



# Alliant Global Services

Global Knowledge Center –  
Legal & Regulatory Updates





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# Belgium

## Maximum tax-exempt home office allowance increased

Published 7 June 2024

Effective 1 June 2024, employers may grant a maximum social contribution and income tax-exempt flat-rate home office allowance of EUR 154.74 per month (up from previously, EUR 151.70).

The allowance may be granted to full-time or part-time employees who work-from-home on a structural and regular basis for a substantial part of their working time. The term structural and regular means the equivalent of one working day per week for both part-time and full-time employees. This can be organized on a monthly basis in different ways (without prorating).

- 1 day per week
- 2.5 days per week
- 2 hours per day in a 5-day workweek
- 1 week per month.

The amount of EUR 154.74 is a maximum amount. Lower tax-exempt amounts can therefore also be granted. Prorating the tax-exempt allowance amount in case of part-time work is not mandatory, i.e., the same ceiling applies for part-time workers.

Separately, in addition to this tax-exempt allowance, the following income tax and social contribution-exempt maximum monthly amounts may be granted to work-from-home employees:

- EUR 20.00 for the use of a private internet connection and subscription for professional purposes; and
- EUR 20.00 for the use of a personal computer with peripherals for work purposes, or EUR 10.00 EUR for a second monitor, a personal printer and/or scanner, without a private computer (i.e., EUR 5.00 EUR per peripheral component for a maximum of three years).

### Underlying legislation

National Social Security Office, Administrative Circular 2021/C/20 on employers' work-from-home allowances, 26 February 2021 ([ONSS, Circulaire 2021/C/20 relative aux interventions de l'employeur pour le télétravail](#)).

Ministry of Finance Circular 2024/C/37 relating to employer interventions for teleworking (8th Addendum) of 31 May 2024 ([Circulaire 2024/C/37 relative aux interventions de l'employeur pour le télétravail \(8ème Addenda\)](#)).

# Belgium

## Maximum annual tax-exempt cycle-to-work allowance retroactively increased

Published 18 June 2024

Retroactively effective 1 January 2024, the newly introduced annual ceiling for tax-exempt cycle-to-work allowance (*l'indemnité vélo*) is increased from EUR 2,500 to EUR 3,500.

A per-kilometer as well as an annual ceiling apply to cycle-to-work allowances paid by employers to their employees. If either ceiling is exceeded, the excess becomes subject to income tax and to social contributions.

The annual ceiling was introduced, starting at EUR 2,500 as of 1 January 2024.

The exemption from income tax and social contributions is automatically applied by the employer's payroll through payroll withholding.

If commuting allowances paid by several employers exceed the annual exemption ceiling:

- the annual exemption ceiling applies per employer in terms of social contributions; and
- the required income tax adjustments are made by tax authorities when processing the employees tax return.

### Background

Starting 1 January 2024, if an employee uses their bicycle for commuting to work, a limit of EUR 0.35 per kilometer of bicycle commute (up from previously EUR 0.27 per kilometer) applies to 2024 earnings. While the per-kilometer allowance amount was considerably increased, a new annual exemption ceiling of EUR 2,500 was introduced, effective 1 January 2024.

Both these ceilings must be respected for a tax-favorable treatment of the employer paid allowance.

It is the newly introduced ceiling that has now been revised upwards to EUR 3,500, retroactively effective as of 1 January 2024 – the start date of the tax year.

### Underlying legislation

- Law of 12 May 2024 relating to various tax provisions ([Loi du 12 mai 2024 portant des dispositions fiscales diverses](#)), published in the Official Journal (le Moniteur belge) on 29 March 2024.
- Royal Decree of 15 May 2024 making modifications to professional withholding tax ([Arrêté royal du 15 mai 2024 portant des modifications en matière de précompte professionnel](#)), published in the Official Journal on 28 May 2024.

