

Competences

The Regional Employment Inspection is in charge of inspection and supervision in the following areas:

- Employment of foreign workers (for instance, investigations before issuing a single working and staying permit)
- Professional cards for foreigners
- Service vouchers
- Access to professions
- Itinerant trading and fairground activities
- Employment discrimination
- Social economy
- Mixed job market management
- Paid educational leave
- Target-group policies

How are controls carried out?

Enquiries and inspections can take place:

- following a request or a complaint from a citizen;
- upon request from a department of Brussels Economy and Employment (Economic Migration Department, Working Policy Department, Economic Inspection Department);
- upon request from the Social Information and Investigation Service;
- upon request from justice courts (labour prosecutor or King's prosecutor).

In case of a complaint, the inspection department recurs to the appropriate procedures and penal instruments, depending on the specific case and the business area involved.

For instance, the labour inspectors, presenting irrefutable proof of their authority, may carry out unannounced inspections at any time of day and night in the workplace to establish if all workers present are in possession of the appropriate working permit or single permit. If necessary, they can request police support.

Given the importance of confidentiality, the employment inspectors must:

- ensure the confidentiality of the personal data they access in fulfilling their mission (for instance during an interrogation);
- keep secret the name of any plaintiff or declarant, even in court, unless the person concerned has given express permission to reveal his or her name;
- refrain from informing the employer (or his representant) about an enquiry involving a worker following a complaint or declaration.

What are the possible penalties?

The employment inspectors can:

- write an internal and/or external report (that may or may not include advice);
- write a report addressed to the labour prosecutor of the King's prosecutor;
- write a formal reminder of the law;
- issue a formal warning;
- impose a term as to to rectify the situation;
- write a pro justitia report.

During their missions, the inspectors are empowered to seize or seal mobile assets as evidence of the infractions they observed.

Fight against fraud

For the purpose of countering fraud, the Regional Employment Inspection cooperates with:

- the Brussels Labour Court;
- the Brussels First Instance Court (King's prosecutor);
- the Social Information and Investigation Service: actions in connection with the Canal area plan, social dumping, problem sectors ...;
- the Federal services for social inspection;
- the Federal Public Service Finance;
- the Police services.

The department has also concluded cooperation protocols with UNIA and the Institute for the Equality of Women and Men for the purpose of fighting employment discrimination. Moreover, a cooperation agreement with the Flemish and Walloon inspection departments is in the making.

The Employment Inspection also produces statistics on illegal employment of foreigners (working permits and professional cards) for supranational organisations such as the European Commission and the Organisation for Economic Co-operation and Development (OECD).

Regulation

- [Loi du 30 avril 1999 relative à l'occupation des travailleurs étrangers.](#)
- [Arrêté royal du 9 juin 1999 portant exécution de la loi du 30 avril 1999 relative à l'occupation des travailleurs étrangers.](#)
- [Arrêté royal du 2 septembre 2018 portant exécution de la loi du 9 mai 2018 relative à l'occupation de ressortissants étrangers se trouvant dans une situation particulière de séjour](#)
- [Loi de redressement du 22 janvier 1985 contenant des dispositions sociales.](#)
- [Ordonnance organique du 23 février 2006 portant les dispositions applicables au budget, à la comptabilité et au contrôle.](#)
- [The Regional Economic Inspection](#)