

# Never work alone

LOOKING FOR SOLUTIONS TOGETHER

## More social dialogue, smart mobility solutions

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Executives also want social dialogue

### **Culture and the coronavirus**

"I have developed a love-hate relationship with my job"

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## Colophon

ACV Kader is the network for professional and managerial staff within ACV. The framework has grown from the LBC-NVK, now ACV Puls and since 2018 also addresses managerial staff and knowledge workers who are affiliated at ACVBIE. This publication appears four times a year and is sent to all members.

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## Preface

# Enthusiasm to find solutions together

The coronavirus continues to be the topic of conversation everywhere: in the press, at work, in the shop, etc. However, everyone is getting tired of it. I am fed up with the daily coronavirus news on Radio 1 and prefer to switch to Studio Brussel. Employees tell me that they need offline contact with others, a chat at the coffee machine, a meeting in a real room, etc. The limits of telework, online meetings, sharing screens and isolation have been reached. Reading the testimony of freelance dancer Wolf in this issue really touches me. Many employees have lost their jobs due to the coronavirus, which cost them a part of their identity as well. Their job defines who they are.

However, the crisis has its positive sides too. It seems as if the crisis has enabled us to listen to each other and clearly see our challenges. I can see a lot of enthusiasm to find solutions together. At home, we also acknowledge each other's experiences. The same phenomenon can be seen (partly) in the social dialogue.

At a national level, a (temporary) collective labour agreement about telework was developed during the coronavirus crisis. ACV Kader has worked hard to make the executives' role a topic in the dialogue with the employers. We have succeeded and we are very proud of that. 'Supportive leadership' deserves a fundamental place in sound

management, more than ever. Now that many employees are struggling with isolation, or have to function in precarious family situations, executives have an important role to play in the connection between employees and their team. With ACV, we stimulate our employee delegates to prioritise that connection between employees.

In enterprises, we also see wonderful examples of social dialogue. At HP, the employees and management reached an agreement about a greener mobility policy. It is an inspiring case which proves that participation helps everyone move forward. Participation will be necessary in the many companies where employees and employers have to find mobility solutions together in a quickly evolving context.

The recent judgment issued by the Labour Court of Antwerp about the exclusion of the trade union delegation in the company 3M sets the course for the future of constructive dialogue. Whether you are an executive, knowledge worker or manager, you can enter into a collective conversation with your colleagues and the employer, about the issues that matter to you. This way, you can enter into fair and binding agreements, which is better for everyone.

Sandra Vercammen

# Trade union delegation

Jan Deceunynck

JUDGE SAYS THAT EXECUTIVES ARE ALSO ENTITLED TO SOCIAL DIALOGUE

## “We reach out to the employers in the chemical industry”

Some good judicial news! On 13 January, the Labour Court of Antwerp ruled that executives are also entitled to social dialogue via trade union delegation. The judgement hopefully puts a stop to a long-standing tradition of discrimination. In quite some sectors and enterprises, executives are excluded from social dialogue.



3M representatives Nancy Lommelen and Gert Hooftman set the ball rolling approximately 5 years ago. “After several attempts to make trade union work possible for executives in consultation with the management, they dared to enforce the claim legally. That is quite something. Taking legal action against your employer is not that simple. Nancy and Gert stuck their necks out in the principle case that had been going on in the chemical industry for years. We cannot thank them enough for that,” Koen De Kinder says gratefully. In his position of trade union secretary, he was involved in initiating the procedure at the time. In the meantime, Inge Paeshuys has replaced him as trade union secretary at 3M.

#### **How did you learn about the judgment?**

**Koen:** The lawyer called me while I was driving. I put my car at the side of the road for a moment, because the judgment, which proved us right along the line, made me a little emotional. After 4 years of legal action, that judgment was an enormous boost. And most of all: the opposite would have been rather unpleasant. Not only for us, but definitely for Nancy and Gert, who had stuck their necks out for us. Unfortunately, we have not been able to celebrate our victory, due to the coronavirus. We will definitely celebrate someday.

#### **Why is this judgment so important?**

**Inge:** Companies create more and more executive functions, thus eroding the dialogue. 150 blue-collar workers, 30 white-collar workers and 120 executives work for 3M. So, almost half of the staff is, or was, excluded from the social dialogue. Once in a while, a CLA also applied to the executives, but they were not able to enter into collective agreements with the employer. When we wanted to consult with the executives, the management called in the help of the employers’ federation Essenscia, who did not want any executives in the trade union delegation.