- Royal Decree amending Article 19, Paragraph 2, 16°, of the Royal Decree of 28 November 1969 amending the law of 27 June 1969 revising the Decree-law of 28 December 1944 concerning workers' social security, regarding the base amount and the mileage allowance limit ([\*Arrêté royal modifiant l'article 19, § 2, 16°, de l'arrêté royal du 28 novembre 1969 pris en exécution de la loi du 27 juin 1969 révisant l'arrêté-loi du 28 décembre 1944 concernant la sécurité sociale des travailleurs, en ce qui concerne le montant de base et le plafond de l'indemnité kilométrique\*](#)), was published in the Official Journal on 29 March 2024.
- Royal decree modifying professional withholding tax matters ([\*Arrêté royal modifiant, en matière de précompte professionnel\*](#)) including annexes, published in the Official Journal on 15 December 2023.

## Resources

Federal Public Service Finance, bicycle allowance ([\*Service Public Federal Finances, SPF Finances, Indemnité vélo\*](#)).

# Belgium

## Tax-exempt mobility allowance limit increased by more than 22%, starting 1 July 2024

Published 25 June 2024

Effective 1 July 2024, the maximum social contribution-exempt mobility allowance (*Indemnités de mobilité*) granted by employers to employees in certain sectors of activity, is increased to EUR 0.1929 per kilometer (up from previously EUR 0.1579, in effect since 1 May 2020).

### Mobility allowances

In sectors where the place of work is not fixed, there is, in certain cases, a flat-rate travel expense reimbursement program, frequently referred to as mobility allowance. This benefit is excluded the employee's remuneration subject to social contributions when both of the below conditions are met:

- The flat-rate reimbursement program and the compensation it determines are defined by a collective labor agreement (CBA) concluded within a joint committee and mandated by a royal decree; and
- the amount of the allowance does not exceed EUR 0.1929 per kilometer (as of 1 July 2024) of home to work round-trip commute distance.

Employers should be mindful that any excess payment, whether provided for by CBA or not, above EUR 0.1929 per kilometer will result in the total amount of the allowance granted being subject social contributions.

### Underlying legislation

Royal Decree amending article 19, §2, 4°, c) of Royal Decree of 28 November 1969 implementing the law of 27 June 1969 revising the Decree-Law of 28 December 1944 on social security for workers (*Arrêté royal modifiant l'article 19, § 2, 4°, c), de l'arrêté royal du 28 novembre 1969 pris en exécution de la loi du 27 juin 1969 révisant l'arrêté-loi du 28 décembre 1944 concernant la sécurité sociale des travailleurs*), published in the Official Gazette (*le Moniteur belge*) on 28 May 2024.



# Canada

## 2024 Federal Budget to introduce right to disconnect

Published 06 June 2024

On 5 June 2024, Canada's Parliamentary Standing Committee on Finance released its report on [Bill C-69](#) implementing certain provisions of the [2024 Federal Budget](#).

Bill C-69 would introduce the right to disconnect in [federally regulated industries and workplaces](#), via an employer policy or an applicable collective bargaining agreement (CBA).

### Right to disconnect amendments

Division 22 of the Bill would amend the [Labour Code](#), mandating that employers establish a policy on the right to disconnect. The policy would need to include the following elements:

- A general guideline regarding work-related communications outside of scheduled work hours, outlining the employer's expectations and any opportunities for employees to disconnect from work-related communication channels;
- Any exceptions to this guideline alongside the reasons for these exceptions; and
- The policy's effective date.

Under the proposed amendments, employers would be required to:

- Update their policy every three years while consulting employees during its development and revision;
- Post the policy in an easily accessible location for employees; and
- Provide a copy of the policy to every applicable employee.

Alternatively, the Bill provides that employers covered by a CBA may not be required to comply with the employer policy requirement described above, provided the CBA sufficiently addresses the Bill's requirements. In cases where a CBA does not adequately cover said requirements, the employer must have a policy in place.

Employers would have to comply with the provisions of Division 22 one year after a date that would be set by the Governor in Council.

### Employer prohibitions

If passed, the Bill would prohibit employers not covered by a CBA that satisfies the Bill's provisions from intimidating, terminating, penalizing, or disciplining employees who:

- Ask their employer to comply;

- Making inquiries about their rights;
- Filing a complaint; or
- Exercising or attempting to exercise their entitlements.

## **Background and legislative process**

In its 2024 Budget, the federal government announced its intention to modify the Canada Labour Code to include a right to disconnect for federally regulated employees. Bill C-69 would implement certain provisions of the 2024 Budget and is now due for its third reading in the House of Commons. Should the Bill pass a final vote, it would be sent to the Senate for a first reading.

