

## Seminar on Triangular Labour Relations

Wednesday 21 November 2012  
09h30 – 17h30

AULA  
Voldersstraat 9  
9000 Ghent



### PRACTICAL INFORMATION

#### General

Wednesday 21 November 2012, 9h30 to 17h30  
At the 'Aula', Voldersstraat 9, 9000 Ghent, Belgium

Coffee breaks, sandwiches, a rich reception and documents are included in the price.

#### Price

Price	145 euros
Privileged partners / magistrates	95 euros

#### Credits

- Credits have been applied for at the Flemish Bar Council.
- The Belgian Judicial Training Institute will finance the registration fees of the magistrates, legal interns and staff of the judiciary who are present. The Belgian Judicial Training Institute will not finance the possible costs for those persons who have registered but who are not actually present. A colleague may, however, attend in the registered person's place. This colleague will then, stating his/her name and function, put his/her signature next to the name of said registered person.
- Other attendance certificates may be delivered on request.

#### Information and Registration

IRIS | International Research Institute on Social Fraud

Social Law Department

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The reception of your invoice is the confirmation of your registration.

You will receive an electronic reminder one week before the seminar.

#### Cancellation policy

[http://iris.ugent.be/?page\\_id=118](http://iris.ugent.be/?page_id=118)

### REGISTRATION FORM

Ms-Mr  
Function  
Office – Administration  
Street  
Postcode  
Invoice address (complete if different)  
Street  
Postcode  
Tel.  
E-mail

VAT  
No  
Location  
No  
Location  
Fax

Wishes to enroll and will pay 95/ 145 EUR after having received an invoice.  
Wishes to receive an attendance certificate

Date /Signature

## PROGRAMME

**09h30 – 09h35** Welcome

**Chairman of the day, Prof Dr Yves Jorens, director of the International Research Institute on Social Fraud, UGent**

**09h35 – 09h45** Programme outline

**Prof Dr Patrick Humblet, President of the Social Law Department, UGent**

**09h45 – 10h05** Triangular labour relations from a legal history perspective

**Dr Bruno De Baenst, doctor-assistent at the Institute for Legal History, UGent**

**10h05 – 10h25** Temporary agency work and agencies in Belgium

**Mr Marc Willems, Head of Department, Inspection Employment and Social Economy, Government of Flanders**

**10h25 – 10h50** Dealing with mala fide temporary work agencies in the Netherlands

**Mr Onno Brinkman, Directorate Labour Relations, Ministry of Social Affairs and Employment, the Netherlands**

**10h50 – 11h15** Coffee

**11h15 – 11h35** A critical view of the Directive on Temporary Agency Work

**Prof Dr Filip Dorssemont, professor of labour law, UCL**

**11h35 – 11h50** Temporary agency work in practice

**Ms Ann Cattelain, director legal service Federgon**

**11h50 – 12h05** Temporary agency work and posting

**Prof Dr Yves Jorens, director of the International Research Institute on Social Fraud, UGent**

**12h05 – 12h30** Questions

**12h30 – 13h30** Lunch

**13h30 – 14h00** Prohibited hiring out of workers and illegal labour services

**Ms Katrien Van Hoecke, Junior Deputy Public Prosecutor at a Court of First Instance**

**14h00 – 14h20** Fraud in the framework of triangular labour relations, service vouchers as an example

**Mr Chris Vanlaere, ministerial advisor department for the regulation of individual labour relations, FPS Employment, Labour and Social Dialogue**

**14h20 – 14h35** Portage salarial from a tax law perspective

**Ms Sonja Van Duerm, Regional director Special Tax Inspectorate Brussels**

**14h35 – 14h50** Portage Salarial: aspects sociaux

**Mr Didier vanden Brande, director social inspection, FPS Social Security**

**14h50 – 15h20** Triangular labour relations seen through the eyes of the inspection

**Mr Dirk De Pauw, social inspector - head of department, FPS Employment, Labour and Social Dialogue**

**15h20 – 16h00** Coffee

**16h00 – 17h30** Debate with all speakers

**Chairman: Mr Paul Windey, president of the National Labour Council**

**17u30 – 18u00** Closing speech

**Ms Monica De Coninck, Minister of Employment**

**17h30** Reception

## INTRODUCTION

### Triangular labour relations: who is the employer?

During the last years, the European labour market has seen a significant change due to increasingly flexible and fragmented labour relations. More and more, employers appeal to employers from other enterprises.

Belgian law, however, starts from the fundamental prohibition of the transfer of authority. Temporary agency work is the most significant exception to this prohibition. IRIS wants to use this seminar to produce more insight into the question to what extent an employer may transfer his authority to a third-party user? This is done from an international and comparative law perspective.

After having focused briefly on the historical development of this starting point, we will go more deeply into the regulation concerning temporary agency work. Here, we will deal with the situation in Belgium and the Netherlands, as well as the view of employers and the inspection.

We also put temporary agency work in a European perspective: the directive on temporary agency work will be critically held up to the light and temporary agency work will be discussed in the framework of the free movement of services. In the afternoon, we will cover a number of atypical types of triangular labour relations such as service vouchers and portage salarial. Last but not least, the prosecution of the prohibited hiring out of workers will be discussed. Afterwards, participants and speakers will have ample opportunity to interact, both during the debate and at the reception. The closing speech will be delivered by Ms Monica De Coninck, the Belgian federal Minister of Employment.