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Quality of jobs and services in the Personal care and Household Services sector in Belgium

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INTRODUCTORY NOTE

This report has been prepared, reviewed and finalised through the research of its authors, the contributions and suggestions of the project partners, the suggestions and remarks made by the participants-members of partners' organisations at the regional seminars (Rome / Brighton / Vienna 2015) and by the Advisory Board members (AGE Platform, Eurofound). The authors wish to thank warmly all these persons for their time and contribution. The report presents the personal care and household services sector in the country at stake and in the framework of the For quality! project objectives, following the methodological grid validated by the consortium, without being exhaustive. Authors have tried to incorporate corrections and comments that were reported to them during this process. However, the content does not necessarily reflect the vision of the project partners who are not responsible for the information contained in this report.

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INTRODUCTION

In Belgium, the multitude of activities related to the personal care and household services sector fall under the expression of “proximity services”, which first appeared in the 1980s. There is no legal definition of this sector in Belgium. Laville and Nyssen (2000) consider proximity services to be “*services responding to individual or collective demands on the basis of a proximity which is either objective, as it is limited to a restricted environment, or subjective, as it reflects the relational dimension of the service*”¹.

This expression designates an important variety of services such as household activities, child care, the maintenance and development of collective spaces in run-down neighbourhoods or even personal care services rendered in the homes of dependent or vulnerable individuals².

Despite the lack of a general legal definition, the sector may be broken down into two major categories:

- **Care and support services for senior citizens, sick, handicapped individuals as well as all persons with limited independence** wishing to remain in their homes will be described in greater detail below. Since the 6th Reform of the State, these family care services come under a common regionalised responsibility and are exclusively assured by public or non-profit organisations.
- **Household services**, which are largely dominated by the ‘**titres-services**’ **scheme** (or **voucher system**) - introduced in 2004 at the federal level according to a “quasi-commercial” model. This demand-subsidising system is limited to a specific list of activities for any person wishing to use it through a voucher system entitling the users to tax benefits. This system has also been regionalised.

These two components taken together constitute the sector of personal care services in Belgium, and the present report describes a selection of their modalities and specificities.

¹ Henry, A., Services de proximités, Centre d'économie sociale, université de Liège, Rubrique « Économie sociale ? », <http://bit.ly/1GbNVPE> (08/04/2015)

² Laville J.L., Nyssens M. (2000), "Solidarity-Based Third Sector Organizations in the "Proximity Services" Field: a European Francophone Perspective", *Voluntas*, 11-1, pp. 67-84.

1. POLICIES AND REGULATIONS

Care and assistance services for families and dependent persons

Care services for families, senior citizens and/or persons with disabilities depend on the local authorities defining and executing welfare policies. The services are provided by public structures (CPAS, inter-authority organisations ...) or non-profit organisations (ASBL, private foundations).

Service providers enrol in a “tutelary” regulation, as the provision of services is financed and regulated by a public authority. This public regulation aims at guaranteeing access to services for vulnerable persons (families, senior citizens or persons with disabilities) through regional decrees while simultaneously imposing standards for their supervision and professionalization³.

- Brussels

Care services for French-speaking families and senior citizens are licensed by the French Community Commission (Commission communautaire francophone, COCOF) in accordance with the decree of 27 May 1999 on licensing and granting subsidies for at-home care services. The Common Community Commission (Commission communautaire commune, COCOM) is the legislator for bilingual institutions, which are the most numerous in Brussels. Finally, the Flemish Community plays the main role for Dutch-speaking institutions in Brussels (Flemish Community Commission, COCON)⁴. The decree of 5 March 2009 on providing outpatient services in the field of welfare services, family and health services defines and governs at-home care services.

- Wallonia

Care services for families and senior citizens (care in daily life and/or at-home care) are recognised and subsidised by the Wallonian government on the basis of the decree of 6 December 2007 on care services for families and senior citizens. This decree indicates that care may extend to carers closely related to the recipient in the form of guidance, support in daily hygiene, handling, an educational capacity or administrative tasks for the person receiving such care.

- Flanders

Proximity services in Flanders are recognised in the form of the “locale diensteneconomie” (local services economy) in the decree of 22 December 2006. These services have a twofold

³ Defourny J. *et al*, « Les titres-services : quelle qualité d'emploi et d'organisation de service ? », *Regards économiques*, n°69, avril 2009, p.3

⁴ Pour la solidarité, Les services de proximité en Belgique, Collection working paper, Novembre 2012, p.9

objective: responding to local demand and the needs while simultaneously creating employment for persons remote from the labour market. These services may come in the form of at-home assistance and care, childcare, transport services ...⁵. The “woonzorgdecreet” (decree on at-home care) of 13 March 2009 regulates residential and proximity care services in Flanders and governs at-home care, residential care, new forms of at-home care for senior citizens⁶.

There are *various types of service providers* providing care services for families and dependent persons in Belgium such as:

Coordination centres for at-home care and assistance services (Centres de coordination des soins et de l'aide à domicile, CCSAD) are part of the regional sphere of competence. In consultation with the attending physician⁷, a CCSAD - either internally or by agreement - provides a series of outpatient services and takes over planning for the various players involved in line with the wishes and needs of the recipient as well as his/her resources. The services are largely covered by the mutual health insurance and the recipient finances the services in line with his/her income. These services are intended for anyone irrespective of his/her income level, age, the duration or even the scope of temporary or chronic invalidity of the requesting party.