# Canada

## Federal government launches consultation on planned amendments to the Employment Equity Act

Published 4 June 2024

On 3 May 2024, the Ministry of Employment and Social Development of Canada released a [Consultation Paper](#), requesting stakeholder feedback on planned changes to the [Employment Equity Act](#) due to close on 31 July 2024.

The planned amendments would enhance and expand the Act's scope by:

- Creating two new designated groups; and
- Replacing terms and updating their definitions in existing provisions.

### Concerned employers and employees

The Employment Equity Act applies to employers and employees in the following industries and workplaces:

- [Federally regulated industries and workplaces](#)
- Crown corporations
- Other federal organizations with 100 employees or more
- Portions of the federal public administration

Other employers should consult the employment standards legislation of province or territory where they operate.

### Creation of new employment equity groups

The Act currently identifies four designated equity groups, namely:

- Women
- Indigenous peoples
- Persons with disabilities
- Members of visible minorities

Black employees are currently part of the "visible minorities" group. The Ministry plans to amend the Act to include a new separate equity group for Black employees to recognize historical and current inequities.

Additionally, the Ministry adopted recommendations from an independent task force that 2SLGBTQI+ employees should constitute a new equity group under the Act to address historical discrimination, and current disparities in victimization and workplace discrimination.

If adopted, such measures would entitle Black and 2SLGBTQI+ employees as beneficiaries of employment equity alongside women, people with disabilities, aboriginal peoples, and visible minorities. Employers under the Employment Equity Act must report on efforts to promote diversity among visible minorities, including proactive measures to enhance their employment opportunities.

## Term replacement and definition changes

### *Indigenous Peoples*

The Act currently uses the term "aboriginal peoples," defined as "Indians, Inuit, or Métis" in the Constitution Act. The Supreme Court of Canada has clarified that "Indians" in the Constitution Act includes all aboriginal peoples, including non-status Indians and Métis, and acknowledged that "Indians" was a term applied by European settlers without distinctions.

To address the harms of colonization, the Ministry adopted recommendations that the term "aboriginal peoples" in the Act be replaced by "indigenous peoples" with a distinctions-based approach, specifically identifying First Nations, Métis, and Inuit peoples.

### *Racialized People*

The Act currently uses the term "visible minorities," comprising of 11 distinct sub-groups to encompass a wide range of ethnicities and backgrounds who are perceived as minorities based on their race or ethnicity.

The Ministry plans to amend the Act to replace the term "visible minorities" with "racialized workers" in order to recognize that racialization involves social processes where individuals are categorized and treated differently based on perceived racial or ethnic attributes, beyond numerical minority status.

## Employer actions to consider

Employers concerned by the planned amendments are advised to review the consultation paper and provide feedback to the federal government by 31 July 2024.

Employer feedback should be provided through the consultation paper, a copy of which can be requested from the government by [email](#).

Employers invited to a virtual roundtable session may provide additional feedback at the session.

## Background

On 11 December 2023, the Ministry released a final report published by an independent Employment Equity Act task force which recommended several amendments to the Act, which the Ministry now seeks stakeholder consultation on.

The planned changes to the Act align with other government initiatives to address systemic racism, support sexual and gender diversity, and enhance accessibility for people with disabilities.

## Resources

- [Consultation on the Employment Equity Act Modernization](#)
- [A Transformative Framework to Achieve and Sustain Employment Equity, the report of the Employment Equity Act Review Task Force.](#)

# Czech Republic

## Proposed amendments to the Labor Code include parental leave employment protection

Published 17 June 2024

On 16 April 2024, the Ministry of Labor and Social Affairs submitted its proposed amendments to the Labor Code for the government's review.

The amendments aim to increase the flexibility of employment relationships; relax certain employment condition rules; and respond to the needs of the modern labor market.

The amendment is currently being discussed by the government after which it would be submitted to the Chamber of Deputies.

The amendments are expected to be approved by Parliament in 2024 and to enter into effect 1 January 2025.

### More flexible parental leave

In particular, the amendments would introduce measures to enhance reconciliation of work and family life for parents, allowing them to take employment protected parental leave. That is, employees taking parental leave would be guaranteed to return to the same position as before going on parental leave, if they return from the leave within two years of the child's birth.

