

## Checklist: Long-term sick leave and return-to-work support

Recent federal measures give employers a bigger role in preventing long-term sick leave and helping employees return to work safely and successfully. **Some steps are now mandatory, while others are recommended practices** or new tools to help you build a robust, future-proof HR policy. Here's a clear, practical checklist to help you navigate the changes with confidence.

### 1. Offer preventive support

Since 2026, any employee who **feels they might end up on long-term sick leave** can request **accommodations to their job or even a different role** to reduce that risk. The employer must review and respond to the request. Creating a clear internal procedure isn't required by law, but it is considered good practice.

What's helpful to have in place:

- a simple, **easy-to-find way** for employees to submit requests
- a **multidisciplinary analysis** (occupational health, psychosocial support, ergonomics, etc.)
- a **transparent, considerate explanation** of the final decision
- a **record of the process** [recommended]

### 2. Develop an active absenteeism policy

The legislation calls for a consistent approach to prevention and maintaining contact, but it **doesn't require you to consolidate everything into one official document**.

Still, a clear policy will help you:

- define roles and responsibilities [HR, managers, prevention teams]
- reduce the risk of long-term sick leave
- encourage open, constructible dialogue in the workplace

### 3. Update your employment regulations (mandatory)

Since 2026, your regulations must include:

- the **procedure for maintaining contact with employees on sick leave** (who reaches out how often)
- how **requests for preventive accommodations** are handled
- the **option to schedule a pre-return appointment**

If these elements are missing, the regulations are **not compliant**.

Note: Since 2022, employers must have a **company-wide return-to-work policy** in place, as required by **the Workplace Well-Being Code**. This isn't new, but the authorities are now enforcing it more strictly. Your company-wide return-to-work policy should also align more closely with your absenteeism policy [see item 2 on this list].

Your return-to-work policy must specify:

- how you prevent **long-term sick leave**
- how **contact is maintained**
- how **options for accommodations** are assessed
- the **roles of the different parties** [HR, managers, prevention teams, the occupational physician]

#### 4. Schedule a pre-return appointment (now also at your initiative)

Employers can now offer to set up a pre-return appointment, whereas previously only employees could ask for one. Employees are free to decline the offer.

Good practice includes:

- documenting your proposal
- clarifying that the aim is to support a safe and successful return - not to supervise or control

This appointment is recognised as an informal, flexible return-to-work tool.

#### 5. Set up an internal process for assessing work potential

After **8 weeks of incapacity leave**, the employer must request a **work-potential assessment** from the occupational physician, using a standardised method. How you organise this internally is up to you.

Useful elements to define:

- a clear internal workflow
- the documents you need to share
- communication adapted to the employee's situation

#### 6. Adapt your HR governance

While the law doesn't impose a specific governance model, it does **give managers a clearer role** in supporting employees on sick leave. They're no longer just intermediaries — they're **key partners** in maintaining contact and facilitating a safe and successful return.

You may want to:

- provide practical tools and guidance for managers
- schedule regular touchpoints between HR and managers
- keep a record of interactions, which can be useful during inspections

## 7. Document and archive each step (highly recommended)

The authorities [INAMI/RIZIV, Labour Inspection] may request evidence of:

- your **attempts to make contact**
- your **internal procedures**
- **the work-potential assessment**
- the **accommodations you proposed**
- your **reasoning** if accommodations are not possible

Documentation isn't a legal requirement, but it's crucial if you need to demonstrate compliance.

## 8. Assess accommodation or alternative-role options

Employers must analyse whether accommodations, a different role or specific adjustments are possible when:

- the employee requests it [preventive assistance]
- work potential is identified and triggers the launch of an official return-to-work programme

A structured internal approach is considered **good practice**.

## 9. Prepare for the new timelines

Since 2026:

- the return-to-work assistance programme can begin from **Day One**, with the employee's agreement
- companies with 20+ employees must start it **before 6 months of incapacity leave** if work potential has been identified
- the relapse period is extended to **8 weeks** [impact on guaranteed salary]

## 10. Communicate clearly and transparently

Employees should be informed about:

- their **new rights** [requests for accommodations, pre-return appointment]
- the **options for adjustments**
- how the organisation **maintains contact** during the incapacity leave

Clear communication builds **trust and transparency**.

## Questions?

You are, of course, always welcome to contact us if you need additional information.