At-home care services (Services d'aide à domicile, SAD) provide at-home services in the Wallonia-Brussels region. They are executed in a non-profit private or public scheme and may be regrouped in a coordination centre. Certain SAD provide a portfolio of services under the management of the same employer (internal coordination), others outsource some services through agreements with other independent structures (external coordination). These organisations offer different care services provided by various categories of professionals: household care, family care, care for senior citizens, at-home care but also care provided by nurses. Their funding is strictly limited.

Familiehulp (literally “care for the family”) is the most important service provider for families in Flanders. It is an independent non-profit organisation, which is characterized by the fact that it does not restrict its activities to a single type of service and proposes a large range of at-home services in all Flemish communities and in Brussels: cleaning, childminding, care during maternity leave, psychosocial care, services and care for senior citizens... It is nonetheless important to note that the majority of services proposed concern the care of families and senior citizens.

⁵ Pour la Solidarité, *Op. Cit.* p13.

⁶ Pour la Solidarité, *Op. Cit.* p13.

⁷ Dubourg D., Les services pour personnes âgées en Wallonie, offre et utilisation. *Wallonie Santé*, n°5, Namur (Jambes), 2014.

Care services for families and senior citizens (Services d'aide aux familles et aux personnes âgées, SAFPA) are rendered by public or social economy-based service providers proposing services in connection with social action but also through the titres-services scheme (voucher system)⁸. They are active in Wallonia in the homes of families and senior citizens incapable of managing the activities of their day-to-day lives alone. Their objective is to give preference to keeping and/or returning senior citizens as well as persons with disabilities or persons living alone in their homes, when they demand it. The services may come in different forms: hygiene, shopping, household work, meals-on-wheels...

The 'titres-services' system

The Act of 20 July 2001 on promoting the development of services and proximity employment forms the basis of this voucher system. Article 10 of the Act defines the titres-services scheme as *"a payment voucher [...] enabling the user to manage a provision of work or proximity services realised by a licensed provider with the State providing financial care in the form of a consumer subsidy"*⁹. This system was implemented by the Federal State became effective nationwide in 2004. The system has the following objectives:

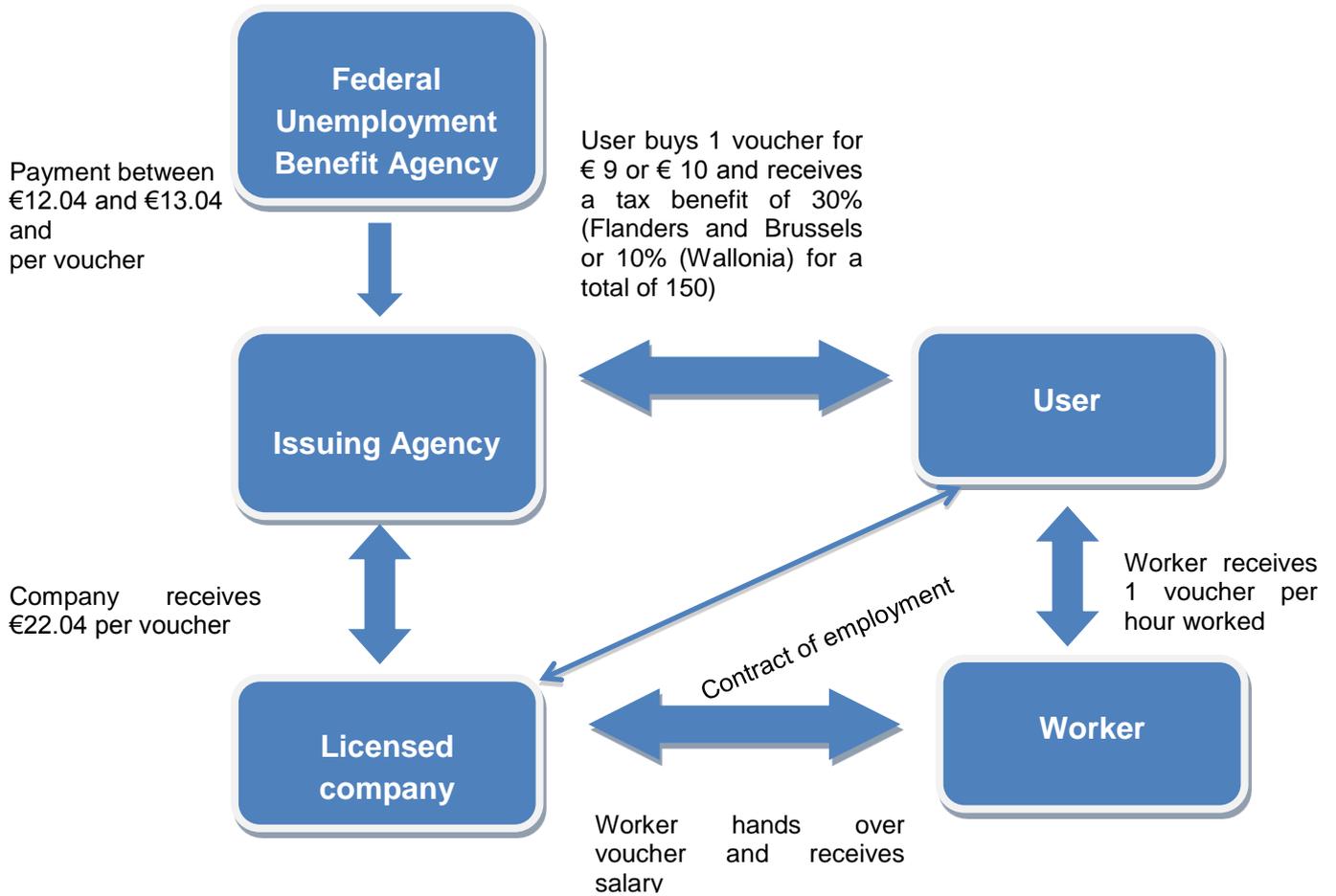
- Creating new jobs, particularly for low-skilled workers.
- Turning undeclared work into regular jobs.
- Offering the unemployed the opportunity to get real employment contracts.
- Improving users' work/life balance by proposing the external provision of household work.