Additionally, employees on parental leave would be able to agree with their employers on their work activities or the performance of their work, based on which they could carry out the same type of work that they did prior to taking parental leave. This measure would deviate from the Labor Code, Section 34b paragraph 2, which, would only be an option during parental leave.

This second measure would be redundant to a certain extent, in that employees on parental leave already have the option of working according to their employment agreement, when they agree on reduced working hours with the employer.

### Exception to the three consecutive fixed-term contracts for parents

In the event that an employee is temporarily absent due to maternity or parental leave, the proposed amendments would allow a repeat of the employment relationship's duration for a fixed period without restrictions.

However, the total duration of fixed-term employment agreements between the same employer and employee may not exceed nine years from the date of the first fixed-term employment agreement.

## Other proposed amendments

Other notable proposed amendments relate to probation period, termination, notice period, working hours and rest periods, expansion of range of cases when an employer could remunerate the employee in a currency other than the Czech crown.

## Resources

- [Ministry of Labor and Social Affairs Press Release](#) (in Czech)
- [Ministry of Labor and Social Affairs Presentation](#) (in Czech)

# France

## Planned replacement of parental leave by new birth leave under consultation

Published 20 June 2024

On 15 May 2024, the government launched consultations with employer and employee associations regarding the creation of a birth leave to replace the current parental leave.

The birth leave would be shorter but covered by better social benefits as compared to the current parental leave.

The details of the planned birth leave remain to be fine-tuned following consultations, but are expected to include:

- A total of six months of birth leave to be shared by both parents, replacing the current parental leave.
- The leave would allow for more flexibility, in that it could be taken by one or both parents, either simultaneously or consecutively, full-time, or part-time.
- Social benefits would cover 50% of the parent's last salary, up to a monthly limit of EUR 1,900. Currently, parental leave can be taken until the child reaches the age of three years, and the monthly benefit amounts during parental leave are EUR 422.21; EUR 272.94 if the parent works less than half-time; and EUR 157.45 if the parent works 50% to 80% of full-time.

The change is expected to be included in the 2025 Finance Law and to enter into effect in 2025.

The start of the consultation was initially announced on 12 May 2024, by the Minister for Children, Youth, and Families.

### Resources

Government Press release on 16 May 2024 – Minister Sarah El Haïry launches a consultation on the implementation of birth leave ([La ministre Sarah El Haïry lance une concertation sur la mise en place du congé de naissance](#)).



# India

## Anticipated implementation of labor reforms likely to impact the components of employees' remuneration packages

Published 12 June 2024

Labor reforms passed in 2019 and 2020, consolidated in four federal-level codes over 100 labor and employment laws that still apply across the country's various jurisdictions, are awaiting implementation.

The general expectation, following the country's 2024 national election, is that implementation of these consolidating codes will occur during the remaining months of 2024 through early 2025.

One key feature of the [Code on Wages, 2019](#) – one of the four reform codes – is the harmonization of the definition of "wage" across all jurisdictions. Currently, definitions vary, with some jurisdictions' laws including certain employer allowances, incentives, or perquisites, while others' exclude them.

Naturally, employers tend to structure remuneration packages to comprise a lower ratio of wage versus non-wage component, because the calculation of most mandatory employee benefits (e.g., severance pay) are based on the wage component of an employee's full remuneration package.

Chapter I, Section I, Part II, Paragraph (y) of the Code of Wages defines the term "wages", and states that any employer payments beyond the wage component of an employee's net remuneration (i.e., total take-home pay including allowances, incentives, and perquisites) shall be deemed part of the wage component, thus impacting the mandatory benefits (e.g., retirement and severance benefits).

In light of the expected implementation of the labor reforms, employers may benefit from reviewing and assessing the impact of the above provision on their current remuneration practices, and on their budgeting exercise should any changes be required for compliance reasons.

### Underlying legislation

[The Code on Wages, No. 29 of 2019, An Act to amend and consolidate the laws relating to wages and bonus and matters connected therewith or incidental thereto](#), was published in the Gazette of India on 8 August 2019.

### Background

There are over 100 federal and state labor and employment laws that apply across the country. Labor reforms passed starting in August of late 2019 and through 2020 resulted in four federal codes consolidating the numerous labor and employment laws that apply across the country, which are still pending implementation.

