

Newsflash

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Employment, Social Security and Immigration Law

Indexation of salary levels related to authorisations to employ foreigners and work permits granted to foreign nationals (from outside the EEA)

In application of article 131 of the law of 3 July 1978 on employment contracts and article 9 of the Royal Decree of 9 June 1999 enforcing the law of 30 April 1999 on the employment of foreign nationals (as modified by the Royal Decree of 6 February 2003), salary levels taken into account for issuing authorisations for the employment of foreign nationals and work permits for highly qualified foreign employees or executives who have a management position in Belgium, are linked to the index of contractual salaries. Such levels are therefore reviewed each year.

From 1 January 2008, authorisations to employ foreigners and work permits for foreign nationals are issued for:

- highly qualified foreign employees, whose employment in Belgium is, in principle, limited to four years (but can be extended for another 4 years), even if suitable labour can be found in Europe to fill the vacancy, as long as their gross salary exceeds € 34,261 per year;
- foreign executives who hold a management position, as long as their gross salary exceeds € 57,162 per year.

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