The titres-services system may be considered as public authorities subsidising demand, reducing the user's cost for the services rendered at his/her home. Any person living in Belgium may purchase such vouchers from an issuing organisation, and these will then enable the person to get access to household services provided by a licensed company. Each voucher corresponds to one hour of work. The system is based on a triangular labour relationship consisting of the employer (the licensed company), the user (the private individual receiving the service) and the worker. The user hosting the worker at his/her home to carry out household services is not the worker's employer¹⁰. The worker hands over the vouchers to the licensed company (the employer) who returns them to the issuing organisation (in charge of reimbursing the vouchers). Through the issuing agency, ONEM transfers a sum of EUR 22.04 per voucher to the licensed agency. This sum is to cover the cost of the salary (gross salary including salary-related benefits such as paid annual leave and extralegal benefits) as well as other expenditure such as training, transportation as well as insurance costs.

⁸ Defourny J *et al. op. cit.* p3.

⁹ Loi coordonnée du 20 juillet 2001 visant à favoriser le développement de services et d'emplois de proximité.

¹⁰ Formaliser le travail domestique par l'utilisation des chèques services, OIT, 2013



Source : Pour la Solidarité, 2012

The titres-services system is a quasi-commercial type of regulation and based on competition between the licensed providers.

Typology of providers in the titres-services system:

	Social Economy Sector			Public Sector		Commercial Private Sector	
Mission	Integration	Home help/care	Undetermined	Integration	Home help/care	For-profit	For-profit
Providers	Work integration social enterprises, etc.	Associative support to families and older persons (SAFPA)	Associations ('ASBL')	Local Agencies for employment (ALE), Municipal social welfare centre (CPAS)	Associative support to families and older persons (SAFPA) (CPAS)	Temporary agencies	Private limited company (SPRL)
Category	Social (integration) economy	Personal care associations	Other Social economy initiatives	Public integration economy	Public personal care initiatives	Temporary agencies	Commercial private sector w/o temporary agencies
Regulation	Quasi-Commercial						
	Tutelary	Tutelary			Tutelary		

Source: Defourny, J. et.al. "Titres-service: Quality of employment and service organization?", Regards économiques, no. 69, April 2009

The last line of the table underlines that certain licensed companies, which are already active in the care and assistance services sector for families and dependent persons or as integration providers, also supply services within the titres-service system. For integration companies, the titres-service voucher system is a tool facilitating the re-integration of low-skilled persons into employment.

2. EMPLOYMENT QUALITY AND WORKING CONDITIONS

For care services for families and dependents, it is difficult to get statistics, as there are a wide variety of players, and it is difficult to get aggregate data or to even allocate them clearly to the sector. It may nonetheless be noted that in 2013, 36,972 workers depended on Parity Commission 318 for care services to families and senior citizens¹¹.

According to ONEM data, 49,782 individual workers were active in the **titres-service voucher system** in the course of 2013¹². At the end of the same year, 110,878 workers were still under contract¹³. Employment within the titres-service voucher system represented 4.2% of total employment in Belgium¹⁴.

2.1. Career guarantee and employment security

Professional status

Care services for families and dependent persons are provided by various professionals providing care for everyday activities with each one having a specificity responding to a particular need of the recipient. *“Care for daily activities supports individuals of all ages (having lost their independence, being ill or handicapped) or families with difficulties in managing the tasks of their daily lives. The care allows such persons to stay in their homes and maintain their independence while ensuring an optimum quality of life”*¹⁵

Care to families or senior citizens accompany the recipient in all activities of daily life; household care will keep up the recipient's home and give them moral support; the person staying in their home ensures a continuous presence and the recipient's surveillance; the multi-skilled worker carries out simple, manual and technical tasks to improve the recipient's life ... The statute for professionals in the sector is regulated and determined in line with Federal entities and differences become apparent. To give one example: there is no statute regulating at-home services in the Brussels-Capitale region¹⁶. The existence of various statutes leads to the idea that the professions are clearly structured with clearly delimited tasks. But the reality on the ground shows that the breakdown of tasks between the various at-home care professionals is sometimes blurred in practice.

¹¹ Palsman Robert, Personal and household services in Belgium, European Commission, June 2015, p. 4

¹² Ces chiffres proviennent des réponses des entreprises au recensement imposé par l'ONEM

¹³ Maarten, G., Romainville, J., Valsamis, D. (c) Évaluation du système des titres-services pour les emplois et les services de proximité 2013, rapport final, IDEA Consult, 28 novembre 2014, p.33.

¹⁴ *Ibid.* p.36

¹⁵ Peters E. et Lebegge S., « *l'aide et les soins à domicile, le défi de l'interdisciplinarité* », Fédération des maisons médicales et des collectifs de santé francophones asbl, 1 avril 2013. <http://bit.ly/1LHWE9h> (12/10/2015).

