



The legal framework



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1/THE LEGAL FRAMEWORK OF THE PhD TRAINING

1.1/The employment contract and the grant agreement

As a PhD student, you can:

- have the **status of assistant or of «PhD researcher»**. As such you sign an employment contract;
- **be a «PhD fellow»** and you sign a grant agreement.
- **have volunteer status** if you decide to start a PhD on your own financing.

The advantages and disadvantages of the different types of status are listed in point 2.3 of the «Preparing your PhD» sheet.

1.2/Taxation system

› **The salary of the contracted «doctoral researcher» is taxable.**

For a PhD grant, the grant is tax exempted. At the time of his/her first engagement, the candidate for a grant must have carried out activities for the institution, prior to his/her registration for the PhD, under one or more employment contracts (assistant, teaching assistant, researcher) whose total cumulative duration exceeds one year (365 days), regardless of the percentage of occupation of the contract. The PhD grant can only be awarded to the same person for a maximal total period of 48 months.

The amount of the grant is annually fixed by the Administrative Board (of the F.R.S-FNRS, of the university that will employ you). In the event of an exception, duly justified by the rules of the donor and accepted by the Administrative Board, the grant may be for a net amount higher (e.g. Marie-Curie scholarships granted by the European Commission).

1.3./Social protection

› **The PhD researcher on salary is subject to the social security of salaried employees.**

The beneficiary of a PhD grant is also subject to the social security system for salaried employees, in accordance with article 3bis of the Royal Decree of 28 November 1969:

- if he or she is Belgian or a national of a Member State of the European Economic Area (EEA) or of a State with which Belgium has concluded a social security convention, his or her liability is complete ;
- if he or she is a national of another State, that liability is partial and is limited to compulsory sickness and invalidity insurance and family allowances.



The PhD student, whether an employee or a grant holder, is also covered in the event of an accident at work or on the way to work. In case of incapacity resulting from an accident or illness in private life, the salary/grant continues to be paid for a period of one month.

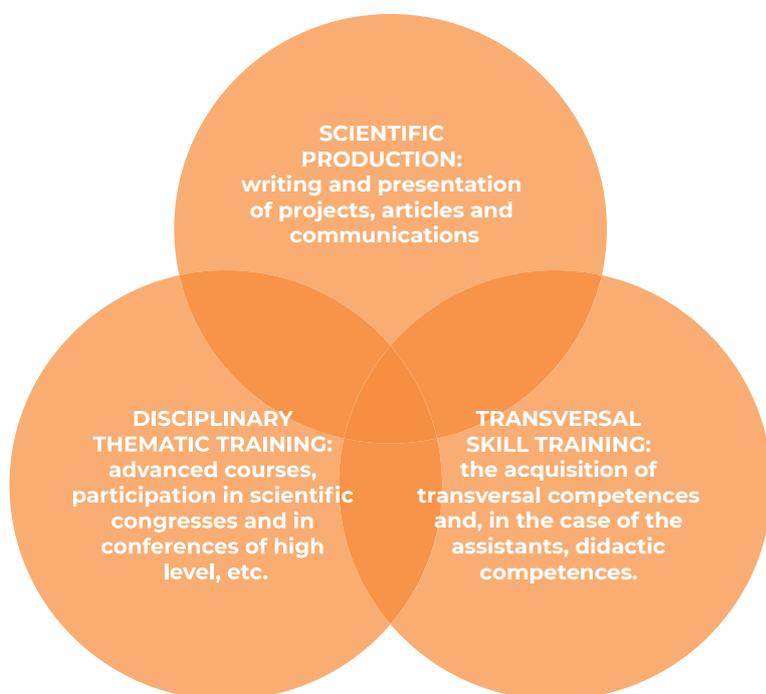
During maternity, paternity or adoption leave, whether you are an employee or a grant holder, as a PhD student you can normally benefit from a replacement income at the expense of the mutual insurance company (consult the human resources department for confirmation that your financing agency authorizes this). Payment of your salary/grant is suspended by your employer; upon your return from leave, if permitted by your funder, you are entitled to an extension of your salary/grant period up to the statutory maternity, adoption or paternity leave.

