

# Global Immigration alert

January 2026

## Belgium

### Significant changes to immigration rules for employers and foreign workers in Flanders

#### Executive summary

The Flemish authorities implemented significant changes to their immigration rules for foreign workers and employers on 1 January 2026.

#### Background

The Flemish authorities approved a [proposal](#) in May 2025, which included expedited processing for applications submitted by highly skilled workers and a new fee for applicants from outside the EU seeking to obtain work or single permits. The new policy builds on the May proposal and aims to allow highly selective labor migration to meet the needs of the Belgian labor market, develop a digital system to simplify application submission for employers and foreign workers, and address abuse and fraud through enhanced controls.

#### Key developments

Effective 1 January 2026, the following changes went into effect:

- **Highly skilled foreign workers:** Eligibility criteria for highly skilled foreign workers are now strictly defined. Individuals who hold a higher education diploma (minimum VKS 5) and apply for jobs classified as highly skilled (level 5 or above) qualify under this category. The authorities will verify both the job classification in Belgian labor agreements and the authenticity of foreign diplomas (i.e., verification via consulates or issuing countries). Salary requirements are based on the average Belgian annual wage, with specific percentages based on workers' categories (e.g., 80% for applicants under the age of 30, nurses and teachers, and 100% for standard cases such as highly qualified professionals, Information and Communication Technology roles and EU Blue Card holders). If an

applicant is deemed overqualified for a low-skilled role (e.g., an individual with a master's degree applying for a cleaning job), the authorities will reject their application.

- **Medium skilled foreign workers:** For medium-skilled foreign workers, the migration list of shortage occupations is updated every two years in consultation with social partners, using strict indicators such as vacancy duration and the number of job seekers. A new list applies as of 1 January 2026 and is published in the "[Belgisch Staatsblad](#)." Newly added professions include process operators in the chemical industry and data communication technicians, while roles such as truck drivers and bakers have been removed. Occupations on this list are exempt from the labor market test.
- **Other categories:** Low-skilled roles (VKS 1-2) are generally reserved for nationals of Belgium and European Economic Area (EEA) member states. Third-country nationals are not generally eligible to obtain work authorization for low-skilled roles. However, they may obtain work authorization for seasonal work in agriculture, horticulture and hospitality. Medium-skilled roles (VKS 3-4) are allowed, but subject to a strict labor market test (i.e., employers must prove that they actively looked for candidates in Belgium and the EEA before hiring from abroad). The authorities will reject applications if more than three individuals applied for a job, unless employers provide evidence to counter the presumption of sufficient local candidates. The list of shortage occupations was updated on 1 January 2026 by removing approximately 21 professions. For the professions that were removed, it is now mandatory for companies to prove that they could not find a candidate in Belgium or in the EU after searching for at least nine weeks.



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- **Seasonal workers:** Seasonal work is now regulated by specific rules and permitted only in agriculture, horticulture and hospitality, for a maximum of five months per calendar year. No labor market test applies to seasonal workers, and the authorities will regularly review the list of eligible jobs.
- **Addressing abuse and fraud:** The authorities may reject permit applications sponsored by companies where more than 80% of the workforce consists of foreign employees, and impose sanctions for unlawful employment or fraud, along with a three-year ban. All parties in the contracting chain, including self-employed individuals and intermediaries, may be liable for unpaid wages and sanctions. A new requirement applies in high-risk sectors, requiring both employers and individuals to ensure compliance and check for fraud before engaging in contractual arrangements.

Other changes that are expected to be implemented in the future include:

- **New online platform and revised applications fees:** By the second quarter of 2026, all work permit applications and renewals will be processed via the "[Uniek Loket](#)" digital portal. A processing fee of EUR 200 to EUR 250 will apply to combined permit applications (i.e., single permits), including renewals.
- **Faster processing for applications for highly skilled workers:** Applications submitted by highly skilled foreign workers will be processed within 14 days, down from up to four weeks currently. While applications in other categories take 30 days to process, authorities may extend the processing time during peak periods. Applications submitted before 31 December 2025 will follow the current timeline of two to four weeks, while faster processing will apply to applications submitted on or after 1 January 2026.

#### Impact on employers

Employers may monitor and assess the impact of these developments and update their internal policies and processes as required to ensure compliance.

#### Key steps

EY will continue to monitor these developments. Should you have any questions, we encourage you to contact one of our immigration professionals.

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