¹⁶ *Ibid.*

Under the titres-service voucher system, the worker paid with service vouchers has a 'service vouchers employment contract', may be fixed-term or permanent, full-time or part-time. A worker can serve several successive fixed-term employment contracts with the same employer for a limited period of three months, and the company must automatically propose its employee a permanent employment contract at their and. In 2013, 54,493 permanent employment contracts (CDI) and 124,007 fixed-term contracts (CDD) were concluded (i.e. 30.5% CDI contracts versus 69.5% CDD contracts). Compared to 2012, the number of permanent contracts decreased significantly by -5% and the number of fixed-term contracts decreased by half (-53%). This drop may be considered as a negative development, but also as a sign of stability of the system in which a large number of workers are already employed with permanent contracts¹⁷. Signing such a contract gives the worker the status of titres-service worker.

- Existence of collective agreements

In Belgium, working conditions and remuneration are fixed in Parity Committees which are the place for negotiations between unions and employers associations from the same private sector. The Parity Subcommittees are subdivisions of the Parity Committees established for a region or a specific business sector. Each Parity Committee concludes its own agreements on remuneration and working conditions (annual leave, year-end bonus, other benefits...) as well as training opportunities. In the Parity Committees, the social partners conclude collective agreements.

Concerning care services for families and dependent persons in Brussels and Wallonia, at-home care services are regulated by Parity Committee 318 for care services to families and senior citizens, the "competent unit for workers in general and their employers". There are two Parity Subcommittees: 318.01 for the French communities, the Wallonia region and the German-speaking community and Parity Subcommittee 318.02 for the Flemish community. The collective agreement of 16 September 2002 which was concluded for an indefinite term, establishes working conditions, remuneration and the indexation of the remuneration for personnel working in care services for families and senior citizens subsidised by the Wallonia region.

For workers in the titres-service voucher system, their minimum salaries are fixed in the collective agreements concluded by joint committees established for the licensed company or even by the company itself, and a deviation from such an agreement is prohibited. The titres-service sector is consolidated and now generally considered as a formal professional sector. Non-wage benefits are often added to the provisions laid down in the collective agreements. They are the result of agreements adopted by the competent Parity Committees or directly introduced by the companies.

¹⁷ *Ibid.* p.48.

- Profile of titres-service workers

Overview of the characteristics of titres-service workers in 2013

		Total (N = 149,782)	Brussels (N = 120,304)	Flanders (N = 89,770)	Wallonia (N = 138,708)	Outside Belgium (N = 1,000)
Gender	Male	2.6%	4.5%	2.5%	1.9%	4.9%
	Female	97.4%	95.5%	97.5%	98.1%	95.1%
Age (in years)	< 30	19.0%	17.6%	19.4%	18.9%	16.2%
	30 - 39	28.0%	32.8%	26.0%	27.9%	28.4%
	40 - 49	30.1%	28.9%	29.1%	33.1%	34.0%
	>= 50	22.9%	20.7%	24.7%	20.1%	21.4%
Education level	Low-skilled	54.2%	62.0%	50.3%	59.3%	64.5%
	Medium-skilled	41.9%	32.1%	46.2%	37.2%	32.1%
	High-skilled	3.9%	5.9%	3.6%	3.4%	3.4%
Nationality ³⁷	Belgium	71.9%	22.9%	77.7%	85.3%	19.7%
	EU-27 (w/o Belgium)	20.1%	56.4%	15.3%	10.9%	79.4%
	Non-EU-27	8.0%	20.7%	7.1%	3.8%	0.9%

Source: IDEA Consult based on the ONEM database (2013), breakdown acc. to the workers' residence, p. 37

An action introduced in August 2012 aims at the employment of certain groups to reduce the net cost of the titres-service voucher system for public authorities. Companies of the sector are encouraged to employ 60% unemployed and/or recipients of integration incomes. Counting only workers entering the system in 2013: 53.7% of the workers newly employed were unemployed or received integration income. This rate was achieved in Wallonia with 66% of the newly recruited personnel according the above measure. Brussels quotes a share of 45% unemployed or recipients of integration income among the newly recruited personnel¹⁸.

- Regulation of the black-market economy

The regulation of the black-market economy was one of the primary objectives of the titres-service voucher system. When looking at the positive development in the number of workers entering the system as well as the increase in the number of active users in the system since its establishment, it is possible to conclude that the introduction of the titres-service voucher system contributed to the regulation of the black-market economy. On the one hand, the system thus led to some of the workers regularising their situation to benefit from the advantages of the system, and on the other hand it encouraged the users to resort to licensed service providers to

¹⁸ Maarten G., Romainville J. et Valsamis D. (b) Évaluation du régime des titres-services pour les services et les emplois de proximité 2012, IDEA Consult, décembre 2013, p. 46

benefit from tax deductions. The reduction of tax breaks for the voucher system to only 10% in Wallonia since 1 January 2015 resulted in a price increase. Unitis (the union for titres-service companies) is concerned that the sector will once again slide towards black-market work in the region¹⁹.

Income and wages

In Belgium, minimum remunerations are fixed through agreements and this is primarily the task of the Parity Committees. The collective agreements (CCT) concluded in these committees include provisions to determine the general basis for the revenue calculation in the various qualification levels, functions and seniorities. The wage scale represents the gross salary. According to Parity Subcommittee 318.01 and by way of example, the following table features some figures from the 2013 wage scale for the care personnel for families and senior citizens for services subsidised by the Wallonia region as well as titres-service workers.