***“We want to make dialogue with executives possible in the entire industry. We want to look for solutions to mutual concerns, together with the employers.”***

#### **The judgment only concerns 3M. This does not have any legal consequences for other companies.**

**Koen:** That is true. However, the importance of it goes beyond this one company. The judgment does not focus on the specific situation of 3M. Moreover, there had been a similar arrest before. The Labour Court of Mons issued an identical judgement several years ago. That judgment did not receive a lot of attention in the north of Belgium. This time, a judge in Antwerp says the exact same thing. Employers now know that two judges have decided in principle that executives are also employees, with equal rights. In both cases, it is a fundamental judgment. That is an advantage for us when we insist on social dialogue for executives with any other employer. It is not our intention to take legal action against every company right now. However, we do want to enter into a dialogue with the companies.

#### **What topics do executives want to put on the agenda of the social dialogue?**

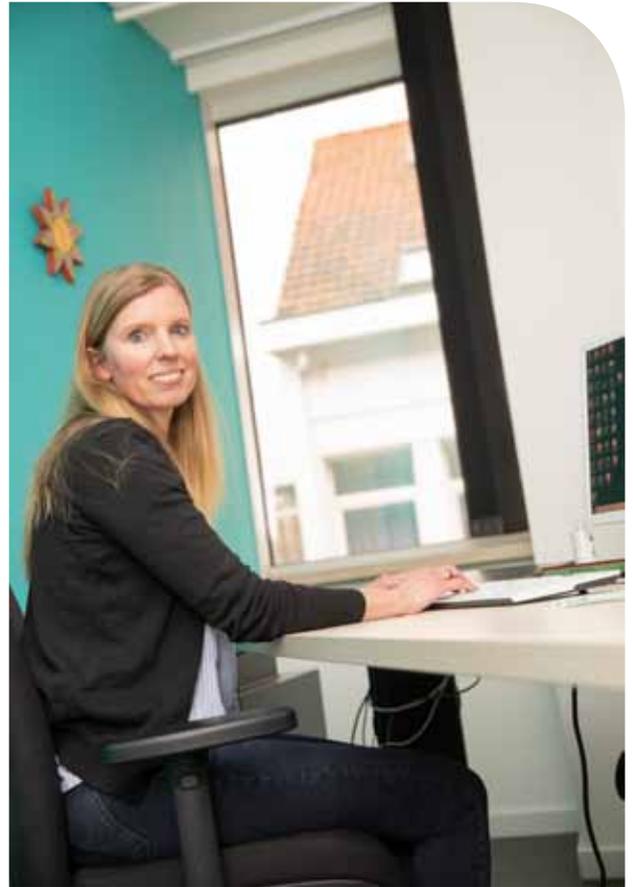
**Inge:** It depends on the company. At the moment, we do not have a list with all the demands. The demands, however, often concern transparent wages, work-life balance, disconnection, etc. We will now start conversations in the companies with our executive delegates to explore what this could mean to them. Most of all, we want the employer to listen to the specific concerns of the employees with an executive status. We want to enter into collective agreements in all transparency. We want to get rid of arbitrariness. We want a collective basis that counts for everyone.

#### **That demand is not that unreasonable, is it? Then why do Essenscia and the employers keep resisting?**

**Inge:** They want to keep the possibility to reward their staff on an individual basis. Recently, a company in Antwerp did not assign the index for executives collectively but divided it through individual bonuses. They are afraid that they will no longer be able to do that in the future. They do not realise enough that this wage policy could feel unjust to many executives, especially if ever larger groups of white-collar workers are granted an executive status. In another company, a whole group of executives recently asked to become



*Koen De Kinder*



*Inge Paeshuys*

white-collar workers again. The status of a white-collar worker gives them more security about their salaries, compared to this ‘higher’ executive status.

**Does this judgment guarantee that the employers will now be convinced to listen to the executives’ concerns?**

**Koen:** Nothing can ever be guaranteed. You can never force employers to negotiate, if they do not want to reach an agreement. The employers can still stand their ground on topics they do not want to discuss. Nevertheless, the judgment gives us new possibilities. Of course, 3M has not changed its vision all of a sudden. The dialogue still needs

***“It is a fundamental judgment. Employers now know that two judges have decided in principle that executives are also employees, with equal rights.”***

to be developed. We do not want to see the tension escalate, of course. We want to reach out and prove that dialogue is better for all parties.

