

# DETERMINATION OF PUBLIC HOLIDAYS IN



## 1 THE PUBLIC HOLIDAYS IN 2016 ARE:

Friday 1 January .....	New Year	Thursday 21 July .....	National Day
Monday 28 March .....	Easter Monday	Monday 15 August .....	Assumption
Sunday 1 May .....	Labour Day	Tuesday 1 November .....	All Saints' Day
Thursday 5 May .....	Ascension Day	Friday 11 November .....	Armistice Day
Monday 16 May .....	Whit Monday	Sunday 25 December .....	Christmas Day

## 2 REPLACEMENT IN THE COMPANY OF PUBLIC HOLIDAYS THAT COINCIDE WITH A NON-WORKING DAY

- The public holiday of Sunday 1 May is replaced by: .....
- The public holiday of 25 December is replaced by: .....
- If the non-working day in the company is not a Saturday but another day, the following public holiday(s) is (are) replaced as follows: .....

### ! REMINDER

- If a public holiday coinciding with a normal working day falls in a period of annual leave, the public holiday shall fully retain its quality and shall not be replaced by another working day that falls outside the period of leave.
- If a public holiday coincides with a normal non-working day in the company (for example a Monday in the hairdresser's sector), this public holiday must be replaced as well.

## 3 TIME OFF IN LIEU WHEN WORKING ON A PUBLIC HOLIDAY (ART. 11 AND 12 OF THE ACT OF 4 JANUARY 1974)

When working on a public holiday, the time off in lieu shall be granted following the instructions below:

- the time off in lieu shall be granted within 6 weeks after the public holiday;
- if worked more than 4 hours, a full day of time off in lieu shall be granted;
- if not worked more than 4 hours, half a day of time off in lieu shall be granted. This shall be done before or after 1 p.m. and on that day, the worker can only work 5 hours at the most;
- if the worker is employed part-time, the time off in lieu shall equal the real working time of the worker on that public holiday;
- the time off in lieu shall be taken during the working time;
- if the time off in lieu cannot be granted during the given period because the contract was suspended (for example by reason of illness), the time off in lieu shall be granted within 6 weeks after the end of the suspension;
- if a notice leave has been given, the time off in lieu shall be granted before the end of the notice leave.

Drawn up at ..... on .....

Signature of the workers'  
representative(s)

Signature of the employer  
or his representative

# Regulation on public holidays in 2016

For 2016 the 10 public holidays are determined as follows:

Friday 1 January .....	New Year	Thursday 21 July .....	National Day
Monday 28 March .....	Easter Monday	Monday 15 August .....	Assumption
Sunday 1 May .....	Labour Day	Tuesday 1 November .....	All Saints' Day
Thursday 5 May .....	Ascension Day	Friday 11 November .....	Armistice Day
Monday 16 May .....	Whit Monday	Sunday 25 December .....	Christmas Day

## Replacement for public holidays in 2016 that coincide with a Sunday or a normal non-working day

The Act of 4 January 1974 with regard to the public holidays makes it compulsory that a public holiday coinciding with a Sunday or a normal non-working day is replaced by a normal working day. For a replacement day, no compensation corresponding to the wage of a working day can be paid. Companies that are working **the first 5 days of the week must not forget to replace** Sunday 1 May and Sunday 25 May 2016 by another day.



Moreover, if the normal non-working day in the company is not a Saturday, the following public holiday(s) will be replaced as follows:

.....  
.....

## Replacement guidelines

The Act of 4 January 1974 stipulates that a public holiday must be replaced according to one of the following procedures:

- for the whole sector: by a decision of the joint committee prior to 1 October 2015, rendered mandatory by Royal Decree (this procedure is normally observed by the banking sector);
- in default thereof, at company level by a decision of the works council or, in default thereof, by an agreement with the trade union delegation or, in default thereof, by an agreement between the employer and the workers prior to 15 December 2015;
- if there is no agreement within the company, by an individual arrangement between the employer and the workers individually.

If the replacement days are not determined according to one of the above-mentioned procedures, public holidays coinciding with a Sunday or a normal non-working day are in all cases **replaced by the first normal working day following that public holiday**.

## Notification to the workers

Pursuant to the Act of 4 January 1974 (art. 13), the employer is obliged to post on a visible location on the company's premises a signed and dated notification in which the replacement days of the public holidays for 2016 are stated as well as the implementing rules for the time off in lieu if the worker works on a public holiday. A model document of such a notification can be found on the next page.



**REMARK** A copy of the notification must be sent to the Supervisory Board on the social legislation (Federal Public Service Employment, Labour and Social Dialogue) of the location where the company is established (place of business)..

## Information for the Payroll Office

The public holidays are preprinted on the time sheet. However, the employers are requested to put the ad-hoc codes against the days in replacement for public holidays that coincide with a Sunday or a normal non-working day and the days off in lieu.