These labor and employment-related codes are:

- The Code on Wages, 2019
- The Industrial Relations Code, 2020
- The Occupational Safety, Health and Working Conditions Code
- The Code of Social Security, 2020

# India

## Karnataka exempts IT/ITES employers from the Industrial Employment (Standing Orders) Act for another five years

Published 21 June 2024

Effective 10 June 2024, via [Notification No. LD 328 LET 2023](#) the Karnataka State government has granted employers in the IT and IT-enabled services (ITES) sectors an exemption from complying with the Industrial Employment (Standing Orders) Act, subject to certain conditions, extending a previously granted exemption for another five years.

The exemption is aimed at fostering a business environment conducive for the IT and ITES sectors' flexibility needs.

The notification states that the exemption shall lapse once the Industrial Relations Code, 2020 (one of four Federal Labor Codes) comes into effect. The Industrial Relations Code, 2020 would then apply to all IT/ITES employers operating in Karnataka.

Currently, there are over a hundred federal and state labor and employment laws that apply across the country. Labor reforms passed starting in August of late 2019 and through 2020 resulted in four federal codes consolidating the numerous labor and employment laws that apply across the country. The codes pending implementation are the Industrial Relations Code, 2020, the Code on Wages, 2019, the Occupational Safety, Health and Working Conditions Code, and the Code of Social Security, 2020

### Exemption for IT and ITES

Since 2014, Karnataka has been conditionally exempting the IT and ITES sectors from compliance with the provisions of the Industrial Employment (Standing Orders) Act.

These include an exemption from submitting draft standing orders for certification – rules which govern the relationship between the employer and employee. In other words, employers in these sectors are not required to produce detailed documents spelling out employment conditions, disciplinary actions, working hours, leave policies, and other service conditions that are required under the Industrial Employment (Standing Orders) Act.

The exemptions afford employers increased flexibility in defining working hours, shifts, and other employment conditions without having to comply with the more rigorous provisions prescribed by the State's Industrial Employment (Standing Orders) Act.

## Conditions for the exemption

The exemption aims to foster a conducive business environment. Nevertheless, it is balanced with conditions to ensure that employee rights and interests are not compromised.

The conditions entail ensuring fair workplace practices. Notably, employers are required to:

- Create internal committees for addressing sexual harassment complaints according to the [Sexual Harassment of Women at Workplace \(Prevention, Prohibition, and Redressal\) Act, 2013](#).
- Create an internal grievance redressal committee consisting of an equal number of people representing employer and employees to address employee grievances;
- Inform labor authorities of any disciplinary actions taken against employees, such as suspension, discharge, termination, demotion; and
- Submit any information on employee service conditions requested by the Jurisdictional Labour Commissioner and the commissioner of Labour in Karnataka.

# Ireland

## Automatic Enrollment Retirement Savings System Bill 2024 proceeding according to a fast-track legislative process

Published 20 June 2024

As of June 19 2024, the [Automatic Enrolment Retirement Savings System Bill 2024](#), which has been placed on a fast-track legislative process, has been amended in the Second House of Parliament and been referred back to the First House.

The automatic enrollment system would apply to all employees who meet certain age and earnings criteria and who do not already have an occupational pension plan. Employees would make contributions from their salary, which their employer would be required to match while the government would make a top-up contribution.

The maximum gross salary subject to contributions would be EUR 80,000.

Employer and employee contribution rates would start at 1.5%, and gradually increase to 6% over a period of 10 years. Government contributions would start at 0.5%, then gradually increase to 2% over the 10 years, as shown in the table below.

<b>Years</b>	<b>Employer &amp; Employee</b>	<b>Government</b>
<i>1 through 3</i>	1.5%	0.5%
<i>4 through 6</i>	3.0%	1.0%
<i>7 through 9</i>	4.5%	1.5%
<i>10 and beyond</i>	6.0%	2.0%

The Bill provides that all employees that meet the below criteria would be automatically enrolled in the system:

- employees between the ages of 23 and 60 years;
- employees not considered to be in "exempt employment"; and
- employees whose total gross annual earnings is greater than EUR 20,000.