**That does not only apply to 3M, I suppose?**

**Koen:** Indeed, that applies to other employers too. We do not just want to inform companies. We are trying to make the judgment as widely known as possible. Other articles about this topic have been published in legal magazines and we have notified the payroll service providers. We want to make the judgment widely known. We definitely want to enter into dialogue with Essenscia as well. They also need to understand that their point-blank refusal is no longer acceptable. They have entered into dialogue with large companies from the industry, to figure out how they can respond. We want to make dialogue with executives possible in the entire industry. We want to look for solutions to mutual concerns, together with the employers. We are convinced that social dialogue is the best tool to achieve this goal.

MORE SOCIAL DIALOGUE, SMART MOBILITY SOLUTIONS

## What about the company car?

In the next years, the company car system will be thoroughly changed. The De Croo administration has announced in its coalition agreement that it wants to remove all cars that run on fossil fuels from the street by 2026. In addition, it has explicitly stated that taxes should contribute to the achievement of climate-neutral ambitions. In other words, the friendly tax treatment of company cars will be overhauled.

The changes will impact a lot of employees. Approximately 690,000 company cars are on the road in Belgium. That number is still rising. Even in the coronavirus year 2020 – when telework became more popular – the number of company cars increased. According to Acerta, 21.7% of the white-collar workers and executives had a company car in 2020, compared to 20.6% in 2019. They travelled fewer kilometres because of the telework, but company cars continue to be an increasingly popular fringe benefit. That is not very surprising. Employers who want to reward their personnel are restricted by the wage norm, to which the company car offers a solution.

### Benefit of all kinds

However, company cars have been made less attractive in the past years. Since 2012, the company car has been more heavily taxed as a ‘benefit of all kinds’ (VAA) (benefit granted by an employer or company to an employee or manager). The carbon emissions have become an important parameter in the calculation of the benefit, because of environmental concerns. The emissions of your car are compared to the average emissions of new

***“Employers who want to reward their personnel are restricted by the wage norm, to which the company car offers a solution.”***

models, which results in a carbon dioxide coefficient. That coefficient rises again in 2021, which is why the VAA for most company cars increases as well. Subsequently, the tax you pay on them rises too. Moreover, a new decree determines that the carbon dioxide coefficient can no longer decrease in the future.

In addition, the carbon emissions are usually found to be higher (up to 20% higher compared to the ‘old’ NEDC test) due to the introduction of the strict Worldwide Harmonised Light Vehicle Test Procedure (WLTP). You will notice it on your payslip, because higher emissions mean a higher VAA. The WLTP values are not compulsory yet, but they will be the new standard for car manufacturers. The question is how long the government will continue to accept the lower NEDC values.

### Mobility budget

The mobility budget is a possible alternative and it seems to have gained popularity. A recent survey of Acerta has shown that, so far, only 2 in 1,000 employees have already traded their company car for a more environmentally-friendly alternative (a smaller, greener car in combination with a public transports pass or bicycle). Nevertheless, that is already a step forward compared to early 2020, when it was 1 in 10,000.

The coronavirus could actually be a game changer. Both employers and employees feel that ‘work’ has really changed. Fewer kilometres, more telework. Right now, the mobility budget is responding to that even more strongly, as rent or mortgage can be included in the mobility budget more than before. In the original system that was only possible for people living within a radius of 5 kilometres from work, but that has been expanded now. Those who work from home at least 60% of the time, can use the mobility budget for housing costs.

In short, the possibilities are numerous. The changes make a big difference for a large group of employees. They also create new possibilities to reward employees and develop a fair and attractive salary package. For quite a lot of employees, the company car was and still is part of the cafeteria plan, in which it was balanced against other options. Changing that system is a delicate operation.

ACV also wants to contribute to achieving the climate ambitions. However, the company car issue is complex and important to a lot of employees, which means we cannot treat it lightly. Together with the employers, we want to look for concrete solutions that help realise a green revolution and protect the employees’ salary packages.

Read all about it at  
[www.metsociaaloverlegslimmeronderweg.be](http://www.metsociaaloverlegslimmeronderweg.be)



## HP opts for an electric fleet

At HP, the trade unions and management reached a wonderful agreement about a greener mobility policy. Making the fleet greener does not cost the employees anything extra.