Function	Titres-service worker		Multi skilled worker/household help		Family care worker/at-home care	
	Hourly	Monthly	Hourly	Monthly	Hourly	Monthly
0	EUR 10.7198	EUR 1765,19	EUR 10.7198	EUR 1765,19	EUR 11.6398	EUR 1916.69
10	EUR 11.9079	EUR 1960,83	EUR 12.8897	EUR 2122.50	EUR 13.4133	EUR 2208.72
20	EUR 11.9079	EUR 1960,83	EUR 12.8897	EUR 2337.63	EUR 15.2220	EUR 2506.58
29	EUR 11.9079	EUR 1960,83	EUR 12.8897	EUR 2531.25	EUR 16.4647	EUR 2711.18

Source: <http://www.cne-cng.be/>: <http://bit.ly/1GLDfZA>

According to the Social Security agency/ONSSAPL and based on yearly wages and the number of hours worked, a **titres-service worker** earned an average gross salary of € 11.06/ hour in 2013 representing an increase of 2.2% (i.e. EUR 0.24/hour) compared to 2012²⁰. The effective daily wage depends on the number of hours worked per day (3 hours is the required minimum). In the sector, the number of full-time jobs is well below the number of part-time jobs. In 2013, 64% of the titres-service workers were employed with less than half of the full-time hours, and a quarter of them were employed between half the full-time hours and full-time. Only 11.1% of the workers had full-time employment.

¹⁹ Le VIF, Rubrique "Actualité": <http://www.levif.be> : <http://bit.ly/1losias> (05/06/2015)

²⁰ Maarten G., Romainville J. et Valsamis D. (c) *op. cit.*, pp. 49-50

Social protection

Any worker under the titres-services system is protected by the Belgium social security scheme in the following categories: sickness and maternity benefits, benefits for accidents at work and occupational diseases, disability benefits, old-age benefits, unemployment benefits, and family benefits.

- Workers' rights

Collective bargaining rights

Concerning **care services for families and dependent persons**, the professionals of the sector are also represented by various unions such as CSC or FGTB. As regards the household help for families and senior citizens governed by Parity Committee 318.01, the Social Fund for household helpers and helpers for senior citizens also organises the funding for trade union training for workers wishing to have such training²¹.

Titres-service workers are organised by the CSC food and services union, which is affiliated to the Christian Trade Union Confederation (CSC-ACV), and in various sections of the Fédération de Travail in Belgium (FGTB-ABVV Horaval and FGTB-ABVV Centrale Générale)²². CSC-ACV has more than 30,000 titres-service workers among its members. 3,700 titres-service workers are organised by FGTB-ABVV Horaval and another several thousand are members of FGTB-ABVV Centrale Générale²³. A trade union delegation may be set up in any licensed titres-service company, when it employs no less than 20 workers.

Non-discrimination

The European directive of 2000 on the principle of equal treatment has been transposed into Belgian law in the Act of 10 May 2007²⁴. This Act has a wide scope and is intended primarily for employment in both the private and the public sector²⁵.

In the titres-service voucher system, the majority of foreign workers in the system show that access to employment in this system does not seem to lend itself to discrimination at recruitment. But this may be true for demands made by the user. A study by Minderhedenforum

²¹ APEF asbl, Mémento du Fonds Social des Aides Familiales et Seniors, <http://www.apefasbl.org> : <http://bit.ly/1NtT4Fe> (5/11/2015)

²² EFFAT, promouvoir les relations industrielles dans le secteur du travail domestique en Europe, Fév. 2015, p.23.

²³ *Ibid.*

²⁴ Centre interfédéral pour l'égalité des chances, Rubrique « législation » <http://www.diversite.be> : <http://bit.ly/1zKhK1A> (4/11/2015)

²⁵ Portail belgium.be, Rubrique « lutte contre les discriminations au travail » <http://www.belgium.be> : <http://bit.ly/1NdW9VE> (4/11/2015)

(the Minorities Forum) showed that two thirds of the licenced companies in Flanders responded positively to discriminatory demands by their clients²⁶. The arguments presented by the companies responding positively to such discriminatory demands are based on the following logic: to the extent that the services proposed are provided in the user's private sphere, the client is king in his/her approach despite the fact that discriminatory demands are prohibited by law, and this applies both to clients and to the companies carrying out a targeted search for employment candidates according to a logic anticipating such demands from their clients²⁷.

2.2 Skills development and professionalization

Access to vocational training in the titres-service voucher system

A titres-service worker does not have to have a specific qualification to work. The qualification turns out to be important nonetheless, and since 2007 measures have been taken to facilitate access to vocational training for titres-service workers.

Regional training fund (formerly: Federal training fund): The Federal training fund came into force in 2007 and aims at increasing the level of training of titres-services workers. With the 6th Reform of the State, the fund was regionalised and replaced by regional training funds. They provide an opportunity for companies to organize internal or external training for their workers on the tasks they have to perform. Since September 2009, the fund also pays for first-aid training. Three types of training are available: internal, external or on-site. Depending on the category, companies can get a partial reimbursement of training costs from the training fund.

Since 1 October 2013, all titres-service companies can receive € 150 or € 350 on top of the training budget allocated to the titres-service company, when a new worker from the 60% target group (unemployed or recipient of integration income) follows a training course of no less than 9 or 18 hours in the three months following his/her recruitment. The worker has to follow one or more external training courses given by a registered service provider/training Institute²⁸.