2/ THE LEGAL FRAMEWORK IN THE WALLONIA-BRUSSELS FEDERATION AND AT EUROPEAN LEVEL

2.1 PhD training

In addition to his/her research activity, the PhD student activity is structured around three axes:

- thematic disciplinary training, offered for example by the FNRS thematic doctoral schools (<https://frs-fnrs.be/fr/financements/chercheur-doctorant/ecoles-doctorales/ecoles-doctorales-thematiques> or via training courses organizer within universities (courses, seminars, conferences, research stays, summer schools, etc.).
- transversal competences, in different fields: communication, languages, project management, ... (some universities have set up a catalogue of «soft skills training»)
- and scientific production (publications, posters, communications, ...)



PhD training is an essential part of the PhD. Indeed, the 'landscape' decree (see below) specifies that «no one can obtain the academic degree of doctor if he or she has not successfully completed a corresponding PhD training program» (1).

This training consists of specific activities related to the profession of researcher. A research training certificate (with a fixed value of 60 credits) is issued at the end of the course. This training can take place throughout the preparation of the thesis.

It is interesting to know that a PhD student who holds a master's degree ("finalité approfondie") in the same field as his/her thesis can benefit from the use of these credits in his/her doctoral training. The valorized credits are then added up within the 60 credits that the PhD student must acquire.

 For more details, see the «Managing your PhD program» sheet.»

2.2/The «landscape» decree

The PhD is a training that is part of the higher education landscape. In this respect, it is framed by the provisions of the decree of 7 November 2013 defining the landscape of higher education and the academic organization of studies applicable to it.

The decree, known as the 'landscape decree', fixes the structure of the PhD (a PhD training and a thesis preparation), the modalities of the evaluation allowing to acquire the title of doctor (the writing of a thesis and its public defence) as well as the minimum conditions of admission to the PhD program. Universities may, if they wish, set additional conditions for candidates wishing to complete a PhD.

2.3/The PhD regulations

In each university, the PhD program is governed by its own doctoral regulations. In accordance with the legal and regulatory frameworks in force at the European level, in Belgium, FWB and ARES (2), it defines the different stages of the PhD program according to the specificities of the university. It also specifies the conditions for obtaining the research training certificate and the academic degree of doctor.





2.4 The European Charter for Researchers

In the Wallonia-Brussels Federation, all the universities have committed themselves to respect the European Charter for Researchers and the Code for the Recruitment of Researchers (CC). The CC brings together 40 principles for researchers, universities and funders, that promotes a favorable working environment for researchers.

Universities have the obligation to make progress in adhering to the CC principles as part of the HRS4R (Human Resources Strategy for Researchers) process by developing a three-year action plan. In exchange, the European Commission grants the HRS4R label or renews it every three years on the basis of the actions carried out.

i For more information on your rights and duties as a researcher, please consult the sheet «Rights and duties of researchers».

REFERENCES

- (1) Article 116 of the decree of 7 November 2013 defining the landscape of higher education and the academic organisation of studies.
- (2) Académie de la recherche et de l'enseignement supérieur; it has in particular the task of setting a single set of rules for the juries responsible for conferring the degree of doctorate

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The PhD@Work project aims to strengthen and enhance the transversal skills of researchers. It is an integrated and inter-university project which has several sub-objectives: to continue the effort already made to strengthen the transversal skills of PhD students and PhDs, in better adequacy with the needs of the socio-economic world; to promote these skills to recruiters in order to improve the employability of PhDs and to support innovation; to develop supports, tools and support for professional integration; and to organize communication and events aimed at PhD students and PhDs as well as academics and companies. The project leader is the ASBL Objectif Recherche and the partner universities are UMONS, UCLouvain, USaint-Louis Brussels, ULB, UNamur and ULiège.

The PhD Welcome Pack was written by UNamur in collaboration with the partners of the PhDs@Work project.