“That has been our aim from the very beginning. Making our company greener is important, but the bill is not supposed to be paid by our employees,” explains trade union representative Bart Truyens. That point of view led to serious discussions, but with a great result.

“Together with the management and the fleet management company LeasePlan, we looked for the best way to achieve that goal. After a lot of negotiation and calculation, the car company offer has been expanded with numerous electric cars of different brands. Employees can still choose a combustion engine too. In practice, only a minority still prefers that option.”

HP considers the environment of paramount importance. The company was therefore keen to make its fleet greener. The Belgian HP branch became an international pilot to realise that

***“We have put a lot of work into achieving this result, but in the end, we all benefit from it, including the environment, which might be most important of all.”***



environmental ambition. The branch also agreed to use the employer’s tax advantages to keep the cost for employees on the same level as before. In other words, the staff does not pay more than before, but will dispose of a nice, electric car anyway. Charging stations will be provided at the users’ homes.

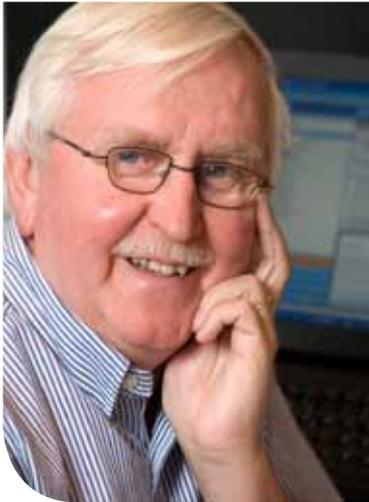
“We have put a lot of work into achieving this result, but in the end, we all benefit from it, including the environment, which might be most important of all,” Bart concludes.

# Social dialogue

Jan Deceunynck

## INDUSTRY DIALOGUE TO STIMULATE INNOVATION

# “Industry dialogue does not lack a sense of reality”



The different professional sectors will soon enter into the biannual dialogue about the evolution of your salary and working conditions. That is important. However, the industry dialogue is much broader than those periodical consultation rounds. “The importance of the industry dialogue is heavily underestimated,” says a disappointed Bernard Leemans. He was involved in that dialogue for years as chairman of joint committees and mediator between employers and trade unions. In addition, he taught Social Dialogue and Industrial Relations at EHSAL Management School and KU Leuven, respectively.

“It is a misconception that dialogue is always about conflicting interests. Much more often, the interests of employers and employees overlap and they use the dialogue to look for solutions to problems that concern both employees and employers. Those solutions are often quite innovative,” he remembers from his rich past. “In the 1990s, the dialogue already introduced outplacement and career guidance in industries confronted with the consequences of European integration and European

***“The sectors should be allowed to reach agreements without too much government interference. They are creative and innovative enough to find solutions.”***

budgetary discipline (Treaty of Maastricht). Today coaching employees is very normal. However, the idea of ‘bringing’ employees into the evolving labour market originates from the industry dialogue. The idea evolved later on.”

### Capital

That is how it still is, according to him. “A lot of coronavirus measures were introduced thanks to

the industry dialogue. Concrete agreements were made to fight the virus in the workplace. I am also convinced that the negotiators from the industries will know what to do about the wage growth. Employees want more than 0.4%, from which employers will benefit too. I heard an employer say on television that her staff was her most important capital. I suppose she does not want to lose her staff? She understands that she has to do something to retain her personnel. The trade unions are always prepared to take the sectoral reality into account. None of the joint committees lack this sense of reality. That is why the sectors should be allowed to reach agreements without too much government interference. They are creative and innovative enough to find solutions. The conflicts are not insurmountable.”

### The primacy of politics

According to Leemans, the ‘primacy of politics’ is a problem. “It was much less of a problem in the 1970s and the 1980s. At that time, the government had social partners develop agreements themselves. Interprofessional agreements were reached after a night of vigorous negotiation. However, interference from external factors gradually made its entrance. Europe introduced



budgetary discipline (Treaty of Maastricht), the judicial power imposed restrictions and politicians wanted to have a say in the debate. On a sectoral level, that inference is much smaller.”

The media are to blame as well. “Conflicts are always blown out of proportion, which is why most people do not know that the dialogue is usually constructive. The media do not write about that. I also noticed that my students barely know what

***“During the industry dialogue, trade unions and employers look for innovative solutions to shared challenges. Outplacement and coaching were born right there.”***

social security and social dialogue actually mean. Only those students who have parents with an HR position or who are working as trade union representatives had a notion of what it means. That is quite the challenge for education. I also see that trade unions hardly communicate about social security and social dialogue. They could use social media to inform people about it. Knowledge of social dialogue leads to understanding.”