Sectoral training fund (Form TS): created in 2009 by the social partners of the sectors, the Sectoral training fund is intended for all employers and workers governed by Parity Subcommittee 318.01. It is funded by a quarterly fee of € 0.20 on the salary. For any company within the competence of Parity Subcommittee 318.01, a collective training of 12 hours per full-

²⁶ L'Echo, « Pas de femmes de ménage allochtones, SVP », <http://www.lecho.be/> : <http://bit.ly/1FHJF7m> (08/04/2015)

²⁷ Centre interfédéral pour l'égalité des chances, « Discrimination dans le secteur des titres-services », mars 2012, <http://bit.ly/1dRGKAr> (05/06/2015)

²⁸ Service public fédéral Emploi, Travail et Concertation sociale <http://www.emploi.belgique.be> : <http://bit.ly/1GOB1YX> (30/10/2015)

time equivalent (ETP) is mandatory²⁹. Furthermore and according to the Protocol for the training of new titres-service workers which entered into force on 1 September 2014, the Sectoral training fund ensures the funding for a minimum of 9 hours (and a maximum of 18 hours) of mandatory training for any new worker³⁰. The training focuses on the following subjects: ergonomics, relations to the client, ironing, organisation of work at the client's home, knowledge of products, health and safety.

Regarding care services and household helpers for families and dependent persons, household helpers must hold a recognised diploma, which may be obtained in the regular education system or in social advancement courses or registered training centres. Family helpers or helpers for senior citizens may go through a career development depending on their organisation (family welfare helpers, expert family helpers ...), but such developments often remain dependent on internal initiatives within the employee's structure. Experienced household helpers have an opportunity of becoming tutors for the new recruits. Even though there is a regulatory framework in Wallonia for tutoring household helpers, this is not the case in Flanders. Since 2010, the Maribel fund of household helpers supports the social advancement training and allows household helpers to become family helpers or at-home carers thus enabling their career advancement³¹.

This type of measures must be developed to make training and career advancement at various levels more accessible for the workers in the personal care sector. Furthermore and if certain occupations such as family helpers or helpers for senior citizens are regulated by law, others such as household helpers or multi-skilled workers are a lot less regulated.

Recruitment and staff shortage

Compared to the total number of workers in the **titres-service voucher system**, the number of new entrants has decreased gradually since 2010 passing from 29.3% (i.e. 40,094 new entrants) to 18.8% (i.e. 28,227) in 2013. This fact applies to all types of companies. The first factor is offset by a peak in the number of titres-service vouchers purchased which shows an increase of working hours per worker³². The number of licensed companies and the number of active companies also decreased between 2012 and 2013 from 10% to 6% respectively. After nine years, the employment potential in the system has stabilised. This decrease over time shows the stabilisation of employment in the system.

²⁹ Fonds de formation sectoriel Titres-services <http://www.formationtitresservices.be> : <http://bit.ly/1LFY3jS> (30/10/2015)

³⁰ *Ibid.* <http://bit.ly/1jWtCNn> (30/10/2015)

³¹ APEF asbl, <http://www.apefasbl.org> : <http://bit.ly/20wWhJB> p.20 (5/11/2015)

³² Maarten G., Romainville J. et Valsamis D. (c) op. cit, p.34

For care services and help for families and dependent persons, the creation of new jobs is primarily supported by the Maribel social fund for the promotion of employment in the non-commercial sector to respond to the needs of the sector (and especially the need for personal care services) and to improve the quality of services. Employers create new employment (only employment for an indefinite period) financed by reduced employer contributions, which have previously been mutualised in the Sectoral funds³³.

Contributions to the Maribel social fund for helpers for families and senior citizens are governed by Parity Subcommittee 318.01 in ETP (December 2013):

Wallonia	252.13
Brussels (FR)	56.92
German-speaking community	3.69
Total	312.74

Sources: APEF asbl: <http://www.apefasbl.org>: <http://bit.ly/1Wy9ty9>

2.3. Health and well-being

According to the Act of 4 August 1996 on the well-being of workers at work (also known as the "Well-being Act"), every employer in Belgium must integrate well-being principles (security at work, protection of the worker's health, psychosocial aspects of work, ergonomics, occupational hygiene) in the management of his/her company.

The Royal Decree of 28 May 2003 on the monitoring of workers' health generally regulates the tasks and duties of the employer and the occupational doctor with respect to mandatory medical check-ups.

The Royal Decree of 10 April 2014 on the prevention of psychosocial risks at work concerns, among others, a risk analysis and preventive measures as well as various procedures available for workers believing to have suffered damages following an exposure to psychosocial risks at work. It lays down a general framework for the prevention of psychosocial risks at work, whereas only violence and moral or sexual harassment at work had been considered before. It refers to and specially develops all provisions of Collective Agreement No. 72 of 30 March

³³ Service public fédéral Emploi, Travail et Concertation Sociale, Rubrique « mesures d'emploi » <http://www.emploi.belgique.be> : <http://bit.ly/1Pp79DT> (5/11/2015)

1999, which was agreed in the National Labour Council and concerned the management of work-related stress prevention. It became mandatory by the Royal Decree of 21 June 1999³⁴.

More specifically, Belgium ratified ILO Convention No. 189 on decent work for household workers in June 2015³⁵.

Concerning explicitly housekeeping services, Article 9 of the Royal Decree of 12 December 2001 on the titres-services system explicitly refers to the well-being of employees when performing their functions. The licensed company must always, in its capacity as employer, comply with its obligations for the well-being of workers. The company and not the user have the ultimate responsibility under penal law when it comes to the application of the rules on well-being at work. The most recent data on the sick leave of **titres-service workers** date from 2011 following the 2012 annual evaluation report on the titres-service voucher system. According to the data collected among titres-service workers, the total number of hours missed for sickness in 2011 (without considering absences due to work-related accidents or maternity leave) underline their significant increase in comparison to 2007. 28% of the workers stated that they had never been absent due to sickness in 2011 (versus 47% in 2007). These figures must be seen in relation to the hard work and the workload in combination with the nature of the services provided - an argument the workers present more often when they talk about their discontent³⁶.

