

Financing adult learning database

Name of the instrument - Local language	Scholingsbeding (NL) / Clause de dédit-formation (FR)
Name of the instrument - English translation	Payback clause
Scheme ID	236
Country	 Belgium
Reporting year	2015
Type of instrument	Payback clause
Type of entry	Single instrument

Short description	Employers and employees can agree on a payback clause. In compensation for employer-provided/financed training, employees commit themselves to stay in the company for an agreed period or (partially) pay back the costs of training. The payback clause must be agreed on in an individual agreement and must not be part of the general working contract or the collective agreement. The duration of the payback clause must not exceed 3 years (from the moment of completion of training).
Short description of the related instruments	nap

Level of operation	National
Name of a part of the country	nap
Name of the region (for regional instruments)	nap
Name of the sector (for sectoral instruments)	nap
Relevance	Key scheme
Legal basis	Artikel 22bis van de wet van 3 juli 1978 betreffende de arbeidsovereenkomsten
Year of implementation	1978

Operation/management	The payback clause needs to be concluded in writing, at the latest at the start of the education and training the payback clause refers to. The payback clause must be agreed on in an individual agreement and must not be part of the general working contract or the collective agreement. The agreement must contain: - a description of the education and training, its duration and the location where it takes place - the costs of this education and training or an estimation thereof, excluding travel and accommodation costs. - the beginning and the duration of validity of the payback clause. - the amount to be paid back The duration of the payback clause must not exceed 3 years (from completion of the education and training).
Eligible group(s)	Employees with permanent work contract and an annual salary over EUR 33 000 per year(2015). This salary level is proportionately applicable to part time employees.
Group(s) with preferential treatment	None
Education and training eligible	The education or training must allow the employee to develop skills which can be used in other companies (non-firm specific skills). The education or training must also not be part of the requirements for exercising the profession for which the employee was recruited.
Source of financing and collection mechanism	Employer, employee
Financing formula and allocation mechanisms	Maximum 80% of training costs can be reimbursed by the employee to the employer. The amount to be reimbursed cannot exceed 30% of the employee's annual salary and must decrease progressively over time.
Volumes of funding	na
Beneficiaries/take up	nap
Organisation responsible for monitoring/evaluation	SPF Emploi (FOD WASO).
Monitoring/evaluation reports available	na
Most relevant webpage - in English	na
Most relevant webpage - local language	na
Sources	Artikel 22bis van de wet van 3 juli 1978 betreffende de arbeidsovereenkomsten