### **New topics**

The topics on the agenda of the industry dialogue change along with society itself. “Currently, migration is an important topic. We need foreign manpower, both for the labour market and to sustain the social security system.”

“The sectors can make agreements about training and integration. People who are new in Belgium have to learn a lot: not only the language, but our industrial relations as well. Part of this responsibility lies with the employers. We also need to make sure that the ones struggling with the technological evolutions are not left behind.

We will need to find a solution for groups of employees with new statuses, like staff from Uber and Deliveroo or self-employed staff members within companies. Giving these groups a place in the social dialogue poses an important challenge, but it is possible. Just like the first word processing systems in the 90s caused a revolution, we are facing some dramatic changes today. However, our social partners did find solutions then, by entering into dialogue. The dialogue is still that agile today.”

## COVID AND THE ARTS

# “I have developed a love-hate relationship with my job”

In the past year, Covid has not had the same impact on everyone. The impact has remained limited on quite some employees. Personally, I have written my articles on my home computer this year. Apart from the inconvenience for my family members, who have had to tolerate me a bit more often in ‘their’ living room, little has changed. Other employees have been temporarily unemployed for a shorter or longer period. Yet the cultural professionals are certainly among the group that has been affected the most. The cultural sector has been shut down for the best part of a year. After a temporary and limited resumption of their activities last summer, our cultural establishments have been eerily quiet.

### FLANDERS EXCELS?!

ACV Puls contributed to the book ‘Vlaanderen excelleert?!’ (Flanders Excels?!) which was published by EPO earlier this year. The book paints a picture of the Flemish government’s policy and the opinion of the cultural sector on this topic. It contains contributions by well-known figures from the sector such as writer Tom Lanoye, visual artist Luc Tuymans, actor Michael Pas and many others. The book is available in bookshops.



Cultural creatives have hardly had any projects and assignments; there has been virtually no audience to entertain. And in many cases, no many has been paid into their bank account. As a freelance dancer, Wolf Govaerts used to switch from project to project. But this came to a sudden stop last year, just for a while at first, and then it seemed as if it would go on forever. Besides the financial loss, he has been unable to do what he likes best – dancing and putting on shows – for a year.

When we interviewed Wolf, he had just contracted Covid. “I have no idea where I caught it,” he says. “On the street? In a shop? Could be. The virus circulates very easily.” Except for a sore throat, he has no serious symptoms. “I have the British variant. The good news is that I will soon become immune, the doctor said.” He still sees things positively.

### A false start

However, the past 12 months have been anything but easy. “At the end of 2019, I had settled in Brussels after living in Amsterdam for a few years. I was just expanding my network,” he explains. “Establishing contacts, doing auditions. I had also just recovered from a broken ankle I had sustained a few months earlier. Everything finally started to fall into place,” he adds. But it turned out to be a false start. “In February, we began rehearsing for a performance we would give on a tour of the Netherlands with the company OFF Projects. We were able to give only three performances. Then Covid came and everything ground to a halt.”

At first, Wolf thought it would all be over after a month or so. “I continued to be highly active in the first month. I shot short dance videos on a daily basis. With the colleagues from OFF Projects, we kept on organising warm-ups and exchanging creative ideas. But our enthusiasm waned after a while due to a lack of perspective. What was the point of continuing? There was no prospect

***“In February, we began rehearsing for a performance we would give on a tour of the Netherlands. We were able to give only three performances. Then Covid came and everything ground to a halt.”***

of improvement. Nevertheless, I kept on being creative for some days. Yet I didn’t get anything done on other days. Without any prospects and structure, I was no longer on firm ground.”

### New performance

Fortunately, he has occasionally found some work in the past few months. “We did some small Covid-friendly projects and in January we devised a new performance.

But it remains unclear when we will be able to put it on stage.” He hopes in November, but he is still in the dark. Nevertheless, they are doing everything they can to make it happen. “It is a very flexible performance, as small scale as possible in light of Covid. We have even divided the casts in order to have a solution in case someone falls ill with Covid and part of the cast has to quarantine.”