2.4. Work/Life balance

In a survey conducted by Idea Consult in 2011 among **titres-services workers** to find out to what extent the number of hours they worked was their deliberate choice or not, 86% of the workers responded that they have chosen their hours voluntarily. These jobs are often held by women with children who want to find a balance between their family and their working lives. Certain persons also add a job in the titres-service sector as an addition to other paid employment, when the number of working hours is not sufficient to live on³⁷.

³⁴ Service public fédéral, Emploi, travail et concertation sociale, Rubrique « bien-être au travail », <http://www.emploi.belgique.be> : <http://bit.ly/1NdUGOZ> (4/11/2015)

³⁵ CGSLB, La Belgique ratifie les conventions 189 et 159 de l'OIT, 10 juin 2015 <http://www.cgslb.be> : <http://bit.ly/1MeGJk7> (4/11/2015)

³⁶ Maarten G., Romainville J. et Valsamis D. (b), *op. cit.* p.85

³⁷ Maarten, G., Romainville, J., Valsamis, D. (a) *Évaluation du régime des titres-services pour les services et les emplois de proximité 2012*, IDEA Consult, juillet 2012, p66.

3. SERVICE QUALITY

3.1. Availability and affordability of services

In order to ensure a wide availability and accessibility, **care services for families and dependent persons** are subsidised by the tutelary authorities with lump-sum amounts. For each licensed service, an annual rate of hours worked (the quota) is determined and provides the basis for the allocation of subsidies. The subsidy covers expenses for personnel, operating fees, times for meetings and training. The Brussels region subsidises the hourly quotas for family helpers and household helpers. The Wallonia region does not subsidise any hourly quota for at-home care personnel. The user's access to the services depends on his/her needs which are evaluated during an annual social enquiry and according to several criteria: composition of the family, level of dependence, intervention frequencies and modalities, income, resources, fees) and must be granted primarily to those with the greatest need in line with their physical, mental, social and financial situation. The recipient must contribute to the care provided which is calculated in relation to a scale defined by the ministry and depends on the financial situation and family-related fees.

There are a number of financial instruments on the regional or federal level to ensure access to at-homebase care services especially for senior citizens and they include:

- *Guaranteed income for senior citizens (GRAPA)* which is a benefit granted to persons of 65 years or older who do not have sufficient resources to get access to personal care services.³⁸
- *Care benefit for senior citizens (APA)*, which is a supplementary benefit to persons of 65 years or older whose reduced independence or loss of independence generates additional cost³⁹. The amount of this care depends on the person's level of independence (evaluated by a medical doctor) and the revenues of the person and his/her household.⁴⁰
- *Care insurance (only in Flanders)*: this supplementary care insurance was introduced in 2001 to provide sustainable funding for care-related needs⁴¹. It is mandatory for all

³⁸ Pour la solidarité, *op. cit.* p.24

³⁹ La réduction d'autonomie se traduit par avoir des difficultés à se déplacer, se préparer à manger et s'alimenter, faire sa toilette et d'habiller, entretenir son logement et accomplir des tâches ménagères, évaluer et éviter les dangers, avoir des contacts avec d'autres personnes

⁴⁰ Service Public Fédéral Sécurité Sociale, « allocation pour l'aide aux personnes âgées », <http://bit.ly/1LgaEYC> (12/10/2015)

⁴¹ Pour la Solidarité, *op. cit.* p.25

citizens of more than 26 years, and the amount has been fixed at € 50 since 2015. This insurance only covers non-medical fees⁴².

As regards **housekeeping services**, any person living in Belgium may have access to the titres-service voucher system, when his/her needs do not exceed the regulatory framework of the system. The nominal value for the user has been set at € 9 since January 2015. This price has gradually and repeatedly been increased in recent years and has passed from € 6.20 in 2004 to € 7 in 2008 and then to €8.50 in 2013.

In 2015, the user has the right to buy a maximum of 500 titres-service per calendar year (maximum of one thousand per household). The first 400 (800 per household) titres-service cost € 9 and the 100 additional vouchers (200 per family) cost € 10. Users with disabilities, families with a disabled minor, single-parent families with one or more dependent children as well as senior citizens receiving an allowance for help to senior citizens are entitled to a maximum of 2,000 titres-service per year at a cost of € 9 per unit⁴³.

The system is subsidised by the public authorities, and this allows the users to benefit from a tax deduction which is limited to a maximum of 150 titres-service per person and year. In Flanders and for the Brussels-Capitale region, the tax benefit amounts to 30%. Considering that tax benefit, users pay a net price of € 6.30 per titre-service⁴⁴. In Wallonia, the tax benefit was reduced to 10%. Since 1 January 2015, a titre-service for € 9 really costs € 8.10 after tax deduction⁴⁵. Persons with limited income may also benefit of a tax reduction taking the form of a “reimbursable tax credit”⁴⁶.

In 2013, the number of active titres-service users was 950,918, i.e. an increase of 6% in the number of users between 2012 and 2013. Even though the level remains relatively high, the rate of this increase is less than in previous years. The market for titres-service therefore continues to show growth potential as far as new users are concerned⁴⁷.