Exempt employment is employment in respect of which either employer or employee contributions are made to a qualifying occupational pension scheme, Personal Retirement Savings Account (PRSA), or Trust Retirement Annuity Contract (Trust RAC).

Trust RACs are retirement plans established under trust and approved by Revenue; which provide retirement annuities to individuals or dependents of individuals engaged in, or connected with, a particular occupation.

## **Expected implications for employers**

Once in force, employers would be required to facilitate the enrollment of employees who meet certain criteria into the new auto-enrollment scheme. Employers would not be required to set up a separate pension scheme.

Employers may need to revise their standard employment agreement and offer letters and ensure that their payroll departments or providers are prepared to calculate and process the contributions stemming from auto-enrollments.

## **Policy Background**

The Bill's main objective is to address the country's pension coverage gap. According to the Central Statistics Office's Pension Coverage Survey 2023, the rate of supplementary pension coverage is less than 70% of the country's working population. The new system is expected to provide coverage for up to 800,000 currently uncovered workers. Initial contributions to the system are expected to start as of 1 January 2025.

# Spain

## Government approves proposal to end automatic termination of employees with permanent disability

Published 20 June 2024

On 21 May 2024, the Council of Ministers approved a Ministry of Labor and Social Economy proposal for a preliminary draft law to modify article 49.1.e of the Workers' Statute ([Propuesta de anteproyecto de ley por la que se modifica la Ley del Estatuto de los Trabajadores aprobado por Real Decreto Legislativo 2/2015, de 23 de octubre, en materia de despido](#)), to eliminate the automatic termination of employees with permanent, total, or absolute disability.

The proposal would align the provisions of the Workers Statute with those of the European Council (EC) Directive 2000/78, of 27 November 2000, and would be in accordance with the European Court of Justice (ECJ) ruling C- 631/2022 of 18 January 2024.

Despite the above, to which the recent revisions of Article 49 of the Constitution, and other applicable Spanish legislation should be added, the original wording of the Workers' Statute considers a permanent severe disability as a just reason for termination, without requiring the employer to assess possibilities of making any reasonable adjustments to accommodate each case.

The proposed draft legislation would have one article and two provisions, to:

- Amend Article 49.1.e of the Workers' Statute ([Estatuto de los Trabajadores](#)), to eliminate reference to automatic termination due to severe permanent disability (total or absolute) of the employee, leaving only termination due to death of the employee; and
- Add a new paragraph "n" to Article 49.1 of the Workers' Statute to spell out the conditions that would allow a termination of an employment agreement, and entitle employees to request:
  - reasonable, necessary, and appropriate adaptations of their current positions; or when it is not possible
  - a transfer to another vacant and suitable position that matches their professional profile and new circumstances.

As a reminder, the EC Directive 2000/78, spells out criteria for determining if any necessary adjustments would be considered excessively costly for the employer. Considerations include whether government assistance or subsidies can partially or fully offset an employer's expenses, as well as the expenses in comparison to the size of the employer.

### Resources

- [Council Directive 2000/78/EC, of 27 November 2000, establishing a general framework for equal treatment in employment and occupation](#)
- [ECJ ruling C- 631/2022 of 18 January 2024](#)

# About Alliant Global



As a truly independent global brokerage and consultancy, Alliant brings a unique fresh approach to managing global employee benefits. We are broker-neutral, and therefore represent our clients without any favoritism or conflict of interest. Asinta – a strategic partnership of independent global employee benefits advisors, enhances our agility and our current and in-depth knowledge of market intelligence.

Our model enables Alliant to offer advice and ensure compliance when placing local coverage. Our team's talents and skills are the foundation of this approach.

Our global consultants provide a single point of contact for your HR team, providing seamless coordination with local country brokers and consultants, while addressing your on-going HR and employee benefits compliance and country knowledge needs.

Alliant's global benefits management services include:

- New country expansion
- Plan brokering and renewals
- Country benchmarking
- Cost analytics
- Country news and compliance knowledge
- M&A global due diligence

In addition, we provide our client with a unique user-friendly benefit inventory system—International IQ®—that gives you a 24/7 view of your international plan benefits, renewal dates, and more.

For more information, please contact us at: [globalBenefits@alliant.com](mailto:globalBenefits@alliant.com).

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