“I miss it so much ... Already at the age of three I knew that this was what I wanted to do: perform on stage, dance, create shows ... But Covid has made it even harder to keep going.” He feels uncertain about the future. “I have developed a love-hate relationship with my job. I would really like to continue, but I’m not sure I will be able to. There is no money coming in and I don’t know how long this will go on. Maybe I should start looking for another job. But I don’t want to, this is what I want to do. In addition, I sense little awareness about the situation in which many people, especially artists, find themselves. Can’t we do better than this?”

### Cultural professionals deserve better

Within ACV, Tijs Hostyn is responsible for the cultural sector. “Many cultural professionals will find it easy to identify with Wolf’s story. Those who depend on short contracts run into difficulties if there are no longer any job offers. If a government agency cuts subsidies or if an organisation goes through a rough patch, they are always the first victims. The coronavirus has once again made it clear how precarious their position is. As ACV, we are currently negotiating with the Flemish government about improving the income, support and job security for those who work in the cultural sector. Because they deserve better. Wolf’s story inspires us to not let go.”

# Coaching

Jan Deceunynck

SUPPORTIVE LEADERSHIP IS NEEDED MORE THAN EVER

## “Strict rules do not encourage people to give their all”

During a recent ACV Kader workshop about “supportive leadership in telework”, the participants reflected on their own leadership style. So did Sandy De Leus, who leads the technical service desk at Crelan. “Clients who experience technical problems during their banking operations, can contact our team,” he explains. That sometimes leads to difficult telephone conversations. “Then it is important to have someone around to ventilate to,” remembers Sandy, from when he was part of the team himself.



The members of the service desk are now inevitably working from home, due to the coronavirus. Before the pandemic, they used work at the office every other week. “We take turns working at home and at the office. That makes it completely different. When they are sitting next to me, I can see their facial expressions, which tell me a lot. Currently, I sometimes do not hear anything from my employees all week. My team works very independently. They do not need me very often for functional issues – even if they know that I am always there for them. Due to the coronavirus, people who contact us appear to have a rather short fuse. I can see that the obligatory telework is also weighing on my team.”

### Little things

Sandy tries to keep his finger on the pulse. “I do not want to control them, I just want to know what is going on,” he explains. “That was easier when I still saw my colleagues more often,” he admits. “Sometimes we went for a drink or had something to eat together somewhere near the office. We cannot do that anymore. And a WhatsApp group is not the same as seeing each other in person.” Fortunately, there are other ways to check up on someone. “The little things often tell me a lot about what is going on. If someone finishes fewer calls or takes longer breaks all of a sudden, it often means that something is not right. Then I try to do something about it as soon as possible. I do not want to put them on the spot, I only want to ask them what is wrong and find a solution. For example, I recently agreed with one of my employees that he could take a break. He urgently needed some time for himself. He was thinking about taking unpaid leave, but we changed that to parental leave, by mutual agreement. Soon he will take a month’s leave. That is better for everyone, instead of him heading straight for a burn-out.”

He also stays in touch with colleagues who are absent from work. “Yesterday I paid a visit to a colleague who is currently at home because of a burn-out. We went for a walk for a few hours. We did talk about work, but only about the informal



side, not about cases.” However, a while ago Sandy did talk about work with that colleague. “When he had only just left work, I did not know he had a burn-out, so I contacted him about a work issue. That was not my best moment, but good leaders learn from their mistakes. Now I think twice before I contact a colleague who is absent from work.”

### Mutual respect

Anyway, the colleague involved did help Sandy at the time. That says something about the atmosphere within the team, according to Sandy. “Within my team, we have a lot of respect for each other. I know that my employees are driven. They know their jobs. They know I am always there for them if something is wrong. Strict rules do not encourage people to give their all. Autonomy does. If I ask someone to work late to finish an urgent job, that is never a problem. At the same time, we will not be rushed without reason. If something is not possible, it is simply not possible. Not every call that comes in can be solved immediately.”

Sandy is looking forward to having his employees near him more often, even though he does not know how telework and office work will be combined in the future. “I have noticed that some of the colleagues are tired of full-time telework, not coincidentally the singles,” he says with a smile. He understands that sitting at home alone all the time is not ideal. He is also looking forward to the daily commute himself. “Working at home with two young children is not easy. Dad is home, but he cannot play. When I am going back to the office soon, it will at least be clear for my children: if dad gets home, he is there 100% for them!”

***“The best leaders learn from their mistakes.”***

## **Never work alone**

Quarterly ACV-magazine  
for professionals and managerial staff

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