3.2. Comprehensiveness of services

Activities in the sector of **services for families and dependent persons** may be divided in 5 major categories and are defined by decrees:

- Care in everyday activities (mobility, shopping, meal preparation...);

⁴² Portail belgium.be, « revenus garantis », <http://bit.ly/1WWvdke> (12 /10/2015)

⁴³ Titres-services-onem.be, « quota annuel », <http://www.titres-services-onem.be> : <http://bit.ly/1GJ7e4f> (3/11/2015)

⁴⁴ *Ibid.*, « réduction d'impôts », <http://bit.ly/1MuyTSS> (29/10/2015).

⁴⁵ *Ibid.*

⁴⁶ *Ibid.*

⁴⁷ Maarten, G., Romainville, J., Valsamis, D. (c), *op. cit.* p.12

- Hygiene and health services (excluding medical care);
- Interpersonal care (dialogue, support);
- Social care;
- Educational functions (with respect to maintaining independence in everyday activities)⁴⁸.

Generally speaking, the three Belgian regions have introduced networks for **at-home care services for families and dependent persons** at the local and regional level through local centres coordinating these services. This coordination tends to add value in relation to a series of services provided at home and carried out separately by various professionals to globally respond to the needs of the recipient. This is the role of the coordination centres for care and at-home care (CASD) or the centre for at-home services.

With respect to **housekeeping services provided through the titres-service voucher system**, the list of services provided is strictly defined by the regions and limited to household tasks at the user's home or outside his/her home.

Services proposed inside the user's home are:

- cleaning;
- washing;
- ironing
- small sewing tasks;
- meal preparation.

Tasks outside the user's home are:

- ironing and small sewing tasks carried out at the employer's premises;
- shopping for the user;
- transporting persons with reduced mobility⁴⁹.

Following the regionalisation of the system, the activities proposed have not changed⁵⁰.

⁴⁸ Garner H., Lethereau-Morel N., Gouvernance et organisation des services à la personne en Europe, document de travail, France stratégie, Décembre 2014, p.61 : <http://bit.ly/13xCfFf> (05/06/2015).

⁴⁹ Titre-services-onem.be, « services autorisés», <http://www.titres-services-onem.be> : <http://bit.ly/1KVX9M9> (2/11/2015)

The titres-service voucher system excludes the large majority of services for dependent persons. But nothing hinders a dependent person or a person with reduced independence to utilise the titres-service, if he/she so wishes, either as a supplement to the services provided by the service sector for care to families and dependent persons or irrespectively of these services.

The age bracket between 34 and 54 years representing the public target of the titres-service voucher system represented approximately 44% of all users in 2013⁵¹. In the same year, the share of persons being 65 years or older represented more than a quarter of all users despite some variations in the regions. Flanders and Wallonia register a more significant share of users of 65 years or older than Brussels⁵². It was found that the share of persons over 65 in Belgium as a whole passed from 25.1% in 2008 to 28% in 2013 (of which 11% are 80 years old or older)⁵³. This evolution shows the shift from the original objectives (fighting black-market employment and enabling a better work/life balance) and the reality on the ground. Even though the titres-service voucher system maintains its pertinence, vigilance is nonetheless necessary in view of the steep increase in the category of persons above 65 using the titres-service voucher system, as this community demands a particular expertise of the worker as well as a specific framework to ensure services under good conditions for both the service provider and the recipient.

Even though the titres-service service providers and those active in the sector of care services for families and dependent persons have different missions, the two systems turn out to be complementary and a more intensive coordination and integration is missing so that the users/beneficiaries of such services can be rapidly oriented towards the most appropriate service provider for his/her needs.

3.3. Quality of regulation

Even though the care services for families and dependent persons and household services within the titres-service voucher system are complementary, they are not defined in a uniform regulation.

Care services for families and dependent persons are coordinated by regional public authorities. The service providers, which may only be public or non-profit entities, must be licensed by the regions. Through this procedure - which imposes a certain number of standards with respect to qualifications, the employment and training ratio of the workers or even the

⁵⁰ Titres service 2016.be, « entreprises agréées » <http://www.titresservices2016.be> :<http://bit.ly/1NOnksG> (2/11/2015).

⁵¹ Maarten, G., Romainville, J., Valsamis, D. (c), op.cit. p.16

⁵² *Ibid.*

⁵³ *Ibid.*

structural organisation of the provider - the various providers are obliged to comply with a regulatory framework ensuring the quality of services and jobs provided. The provision of services is thus controlled by public authorities.

The titres-service voucher system is also associated with a regulatory framework which has so far been guaranteed by the regions. The Act establishing the system makes an annual evaluation of the system mandatory with this evaluation covering the effect of the system on employment, the gross as well as the net expenditure for the action, the applicable salaries and working conditions, the recipients and the workers. This tool also allows compliance checks which might lead to a withdrawal of the licence, if companies do not respect the required obligations and criteria. Titres-service companies are licensed by the Federal state (with the 6th Reform of the Belgian State, these competences will be transferred to the regional authorities). While the reform is not finished at this time, the application must be submitted to the Licensing Committee under the supervision of the National Employment Agency (ONEM).

4. CONCLUSION

The sector of personal care in Belgium is managed in a comprehensive and dual system.

- Care services for families and dependent persons are based on a supply-side subsidy and access depends on social criteria. The services are exclusively provided by public structures or associations which are licensed according to a regulatory framework defined by the regions and this means that specificities may become apparent.
- Household services within the titres-service voucher system depend on the logic of demand-side subsidies. The titres-service voucher system aims at creating employment (especially for low-skilled workers), reducing black-market employment and externalising of household tasks. The titres-service licence continues to be granted by the regions after the 6th Reform of the Belgian State and follows a specific regulatory framework.

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