as adopted.

In any case, the draft minutes will always be exposed to the Conference for final adoption.

**Article 12.** - In order to prepare the sessions of the Conference, a working group may be formed which will be chaired by a person assigned by the Chairperson of the Conference and which consists of representatives of each member of the Conference. The report of this working group will be announced to the members, in accordance with the manner prescribed in Article 5 of these Regulations.

**Article 13.** - The Chairperson of the Conference will submit the definitive agenda and adopted minutes of the Conference to all Parliaments, in a way that he determines.

**Article 14.** - These Regulations enter into force on..

## **ANNEX 5**

### **INTER-REGIONAL COOPERATION AGREEMENT ON EMPLOYMENT AND TRAINING**

**Mutual Cooperation Agreement between Actiris and VDAB on the implementation of Article 8 of the Cooperation Agreement from 15 July 2011 between the Brussels Region, Flemish Region and the Walloon Commune on the harmonization of employment policies, education, training and improving the mobility of job-seekers**

Between the **Employment Office of the Brussels Region**, hereinafter Actiris, headquartered at Anspachlaan 65, 1000 Brussels, represented by Mr. Gregor CHAPELLE, General Director, and Ms. Monica DE JONGE, Director - Head of Service, authorized signatory,

And the **Flemish Office for Employment and Professional Qualification**, hereinafter VDAB, represented by Mr. Fons LEROY, authorized member of the Managerial Board,

In accordance with the Special Law on the Sixth State Reform from 6 January 2014, specifically Article 51, with which Article 4bis was added to the Special Law on Brussels Institutions from 12 January 1989;

In accordance with the Rulebook on the Organization and Functioning of the Employment Office of the Brussels Region from 18 January 2001<

In accordance with the Decree on establishing an external independent agency based on public law "Flemish Office for Employment and Professional Qualification" from 7 May 2004";

In accordance with the Cooperation Agreement from 15 July 2011 between the Brussels Region, Flemish Region and the Flemish Commune on the harmonization of employment policy, education, training and improving the mobility of job-seekers;

In accordance with the Framework Agreement for developing an additional offer of professional qualification in the Brussels Region from 20 October 2014, concluded between Actiris and VDAB on the implementation of the sixth state reform;

In accordance with the Mutual Cooperation Agreement from 7 July 2010 between Actiris and VDAB "as part of harmonization and adoption of support activities for job-seeking with a training component";

In accordance with the Mutual Cooperation Agreement from 7 February 2013 between Actiris and VDAB on implementing Article 8 of the Cooperation Agreement from 15 July 2011 between the Brussels Region, Flemish Region and the Flemish Commune on the harmonization of employment policy, education, training and improving the mobility of job-seekers;

**The following is agreed:**

**Article 1 §1.** Actiris may give a mandate to VDAB to organize and implement the provision of support to Brussels-based job-seekers who have expressed their wish to follow the process of professional integration in Dutch at VDAB.

training, and related to the outflow of job-seekers after finding work.

**Article 3.** When implementing Article 8 §3 of the Cooperation Agreement from 15 July 2011, Actiris and VDAB will participate in a working group which will be established in December 2012 at the initiative of VDAB-Brussels, for the wellbeing of the students at the centres for "extraordinary work-based learning - formation en alternance" and "apprenticeship - Apprentissage". This working group consists of representatives from VDAB, Actiris, Syntra Vlaanderen, ROP Brussels and the Flemish Minister of Education, and it will compile a Cooperation Protocol in order to implement Article 141 of the Decree from 10 July 2008 on the system of education and work in the Flemish Commune in order to adjust the activities for this target group to the situation in Brussels.

This Cooperation Protocol will formalize the current cooperation which actually exists in the Brussels Region between the institutions involved in providing support and employing this target group.

**Article 4.** While implementing Article 8 §4 of the Cooperation Agreement from 15 July 2011, Actiris and VDAB will investigate together how they can conclude an agreement on the manner and support for inter-regional mobility in relation to contracts for work practice and apprenticeships.

**Article 5.** This Mutual Cooperation Agreement supersedes the Cooperation Agreement which the Parties signed on 7 February 2013. The Agreement enters into force on the date of signing and is concluded for an indefinite time period.

**Article 6.** This Agreement may be terminated by one Party via registered letter, while observing the termination period of three months.

Concluded in Brussels on 1 July 2015 in three original copies, signed by each Contracting Party, whereas each Party states that it has received one copy.

For VDAB:

Fons LEROY

Authorized member of the  
Managerial Board

[signature]

For Actiris:

Grégor CHAPELLE

General Director

[signature]

Deputy General Director:

on his behalf: Monica DE JONGE

Director - Head of Service

[signature]