

Extension of mourning leave approved by Parliament

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On 17 June 2021, the Federal Parliament (Chamber of Representatives) has approved the **extension** of the so-called "**mourning leave**" (short leave) for employees who have lost a close relative. During this leave, the employees keep the right to their normal remuneration.

Until now, an employee had to right to take three days or mourning leave, because of the passing of his/her spouse, his/her child or the child of his/her spouse. This leave will now be extended to 10 days for:

- The death of a spouse or of a cohabitant partner;
- The death of the own child or of child of a spouse or of a cohabitant partner;
- The death of a foster child which was under the foster care of the employee for a long period. If it was foster care for a short duration, the mourning leave will be 1 day.

3 days will have to be taken between to death and the funeral of the deceased relative. The other 7 days can be taken within a year after the passing of the relative. The employee can derogate from these conditions with the approval of the employer.

Another novelty is the awarding of mourning leave for the death of foster parents (3days between death and funeral).

Next to this, the other types of mourning leave are:

- 3 days for the death of a father, mother, father-in-law, stepfather, mother-in-law, stepmother of the employee or of his spouse or cohabiting partner or cohabiting partner.
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3 days for the death of a brother, sister, brother-in-law, sister-in-law, grandfather, grandmother, grandchild, great-grandfather great-grandmother, great-great-grandchild, son-in-law, daughter-in-law of the employee or of his spouse or cohabiting partner, who are living with the employee.

- 1 day for the death of a brother, sister, brother-in-law, sister-in-law, grandfather, grandmother, grandchild, great-grandfather great-grandmother, great-great-grandchild, son-in-law, daughter-in-law of the employee or of his spouse or cohabiting partner, who are not living with the employee.

For self-employed persons the act introduces an allowance for those who take a leave due to the death of their spouse or cohabiting partner, the death of their natural child or adopted child or the natural child or adopted child of their spouse or child of their spouse or cohabiting partner or the partner or the death of a foster child (long duration). The allowance will correspond to a leave of maximum 10 days, but the specific conditions and the amount of the allowance will still have to be stipulated by the government.

The act will enter into force on the 10th day after the publication in the Official Gazette.